

DEFENDANTS MOTION TO SET ASIDE DEFAULT JUDGMENT and SET UP A NEW TRIAL DATE.

Defendants Noel Enterprises LLC, Linda Noel and Mercy Noel, moves for an order to set aside the default judgment for the following reasons:

Mistakes were made inadvertently. Noel Enterprises LLC belonged to Linda Noel.

Defendant Mercy Noel did not have any representation and he did not have his day in court to answer to the charges.

The Plaintiff's attorney Brian C. Willis sent a letter to the court dated November 26, 2014 in which he proposed an order dissolving the continuing Writ of Garnishment.

Need for a new Trial

Noel Enterprises LLC was assigned to Linda Noel Via court order (case No. 09 DR 26098 FC 04)

Noel Enterprises LLC has been dissolved.

On July 12, 2021, Defendant Linda Noel received a discharge for Chapter 13 Bankruptcy where this debt is involved. Case number 17-21912-LMI

The plaintiff changed attorney and the previous attorney Brian C. Willis may be a witness for the defendants.

Clarify some confusing languages to the court

The Plaintiff needs to explain **Truist Bank's** role in this case.

The Plaintiff has addressed Mercy Noel a male with the pronoun "her" when he is a "He". A "her" Linda Noel is the responsible party for this case.

Defendant Mercy Noel will retain counsel prior to the new trial date in order for this matter to be litigated and closed properly and permanently.

Mercy Noel
(Handwritten signature)

FILED FOR RECORD
CIVIL DIVISION #96
2023 JAN 30 AM 11:13
CLERK OF DISTRICT COURT
JACKSONVILLE, FL