

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

THOMAS E. PEREZ,)	FILE NO.
Secretary of Labor,)	
United States Department of Labor,)	
)	3:13-cv-00664
Plaintiff,)	
)	
v.)	
)	
SOMMET GROUP, LLC; L. BRIAN)	
WHITFIELD, an individual; D. EDWIN)	
TODD, an individual; and the SOMMET)	
GROUP, LLC EMPLOYEE BENEFIT)	
PLAN,)	
)	
Defendants.)	

DEFAULT FINAL JUDGMENT AND ORDER

Upon Plaintiff’s Motion for Default Final Judgment and considering the entry of Clerk’s Default filed on April 25, 2016, Defendant’s failures and refusals to plead or otherwise defend, the affidavit filed by Plaintiff in support of said Motion, and the Court being otherwise fully advised:


WHEREFORE, it is hereby ordered, adjudged, and decreed that,

- A. The Secretary’s motion for default judgment is GRANTED;
- B. Defendant L. Brian Whitfield is hereby enjoined from violating the provisions of Title I of ERISA;
- C. Defendant Whitfield is hereby permanently enjoined from acting as a fiduciary, trustee, agent, or representative in any capacity to any employee benefit plan, as defined by ERISA.

D. Defendant Whitfield is removed from any position he holds as a named or functional fiduciary to the Sommet Group, LLC Employee Benefit Plan.

The Court, finding that there is no just reason to delay the entry of this Judgment, expressly directs the entry thereof as a final order, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

This 17th day of July, 2016.


HONORABLE WILLIAM J. HAYNES, JR.
UNITED STATES SENIOR DISTRICT
JUDGE