

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

In re

CASE NO. 9:08-bk-04360-MGW

ULRICH FELIX ANTON ENGLER,  
PRIVATE COMMERCIAL OFFICE, INC.,  
and PCO CLIENT MANAGEMENT, INC.,

CHAPTER 7  
(Substantively Consolidated)

Debtors.

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ROBERT E. TARDIF, JR., AS TRUSTEE  
FOR THE CHAPTER 7 BANKRUPTCY  
ESTATES OF ULRICH FELIX ANTON  
ENGLER AND PRIVATE COMMERCIAL  
OFFICE, INC.,

ADV. PROC. NO. 9:09-ap-00632-MGW

Plaintiff,

v.

DAVID DOUGLAS,  
DEBBRA DOUGLAS,  
DOUGLAS INVESTMENTS, LLC,  
DEEP CREEK DEVELOPMENTS I, LC,  
DEEP CREEK DEVELOPMENTS II, LLC, and  
BIANCA BOROWSKI,

Defendants.  
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**DEFAULT FINAL JUDGMENT AGAINST DEFENDANT BIANCA BOROWSKI**

THIS MATTER came before the Court on the Verified Motion For Entry Of Default Final Judgment Against Defendant Bianca Borowski (the “Defendant”) filed by Robert E. Tardif, Jr. (the “Plaintiff”), as Chapter 7 Trustee of the substantively consolidated bankruptcy estates of Ulrich Felix Anton Engler, Private Commercial Office, Inc., and PCO Client Management, Inc. (collectively, the “Debtors”). Upon consideration of the record of this adversary proceeding, including the Clerk’s Default entered against the Defendant on November 3, 2009 [D.E. 15] as a

result of the Defendant's failure to answer or otherwise respond to the Complaint as required by Rule 7012 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rule(s)"), the Court determines that Plaintiff is entitled to entry of a Default Final Judgment against the Defendant on all counts of the Complaint as a matter of law pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure (as incorporated into Bankruptcy Rule 7055). It is, therefore:

ORDERED AND ADJUDGED that:

1. The pre-petition transfers received by Defendant in the principal aggregate sum of \$645,000.00 are hereby avoided pursuant to 11 U.S.C. §§ 544(b), 548(a)(1)(A), 548(a)(1)(B), and Chapter 726 of the Florida Statutes, which Plaintiff is entitled to recover from Defendant pursuant to 11 U.S.C. § 550(a).

2. A Default Final Judgment is entered against Defendant and in favor of Plaintiff in the sum of \$645,000.00, together with prejudgment interest accruing at the rate of 3.25 percent per annum from the date Plaintiff commenced this action against Defendant to the date of the entry of this Default Final Judgment, and post-judgment interest accruing at the current legal rate allowed under 28 U.S.C. § 1961 as of the date of this Default Final Judgment, for which sums let execution issue forthwith.

3. Pursuant to Rule 70(b) of the Federal Rules of Civil Procedure (as incorporated into Bankruptcy Rule 7070), the Defendant is hereby divested of title to that certain parcel, lot or unit situate, lying and being in Lee County, Florida, more particularly described as follows:

Lot 6, Hunters Ridge North, Unit Four, a subdivision according to the map or plat thereof recorded in Plat Book 66, Pages 77 through 79, of the Public Records of Lee County, Florida, and having a parcel identification number of 06-48-26-B2-0120B.0060.

With a physical address of:

28150 L. Burton Fletcher Court, Bonita Springs, Florida 34135

(the “Burton Fletcher Property”).

4. Title to the Burton Fletcher Property is hereby vested in Robert E. Tardif, Jr., Chapter 7 Trustee of the substantively consolidated bankruptcy estates of Ulrich Engler, et al. and the Clerk of Lee County, Florida is hereby directed to take all appropriate actions to formalize and finalize such transfer of title forthwith.

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

Robert E. Tardif, Jr., Chapter 7 Trustee  
Law Offices of Robert E. Tardif  
1533 Hendry Street, 1<sup>st</sup> Floor  
Fort Myers, Florida 33901

- and -

Robert E. Tardif, Jr., Chapter 7 Trustee  
c/o Robert F. Elgidely, Esq.  
Genovese, Joblove & Battista, P.A.  
200 East Broward Boulevard, Suite 1110  
Fort Lauderdale, Florida 33301

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

Bianca Borowski  
28150 L. Burton Fletcher Court  
Bonita Springs, Florida 34135

7. Pursuant to 11 U.S.C. § 502(d), any claim(s) filed by the Defendant against the Debtors’ bankruptcy estates shall be disallowed until such time as the Defendant pays the amount of the above transfers in full satisfaction of this Default Final Judgment.

8. The Court reserves jurisdiction over this cause and the parties hereto to enter any other and further orders for post-judgment relief as may be appropriate.

DONE AND ORDERED at Tampa, Florida on September 30, 2010.



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Michael G. Williamson  
United States Bankruptcy Judge

Copies furnished to:

Robert F. Elgidely, Esq.  
Genovese, Joblove & Battista, P.A.  
200 East Broward Boulevard, Suite 1110  
Fort Lauderdale, FL 33301

Ms. Bianca Borowski  
28150 L. Burton Fletcher Court  
Bonita Springs, Florida 34135

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