

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA
CIVIL DIVISION**

JEANFRANCO FRAMPIAR TORRES,
JOSE LUIS VALLESTEROS BARAZARTE,
FRANCISCO JOSE SANCHEZ ALVAREZ,
ANASTASIO SIDERIS, YOSELIN KATHERINE
MARTINEZ URDANETA, FRANCOIS CAPECCI
Plaintiffs,

CASE No.: 2019 033542 CA 01

V.

JAVIER ALEJANDRO BERTUCCI CARRERO AND
AGROPECUARIA LOS CEDROS C.A.
Defendant(s).

**PLAINTIFF'S VERIFIED MOTION FOR RELIEF FROM COURT ORDER DATED
APRIL 16, 2020 PURSUANT TO RULE 1.540(b) AND/OR MOTION FOR REHEARING
AND/OR RECONSIDERATION**

COMES NOW, the Plaintiffs, JEANFRANCO FRAMPIAR TORRES, JOSE LUIS VALLESTEROS BARAZARTE, FRANCISCO JOSE SANCHEZ ALVAREZ, ANASTASIO SIDERIS, YOSELIN KATHERINE MARTINEZ URDANETA, FRANCOIS CAPECCI, by and through their undersigned counsel and hereby move for relief from Court Order dated April 16, 2020 pursuant to Rule 1.540(b) and/or a rehearing and/or reconsideration upon Plaintiff's Motion for Default, which was previously heard before the Honorable Judge Alexander Bokor on March 23, 2020 and was granted, on the following grounds:

1. On April 16, 2020, the Plaintiff, JEANFRANCO FRAMPIAR TORRES, filed a motion for default against the Defendant, JAVIER ALEJANDRO BERTUCCI CARRERO. At the hearing on April 16, 2020, although the Defendant was personally served with Summons and Complaint in Venezuela and, was further served pursuant to 48.161, 48.171, 48.081 or

49.19 Florida Statutes by the Secretary of State of Florida. Attached please find proof of services of process on Defendant.

2. At the hearing on April 16, 2020, Defendant's counsel raised a defense that due to the Defendant residing in the Country of Venezuela, service was required under the terms of the Hague Convention (However, Defendants counsel apparently was unaware that the Hague Convention offices for service of process were closed and had been closed since President Barack Obama issued a presidential order dated March 9, 2015 declaring Venezuela a "threat to its national security" and ordered sanctions.) The Court ruled in favor of Defendant based on the Hague Convention service argument.
3. After the hearing, Plaintiff attempted to serve the Defendant pursuant to the Hague Convention; however, neither Plaintiff nor his investigators were able to make contact with the Hague Convention service of process offices in Caracas. After having local counsel and their investigators in Venezuela attempting to make contact in person and by phone with the Hague Convention offices, it was learned that the offices for service of process were indefinitely closed due to Venezuela closing service assignments from outside countries, including the United States, in an attempt to gain concessions regarding pending embargos imposed against them. Also, it was determined that the Hague offices were permanently closed due to the pandemic. Please find attached affidavit of attorney Pedro Cardona dated December 14, 2020 and affidavit of undersigned counsel John J. Spittler Jr. regarding communications with attorney Cardona offices and receipt of Mr. Cardona's affidavit.

4. Subsequent to learning and confirming the above, the coronavirus became very serious in Venezuela causing Venezuela and all government offices and all associated offices in Venezuela to close to U.S. interests.
5. Plaintiff is entitled to relief from this Court's order dated April 16, 2020 pursuant to Rule 1.540(b) of the Florida Rules of Civil Procedure, which provides the following may be reasons for relief from a final judgment or order: 1. mistake, inadvertence, surprise, or excusable neglect; 2. newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial or rehearing; 3. fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party; 4. that the judgment or decree is void; or 5. that the judgment or decree has been satisfied, released, or discharged, or a prior judgment or decree upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment or decree should have prospective application. Mistakes which result from oversight, neglect or accident are subject to correction under rule 1.540(b)(1)." *Curbelo v. Wiman*, 571 So.2d 443 (Fla. 1990).

Florida courts have continuously held that the mistake, inadvertence, surprise, or excusable neglect contemplated by rule 1.540(b) can also arise from the actions of a petitioner's attorney. *Lazear Int'l, Inc. v. Caraballo*, 957 So.2d 1191, 1192 (Fla. 3d DCA 2007). *Wilson v. Woodward*, 602 So. 2d 547, 549 (Fla. 2d DCA 1992).

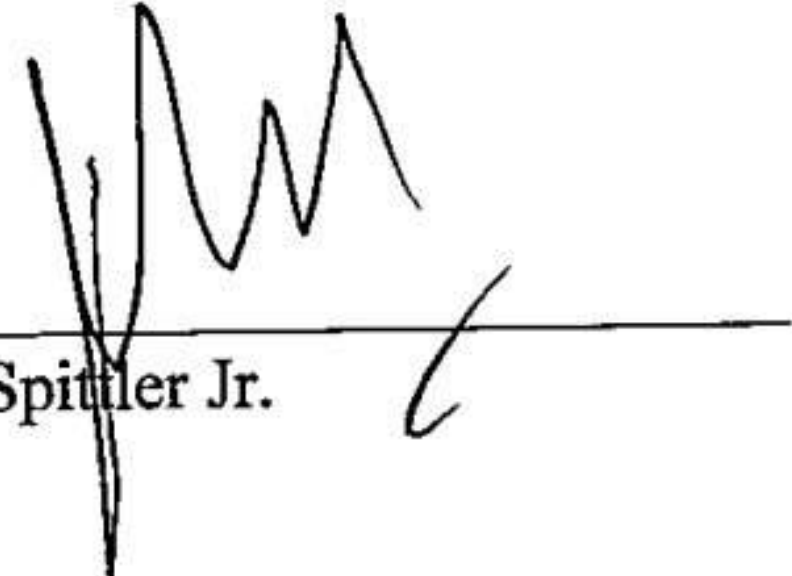
6. Further, this Court's Order dated April 16, 2020, would be inequitable because it was entered due to the mistaken belief by Defendant attorney that the Hague Convention Service offices in Venezuela were open and operating. The Defendants were personally served as described above so they are in no way harmed if this Court vacates its order. Rule

1.540(b)(5) of the Florida Rules of Civil Procedure provides that "the court may relieve a party or a party's legal representative from a final judgment, decree, order, or proceeding" if "it is no longer equitable that the judgment or decree should have prospective application." While relief under this rule is typically available only under extraordinary circumstances, "the general purpose of the rule is to enable the court to grant relief against an unjust decree and should be liberally construed to advance such remedy." *Cutler Ridge Corp. v. Green Springs, Inc.*, 249 So. 2d 91 (Fla. 3d DCA 1971) (citing Florida Bar, Florida Civil Practice Before Trial (2nd ed., 1969) ss 18.13-18.14, pp. 18.10-18.12.). See *Webber v. Blanc*, 39 Fla. 224, 22 So. 655, 656 (1897) and see also *Clements v. Leonard*, 70 So.2d 840, 844 (Fla. 1954).

WHEREFORE, the Plaintiffs, JEANFRANCO FRAMPIAR TORRES, JOSE LUIS VALLESTEROS BARAZARTE, FRANCISCO JOSE SANCHEZ ALVAREZ, ANASTASIO SIDERIS, YOSELIN KATHERINE MARTINEZ URDANETA, FRANCOIS CAPECCI,, respectfully request this Court to grant the relief set forth above and vacate its order dated April 16, 2020 and enter defaults against both Defendants pursuant to Rule 1.540(b) and any other reliefs this Court deems to be just and fair, including but not limited to reasonable attorney's fees and costs pursuant to F.S. 57.105.

I declare under penalty of perjury under the law foregoing is true and correct.

Dated: February 22, 2021

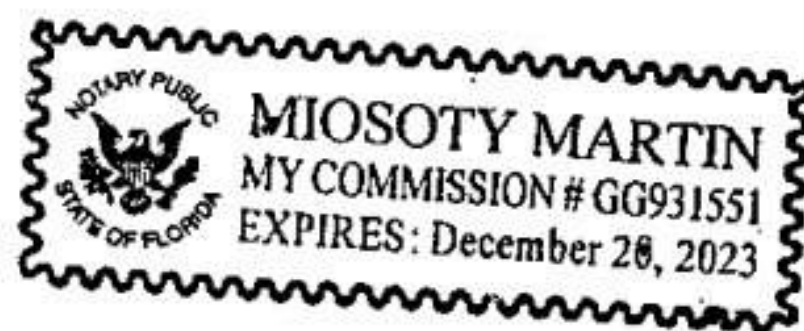


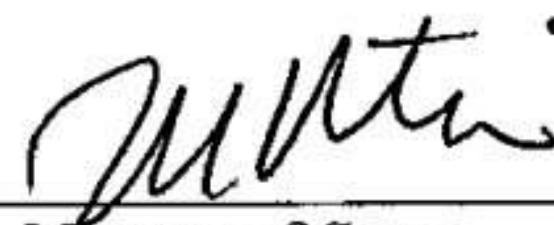
John J. Spittler Jr.

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, JOHN J. SPITTLER, JR., to me well known to be the person described herein or produced as identification, and who acknowledged that he executed the foregoing freely and voluntarily for the purpose therein expressed.

WITNESS my hand and official seal at Miami-Dade County, Florida this 22 day of February 2021.

NOTARY PUBLIC, State of Florida





Notary of State

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed and email to 2525 Ponce de Leon Blvd. 4th Floor Coral Gables, FL 33134, Email: atorrente@hinshawlaw.com and Secondary: jmiller@hinshawlaw.com ttracy@hinshawlaw.com on February 22, 2021.

SPITTLER & ASSOCIATES, P.A.

/s/John J. Spittler, Jr.
JOHN J. SPITTLER, JR.
FBN: 194894
1865 Brickell Avenue, TH-5
Miami, Florida 33129
Telephone: (305) 860-9991
Telephone: (305) 860-9992
E-Mail: jjspittlerlaw.com
Sec. E-mail: la@spittlerlaw.com

COMPOSITE EXHIBIT “A”



**FLORIDA DEPARTMENT OF STATE
Division of Corporations**

March 11, 2020

**JOHN J. SPITTLER, ESQ.
1865 BRICKELL AVENUE, TH-5
MIAMI, FL 33129**

Pursuant to Chapter 48.161, 48.171, 48.181, 48.081 or 48.19 Florida Statutes, a copy of the process and initial pleading, case number 2019-036888-CA01, was accepted for JAVIER ALEJANDRO BERTUCCI, and was filed on March 2, 2020, at 04:00 PM.

Plaintiff(s)

JEAN FRANCO FRAMPIAR,

-VS-

Defendant(s)

JAVIER ALEJANDRO BERTUCCI, et al.,

**THE SECRETARY OF STATE DOES NOT FORWARD DOCUMENTATION TO
THE DEFENDANT.**

All inquiries on behalf of the defendant should be made to the attorneys involved. Shakellia L Shaw
Processor of Service
DIVISION OF CORPORATIONS

Letter No. 520A00005338

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

Filing # 114329551 E-Filed 10/14/2020 10:54:33 AM

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA
CIVIL DIVISION

CASE No.: 2019 033542 CA 01

JEANFRANCO FRAMPIAR TORRES, JOSE LUIS VALLESTEROS
BARAZARTE, FRANCISCO JOSE SANCHEZ ALVAREZ,
ANASTASIO SIDERIS, YOSSELIN KATHERINE
MARTINEZ URDANETA, FRANCOIS CAPECCI
Plaintiffs,

Vs.

JAVIER ALEJANDRO BERTUCCI CARRERO AND
AGROPECUARIA LOS CEDROS C.A.
Defendant(s).

TO THE STATE OF FLORIDA

TO EACH SHERIFF OF THE STATE: You are commanded to serve this Summons and a copy of the
Complaint in this lawsuit on the following named Defendant:

BY SERVING: JAVIER ALEJANDRO BERTUCCI CARRERO AND
AGROPECUARIA LOS CEDROS C.A.
FLORIDA DEPARTMENT OF STATE
ATTN: SERVICE OF PROCESS
2415 NORTH MONROE STREET
TALLAHASSEE, FL 32303

Pursuant to Florida Statutes Sections 48.161 and 48.181 substituted service.

DATED ON 10/14/2020, 2020

SPITTLER & ASSOCIATES, P.A.
Attorneys for Plaintiff
1865 Brickell Avenue, TH-5
Miami, FL 33129
Telephone: (305) 860-9992
Fax: (786) 513-0370
E-Mail: jj@spittlerlaw.com
E-Mail: la@spittlerlaw.com

HARVEY RUIN
AS CLERK OF COURT

By: 308760
Deputy Clerk



The Plaintiff is hereby required to serve written defenses to the Complaint or Petition on Defendant's Attorney, whose name, address and contact information is:

Attorney John J. Spittler, Jr., Esq.
Spittler & Associates, P.A.
1865 Brickell Avenue, TH-5
Miami, Florida 33129
Telephone No: (305) 860-9991 or (305) 860-9992
E-mail: jjspittlerlaw.com
Sec. E-mail: la@spittlerlaw.com

Within **TWENTY (20)** days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the clerk of this court either before service on plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against the defendant for the relief demanded in the complaint or petition.

AMERICANS WITH DISABILITIES ACT. If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2702, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355; at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IMPORTANT

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the clerk of this court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money and property may thereafter be taken without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself at the same time you file your written response to the court you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's Attorney" named below.

IMPORTANTE

Usted ha sido demandado legalmente. Tiene veinte (20) días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá; si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas en dicho caso. Si usted no contesta la demanda a tiempo, podría perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, debe usted enviar por correo, o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce Tribunal. Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligé de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le Tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du Tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie au carbone ou une photocopie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.

BUFETE DE ABOGADOS LICON, CANSINO & ASOCIADOS

Calle Principal C.C. El Añil, Piso 1, Oficina 17, Nivel 1, Local 17 – Urb. El Añil. Teléfono +258 241 822.54.41-
Valencia – Estado Carabobo

Mr. JOHN J. SPITTLER, JR
Spittler and Associates, P.A..

Based on yesterday's requirement.

Attached goes the receives of the copies of the documents (35 pages) related to the lawsuit filed in the Court of the Eleventh Judicial Circuit Court of Miami-Dade, Florida, United States of America; against the citizen Javier Alejandro Bertucci Carrero and Agropecuaria Los Cedros C.A.

They were delivered on August 3, 2020 at one of the addresses provided by you (Iglesia Maranatha, Urb. Industrial Castillito, calle 98, parcela L-120, Municipio San Diego, Estado Carabobo, Venezuela). This was because in the other addresses the personnel who were there refused to receive them.

Also attached, goes a declaration of one of the layers of this firm, that explains why it was not delivered the documents to Mr. Bertucci through the competent (judicial or administrative) bodies.

Sincerely,

Armando Abreo.

BUFETE DE ABOGADOS LICON, CANSINO & ASOCIADOS

Calle Principal C.C. El Añil, Piso 1, Oficina 17, Nivel 1, Local 17 - Urb. El Añil. Teléfono +258-241
822.54.41- Valencia - Estado Carabobo

RECIBO

Participación de demanda civil en el Estado de Florida de los Estados Unidos de Norte América

Yo, Henry Salazar, mayor de edad, titular de la cédula
de identidad N° 13169118 de nacionalidad Venezolano, actuando en mi carácter
de

personal del Dpto de Seguridad
por medio del presente instrumento hago constar que el día de hoy
03 de Sep 2020, siendo las 09:42 AM estando en la siguiente dirección:

Iglesia Maranatha, Urb. Industrial Castillito, calle 98, parcela L-120, Municipio San Diego, Estado
Carabobo, Venezuela; recibí de manos del ciudadano Yorman Garcia, venezolano,
mayor de edad, titular de la cédula de identidad N° 15496974, (del Bufete de Abogado
Licon, Cansino y Asociados), un sobre con treinta y cinco (35) copias, contentivo de la demanda
judicial y demás anexos (en idioma inglés), sustanciada ante la Corte del Undécimo Circuito Judicial
de Miami-Dade, Florida, Estados Unidos, de Norte América; vinculada con los causas Nos. 2019-
033542 CA 01 y 2019-19679-CA 01; en la cual el ciudadano Javier Alejandro Bertucci, a quien se
dirigen estos instrumentos es codemandado junto a la sociedad de comercio Agropecuaria Los
Cedros C.A.

Se destaca que la anterior comunicación se materializa a instancia del escritorio jurídico Spittler
and Associates, P.A., ubicado en el estado de Florida, estados Unidos de Norte América. Es todo.

Quien recibe,

Sofia
13169118
Recibido la cantidad
de 03 sobres.

Yorman Garcia
Quien entrega,

BUFETE DE ABOGADOS LICON, CANSINO & ASOCIADOS

Calle Principal C.C. El Añil, Piso 1, Oficina 17, Nivel 1, Local 17 — Urb. El Añil. Teléfono +258 241
822,54.41- Valencia — Estado Carabobo

RECIBO

Participación de demanda civil en el Estado de Florida de los Estados Unidos de Norte América

Yo, Henry Salazar, mayor de edad, titular de la cédula
de identidad N° 13169118 de nacionalidad Venezolana, actuando en mi carácter
de.

personal del Dpto de Seguridad
por medio del presente instrumento hago constar que el día de hoy
03 de Sep 2020 siendo las 09:42 AM estando en la siguiente dirección:
Iglesia Maranatha, Urb. Industrial Castillito, calle 98; parcela L-120, Municipio San Diego, Estado
Carabobo, Venezuela; recibí de manos del ciudadano Yorman Garcia, venezolano,
mayor de edad, titular de la cédula de identidad N° 15496974, (del Bufete de Abogado
Licon, Cansino y Asociados), un sobre con treinta y cinco (35) copias, contentivo de la demanda
judicial y demás anexos (en idioma inglés), sustanciada ante la Corte del Undécimo Circuito Judicial
de Miami-Dade, Florida, Estados Unidos de Norte América, vinculada con los causas Nos 2019-
033542 CA 01 y 2019-19679-CA 01; en la cual el ciudadano Javier Alejandro Bertucci, a quien se
dirigen estos instrumentos es codemandado junto a la sociedad de comercio Agropecuaria Los
Cedros C.A.

Se destaca que la anterior comunicación se materializa a instancia del escritorio jurídico Spittler
and Associates, P.A., ubicado en el estado de Florida, estados Unidos de Norte América. Es todo.

Quien recibe,

Salazar
13169118
Recibido la cantidad
de 03 sobres.

Yorman Garcia
Quien entrega,

BUFETE DE ABOGADOS LICON, CANSINO & ASOCIADOS
Calle Principal C.C. El Añil, Piso 1, Oficina 17, Nivel 1, Local 17 – Urb. El Añil. Teléfono +258 241
822.54.41- Valencia – Estado Carabobo

RECIBO

Participación de demanda civil en el Estado de Florida de los Estados Unidos de Norte América

Yo, Henry SALAZAR, mayor de edad, titular de la cédula de identidad N° 13169118, de nacionalidad Venezolano, actuando en mi carácter de

personal del Departamento de Seguridad (Iglesia Maranatha)

por medio del presente instrumento hago constar que el día de hoy

03 de Sep 2020, siendo las 09:42 AM estando en la siguiente dirección:

Sector Pueblo de San Diego, a la derecha calle Paéz y a la izquierda calle sucre, frente calle Tejería (Terminal de Pasajeros la Esmeralda), Municipio San Diego, Estado Carabobo, Venezuela; recibí de manos del ciudadano Yorman Garcia, venezolano, mayor de edad, titular de la cédula de identidad N° 15496974 (del Bufete de Abogado Licon Cansino y Asociados), un sobre con treinta y cinco (35) copias, contentivo de la demanda judicial y demás anexos (en idioma inglés), sustanciada ante la Corte del Undécimo Circuito Judicial de Miami-Dade, Florida, Estados Unidos de Norte América; vinculada con los causas Nos 2019-033542-CA-01 y 2019-19679-CA-01; en la cual el ciudadano Javier Alejandro Bertucci, a quien se dirigen estos instrumentos es codemandado junto a la sociedad de comercio Agropecuaria Los Cedros C.A.

Se destaca que la anterior comunicación se materializa a instancia del escritorio jurídico Spittler and Associates, P.A.; ubicado en el estado de Florida, estados Unidos de Norte América. Es todo.

Quien recibe,

Se legó a Bormer.

Yorman Garcia
Quien entrega.

BUFETE DE ABOGADOS LICON, CANSINO & ASOCIADOS
Calle Principal C.C. El Afil, Piso 1, Oficina 17, Nivel 1, Local 17 - Urb. El Afil, Teléfono +258 241
822.54.41- Valencia - Estado Carabobo

RECIBO

Participación de demanda civil en el Estado de Florida de los Estados Unidos de Norte América

Yo, Henry Salazar, mayor de edad, titular de la cédula de identidad N° 17169118, de nacionalidad Venezolano actuando en mi carácter de

personal del Dpto de Seguridad (Iglesia Maranatha)

por medio del presente instrumento hago constar que el día de hoy 03 de Sep 2020, siendo las 09:42 AM, estando en la siguiente dirección:

Urb. Guataparó Country Club, Edificio Gustaparo Lake, PH, Municipio Valencia, Estado Carabobo, Venezuela; recibí de manos del ciudadano Yorman Garcia, venezolano, mayor de edad, titular de la cédula de identidad N° 1549674, (del Bufete de Abogado Licon Cansino y Asociados), un sobre con treinta y cinco (35) copias, contentivo de la demanda judicial y demás anexos (en idioma Inglés), sustanciada ante la Corte del Undécimo Circuito Judicial de Miami-Dade, Florida, Estados Unidos de Norte América; vinculada con los causas Nos 2019 033542 CA 01 y 2019-19679-CA 01; en la cual el ciudadano Javier Alejandro Bertucci, a quien se dirigen estos instrumentos es codemandado junto a la sociedad de comercio Agropecuaria Los Cedros C.A.

Se destaca que la anterior comunicación se materializa a instancia del escritorio jurídico Spittler and Associates, P.A., ubicado en el estado de Florida, Estados Unidos de Norte América. Es todo.

Quien recibe,

Se nego a firmar

Yorman Garcia
Quien entrega,

COMPOSITE EXHIBIT "B"

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA
CIVIL DIVISION**

JEANFRANCO FRAMPIAR TORRES,
JOSE LUIS VALLESTEROS BARAZARTE,
FRANCISCO JOSE SANCHEZ ALVAREZ,
ANASTASIO SIDERIS, YOSSELIN KATHERINE
MARTINEZ URDANETA, FRANCOIS CAPECCI
Plaintiffs,

CASE No.: 2019 033542 CA 01

V.

JAVIER ALEJANDRO BERTUCCI CARRERO AND
AGROPECUARIA LOS CEDROS C.A.
Defendant(s).

AFFIDAVIT OF ATTORNEY JOHN J. SPITTLER JR.

BEFORE ME, the undersigned authority, personally appeared attorney John J. Spittler Jr., who after being duly sworn, deposes and states the following:

1. That Affiant, John J. Spittler Jr., represents Plaintiff, JEANFRANCO FRAMPIAR TORRES, and other Plaintiffs, in this action, and personally knows the facts stated herein.
2. The allegations set forth in PLAINTIFF'S VERIFIED MOTION FOR RELIEF FROM COURT ORDER DATED APRIL 16, 2020 PURSUANT TO RULE 1.540(b) AND/OR MOTION FOR REHEARING AND/OR RECONSIDERATION, are true and correct to the best of his knowledge.
3. That affiant and Ms. Miosoty Martin legal assistant were in contact with the offices of Venezuelan attorney Pedro Cardona and their investigators concerning the investigation into whether the Hague Convention service of process offices were open and accessible to obtain service of process on the Defendant JAVIER ALEJANDRO BERTUCCI CARRERO.
Affiant and Ms. Martin also independently researched whether the Hague offices were opened in Caracas Venezuela and contacted directly the Global Judicial Support, International Service

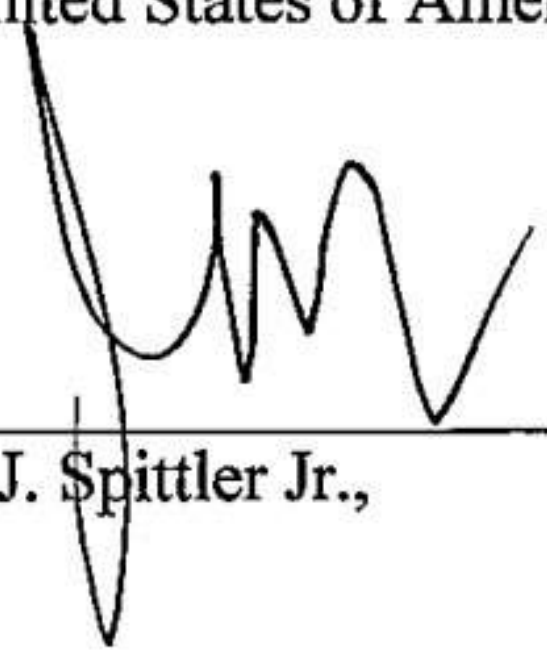
offices in the United States, located at 19 West Flagler Street, Suite 10, Miami, FL 33130 and was advised that Venezuela stopped responding to Hague requests for service and "stopped processing them".

4. That affiant retained the law offices of attorney Pedro Cardona to further investigate this situation and was advised, via affidavit of attorney Cardona that the Hague office were closed.

Further Affiant Sayeth Naught.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 22, 2021



John J. Spittler Jr.,

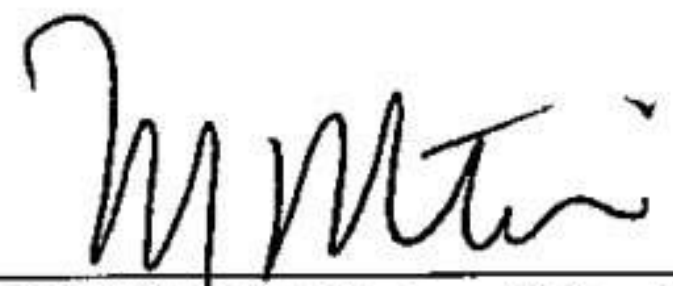
State of: FLORIDA
County of: MIAMI-DADE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, John J. Spittler Jr., to me well known to be the person described herein or as identification JDL, and who acknowledged that he executed the foregoing freely and voluntarily for the purpose therein expressed.

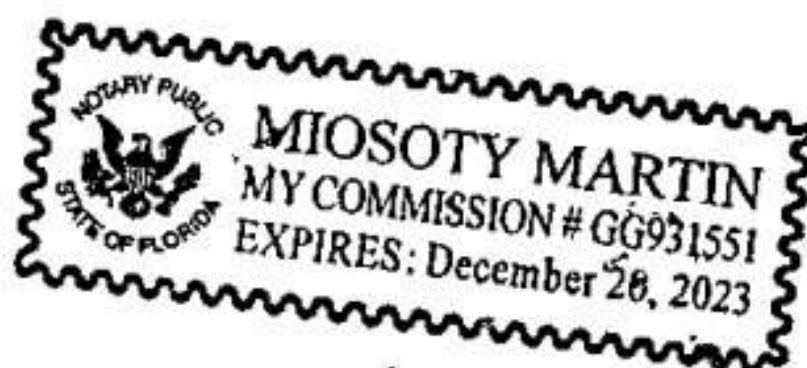
WITNESS my hand and official seal at Miami-Dade County, Florida this 22 day of February 2021.

NOTARY PUBLIC, State of Florida





NOTARY PUBLIC, State of Florida



BUFETE DE ABOGADOS, LINCON CASINO & ASOCIADOS
C.C. EL AÑIL PISO 1, LOCAL 17, URB. AÑIL
TEL: +58-241-822-5441
VALENCIA, ESTADO CARABOBO

AFFIDAVIT

I Pedro Cardona, Venezuelan attorney, hold the identity card number 24.424.578 registered social security institute of lawyers in Venezuela number 253.242 and of transit in the municipality of Valencia, Venezuela. I declare and state a true and correct the following:

The department responsible for receiving service for Hague Convention is closed and will remain closed for an indefinite period of time due to the world pandemic. The Hague Convention is located in the address below:

Ministerio del Poder Popular para Relaciones Exteriores
Oficina de Relaciones Consulares
(Ministry of People's Power of Foreign Affairs
Office of Consular Affairs)
Avenida Urdaneta
Esquina Carmelitas a Puente Llaguno
Torre Anexo a Torre MRE Piso 1
Caracas, 1010
República Bolivariana de Venezuela

Under penalties of perjury, I declare that I have read the foregoing affidavit and the facts stated in it are true. Dated December 14, 2020.


Pedro Cardona
ABOGADO
INPRE. 253.242

The foregoing instrument was sworn to and subscribed to me the 14th day of December, 2020, by Danny Linarez, who is personally known to me or has provided picture identification in the form of a card.