

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. 9:10-ap-00523-MGW

Plaintiff,

J.B. Volume 15 #2247

v.

KLAUS FISCHER,

Defendant.  
\_\_\_\_\_

**DEFAULT FINAL JUDGMENT AGAINST  
DEFENDANT KLAUS FISCHER**

THIS PROCEEDING came before the Court without a hearing on the Verified Motion For Entry Of Default Final Judgment Against Defendant Klaus Fischer (hereinafter the "Motion") filed by Robert E. Tardif, Jr. (the "Plaintiff"), as Chapter 7 Trustee (hereinafter the "Plaintiff") of the substantively consolidated bankruptcy estates of Ulrich Felix Anton Engler, Private Commercial Office, Inc., and PCO Client Management, Inc. (hereinafter collectively referred to as the "Debtors") [D.E. 24]. Upon consideration of the record of this adversary proceeding, including the Clerk's Default entered against Klaus Fischer (hereinafter the "Defendant") on June 22, 2011 [D.E.20] 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 Rule 7055 of the Federal Rules of Bankruptcy Procedure. Accordingly, it is

**ORDERED**, as follows:

1. The net pre-petition transfers received by Defendant in the principal aggregate sum of \$59,924.52 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 \$59,924.52, together with prejudgment interest accruing at the rate of three and a quarter percent (3.25%) 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. 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

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

Klaus Fischer  
Froschstrasse 8,  
88255 Braindt  
Germany

5. 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.

6. 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 August 16, 2011.



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Michael G. Williamson  
United States Bankruptcy Judge

Copies furnished to:

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