

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA (ST. PAUL)**

In re: **JOSEPH R. KVIDERA, and
LIANA S. KVIDERA fka LIANA
S. VANDERWEGE,**
Debtors

Case No. 10-38676

Chapter 7

Honorable Dennis D. O'Brien

HILDA L. SOLIS, Secretary of Labor,
United States Department of Labor,
Plaintiff

v.

JOSEPH R. KVIDERA,
Defendant

Adv. No. 11-03134

**ORDER ENTERING STIPULATION REGARDING NON-DISCHARGEABILITY
OF DEBT OWED TO PROCEDO, INC. 401(k) PROFIT SHARING PLAN
a/k/a THE PROCEDO, INC. 401(k) & PROFIT SHARING PLAN**

Based upon the Stipulation Regarding Complaint for Determination of Dischargeability of Debt regarding the Procedo, Inc. 401(k) Profit Sharing Plan a/k/a the Procedo, Inc. 401(k) & Profit Sharing Plan (“Plan”) filed herewith, and the entire record and file herein, it is hereby found and ordered as follows:

1. Notice of the aforesaid Stipulation Regarding Non-Dischargeability of Debt Owed to Plan is adequate under the circumstances.
2. The aforesaid Stipulation Regarding Non-Dischargeability of Debt Owed to Plan is fair, reasonable, and appropriate under the circumstances and is hereby approved.

3. Defendant Joseph R. Kvidera's total debt of \$10,740 to the Plan consisting of unremitted employee contributions and loan repayments, lost opportunity costs for unremitted employee contributions and loan repayments, and lost opportunity costs for untimely remitted employee contributions to the non-fiduciary participants of the Plan for certain periods from March 30, 2007 through January 15, 2010 is non-dischargeable;

4. Each party will bear his/her/its own attorneys' fees, costs and other expenses incurred by such party in connection with any stage of this proceeding, including attorneys' fees which may be available under the Equal Access to Justice Act, as amended; and

5. Nothing in this order is binding on any government agency other than the United States Department of Labor.

LET JUDGMENT BE ENTERED.

Dated: October 27, 2011

/e/ Dennis D. O'Brien
UNITED STATES BANKRUPTCY JUDGE

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 10/27/2011 Lori Vosejpka, Clerk, By DLR, Deputy Clerk
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