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UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

In re:

Chapter 11

GUNNALLEN FINANCIAL, INC.

Case No. 8:10-bk-9635-MGW

Debtor.

\_\_\_\_\_  
SONEET KAPILA, as Liquidating Agent For  
GUNNALLEN FINANCIAL, INC.,

Plaintiff,

v.

Adv. Pro. No. 8:11-ap-00545-MGW

MARIBEL BORGES, an individual, and  
VILMA RUIZ, an individual,

Defendants.  
\_\_\_\_\_

**DEFAULT FINAL JUDGMENT AGAINST  
DEFENDANT MARIBEL BORGES**

THIS PROCEEDING came before the Court without hearing on the Motion for Entry of Default Final Judgment Against Defendant Maribel Borges filed by Plaintiff Soneet Kapila, Liquidating Agent for GunnAllen Financial, Inc. ("Plaintiff"). Upon consideration of the record of this adversary proceeding, including the Clerk's Default entered against Defendant Maribel Borges ("Defendant") on February 3, 2012 (Doc. No. 24) as a result of the Defendant's failure to answer or otherwise respond to the Amended Complaint as required by Rule 7012 of the Federal Rules of Bankruptcy Procedure, the Court determines that Plaintiff is entitled to entry of a Default Final Judgment against the Defendant on all counts of the Amended Complaint as a matter of law pursuant to

Rule 55(b)(2) of the Federal Rules of Civil Procedure, as incorporated into Rule 7055 of the Federal Rules of Bankruptcy Procedure. Accordingly, it is

**ORDERED:**

1. The Misappropriated Funds (all terms not defined herein are defined in the Amended Complaint) were obtained by Defendant and Defendant Vilma Ruiz through fraud conversion of property of the bankruptcy estate.

2. The Plaintiff, through his Borges and Ruiz Civil Theft Demands, has satisfied the requirement of *Fla. Stat.* § 772.11 and is entitled to treble damages award.

3. A Default Final Judgment is hereby entered against Defendant and in favor of Plaintiff in the sum of \$1,140,106.50, with post-judgment interest at the statutory interest rate of <sup>0.20%</sup> ~~4.75%~~ as of the date of this Default Final Judgment, *for which let execution issue.*

4. In accordance with Section 55.10(1) of the Florida Statutes, the address of Plaintiff is:

Soneet Kapila, Liquidating Agent for GunnAllen Financial, Inc.  
c/o Stephanie Crane Lieb, Esq.  
Trenam, Kemker, Scharf, Barkin, Frye, O'Neill & Mullis, P.A.  
Post Office Box 1102  
Tampa, Florida 33601-1102

5. In accordance with Section 55.01(2) of the Florida Statutes, the last known address for the Defendant is:

Maribel Borges (SSN: XXX-XX-XXXX)  
10433 Avelar Ridge Drive  
Riverview, Florida 33578

6. The Court further reserves jurisdiction over this cause and parties hereto to enter any other and further orders for attorneys' fees and costs, or other post-judgment relief as may be appropriate.

**DONE AND ORDERED** in Tampa, Florida on April 03, 2012.



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**MICHAEL G. WILLIAMSON**  
**United States Bankruptcy Judge**

Copies Furnished To:

**Maribel Borges**, 10433 Avelar Ridge Drive, Riverview, Florida 33578

**Vilma Ruiz**, 1231 Edgerton Drive, Valrico, Florida 33594-4906

**Stephanie C. Lieb, Esquire**, Trenam, Kemker, et al., P. O. Box 1102, Tampa, Florida 33601-1102