

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Chapter 7

WILLIAM ROBIN ROSE,

Case No. 15-30600-dof

Debtor.

Hon. Daniel S. Opperman

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THOMAS E. PEREZ, Secretary of Labor,
United States Department of Labor,

Adversary Proceeding No. 15-03109

Plaintiff,

v.

WILLIAM ROBIN ROSE,

Defendant.

**ORDER GRANTING THE SECRETARY OF LABOR'S FRCP 37(b)(2) MOTION FOR
AN ORDER ENTERING A DEFAULT JUDGMENT AGAINST DEFENDANT
WILLIAM ROBIN ROSE FOR FAILURE TO COMPLY WITH THIS
COURT'S APRIL 17, 2016 DISCOVERY ORDER**

Thomas E. Perez, Secretary of Labor, United States Department of Labor, Secretary of Labor (the "Secretary"), by and through his attorney, having filed his FRCP 37(b)(2) Motion for An Order Entering a Default Judgment Against Defendant William Robin Rose for Failure to Comply with this Court's April 17, 2016 Discovery Order, or, in the Alternative, for an Order Striking Defendant's Answer, and the Court being in receipt of the Motion and good cause having been shown,

IT IS HEREBY ORDERED that the Motion is GRANTED and JUDGMENT is entered against Defendant William Robin Rose in accordance with the prayer of the complaint in the

above-styled action, and the amount of \$27,709.81 in monies owed to the following plans is nondischargeable under 11 U.S.C. § 523(a)(4):

A. \$23,143.88 to the Rose Printing Services, Inc., Employees 401(k) Retirement Savings Plan as a result of Defendant Rose's failure to remit and timely remit employee contributions to the 401(k) Plan from January 2, 2009, through March 16, 2012, including \$9,776.22 in lost opportunity costs;

B. \$4,328.89 to the Rose Printing Services, Inc., Employees Health Plan as a result of Defendant Rose's failure to remit and timely remit employee contributions to the Health Plan from January 2, 2009, through March 16, 2012, including \$341.49 in lost opportunity costs; and

C. \$237.04 to the Rose Printing Services, Inc., Employees Dental Plan as a result of Defendant Rose's failure to remit and timely remit employee contributions to the Dental Plan from November 10, 2011, through October 26, 2012, including \$19.21 in lost opportunity costs.

Signed on May 23, 2016

/s/ Daniel S. Opperman
Daniel S. Opperman
United States Bankruptcy Judge

D.