

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
BAY CITY**

IN RE: Kevin W. Kulek

Chapter 7 Petition
16-21030-dob
Honorable Daniel Opperman

_____/
RANDALL L. FRANK, TRUSTEE,
Plaintiff,

Adversary Case Number
17-02000-dob
Honorable Daniel Opperman

V

KATHY L. KULEK,
Defendant.

_____/
Keith M. Nathanson, P41633
Special Litigation Counsel to Randall L. Frank, Trustee
Attorney for Plaintiff
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DEFAULT JUDGMENT OF DEFENDANT KATHY KULEK

This matter having come before this Honorable Court upon the Application of Randall L. Frank, Trustee, the Court having found that:

- a. Plaintiff commenced the instant action against Defendant on January 2, 2017.
- b. Service was executed against Defendant on January 6, 2017, pursuant to F.R.Bankr.P. 7004b.
- c. More than thirty days has elapsed and Defendant has not responded to the summons.

- d. Request for entry of default was made on February 2, 2017.
- e. The Clerk entered default of Defendant on February 7, 2017.

And the Court being otherwise advised in the premises:

IT IS HEREBY ORDERED THAT:

Judgment in favor of Plaintiff, Randall L. Frank against Defendant, Kathy L.

Kulek is hereby entered and further that:

- a. IT IS ORDERED that the transfer of the rv/mobile home identified as a 1989 DUTCHMEN VIN: 47CT20S27K1003057, shall be avoided pursuant to 11 U.S.C. §548(a)(1)(A) and that Defendant immediately surrender the RV and title for same to the Estate, and that the Trustee may record a copy of this Judgment with the Michigan Secretary of State to transfer title of said vehicle.
- b. IT IS FURTHER ORDERED that pursuant to 11 U.S.C. §550, the Trustee may recover and sell the property for the benefit of the estate.
- c. IT IS FURTHER ORDERED that a money judgment shall be entered against the Defendant for the amount of the going-concern value of the property, for \$25,000 (the estimated current market value of the rv), plus \$25,000.00 for the cash and other equivalencies transferred to Defendant; for a total of \$50,000.00, together with costs and interest, which the Trustee may pursue using any and all remedies available under State and Federal Law, and the Judgment to accrue interest at the Federal Rate, with credit to be given against said sum when and if said RV is surrendered to the estate and sold at auction, with the net proceeds of the auction applied to the Judgment.

