

# News Release



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Date: Thursday, Sept. 29, 2005  
Contact: Dan Fuqua or Jo Anne Burgoyne  
Phone: (404) 562-2078 (404)562-2076

## **Labor Department Obtains Contempt Order Restoring More Than \$205,000 to Bay Harbor Islands, Fla., Retirement Plans**

**MIAMI** – A federal district court in Florida has ordered a Bay Harbor Islands dentist and the Morton Rosenbluth D.D.S. Professional Association to comply with a July 2004 judgment requiring them to make restitution to the retirement plans of the dental practice.

“The Labor Department is committed to taking every step possible to hold accountable those who misuse the assets of their workers’ retirement plans,” said Ann L. Combs, assistant secretary of labor for employee benefits security. “These defendants diverted plan assets for personal gain, which the department will not tolerate.”

The department sought the contempt order after dentist Morton Rosenbluth and his association failed to comply with a 2004 judgment requiring them to repay \$205,787, plus interest, as restitution for diverting plan assets for their own benefit. Under the judgment, Rosenbluth was also barred from service to any plan governed by the Employee Retirement Income Security Act (ERISA).

In its June 2003 lawsuit, the department alleged that Rosenbluth used assets of the association’s money purchase and profit sharing plans to pay personal and corporate taxes and penalties owed to the Internal Revenue Service. He also failed to allocate any of the profit sharing plan assets to five eligible participants and to make mandatory employer contributions owed to the money purchase plan from 1999 through 2002.

The contempt order resulted from an investigation conducted by the Employee Benefits Security Administration’s (EBSA) Miami district office. Employers and workers can contact the office at 954-424-4022 or EBSA’s toll free number, 1-866-444-EBSA (3272), for help with any problems relating to private-sector pension and health plans.

In fiscal year 2004, EBSA achieved record monetary results of \$3.1 billion related to the pension, 401(k), health and other benefits of millions of American workers and their families.

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(Chao v. Rosenbluth)  
Civil Action No. 03-CV-21676

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