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UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

SETH HARRIS<sup>1</sup>, Acting Secretary of ) Case No.: 2:10-cv-08755-DSF (SSx) Labor, United States Department of Labor. ORDER TO SHOW CAUSE WHY MOSHE KLEIN SHOULD NOT BE Plaintiff, FOUND IN CIVIL CONTEMPT FOR v. FAILURE TO COMPLY WITH **CONSENT JUDGMENT SOPHISTICATED** TECHNOLOGIES, INC., a corporation also doing business as SOPHTECH; MOSHE KLEIN, an individual; and the SOPHTECH 401(k) PLAN, an employee health benefit plan. Defendants.

Seth D. Harris, Acting Secretary of Labor, United States Department of Labor (the "Secretary"), has filed a Motion for an Order to Show Cause Why Moshe Klein Should Not Be Found in Civil Contempt for Failure to Comply with Consent Judgment. In support of the Motion, the Secretary has alleged that Defendant Klein has refused to comply with the Partial Consent Judgment

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<sup>&</sup>lt;sup>1</sup> Seth D. Harris was appointed as Acting Secretary of Labor on January 24, 2013. Pursuant to Fed. R. Civ. P. 25(d) the caption has been changed to reflect the appointment.

1	& Order Between the Secretary of Labor and Defendants Moshe Klein and the
2	Sophtech 401(k) Plan ("Partial Consent Judgment"), which the parties signed
3	on January 25, 2012, and has failed to comply with the Consent Judgment &
4	Order Between the Secretary of Labor and Defendants Moshe Klein and the
5	Sophtech 401(k) Plan Resolving Remaining Claims ("Consent Judgment
6	Resolving Remaining Claims"), which the parties signed on February 16,
7	2012. Both judgments were entered by this Court on February 22, 2012
8	(collectively the "Consent Judgment").
9	It appearing to this Court that good cause has been shown that
10	Defendant Klein should be found in civil contempt of this Court, the Court
11	orders that:
12	At 1:30 p.m. on June 17, 2013, in the courtroom in the United States District
13	Court for the Central District of California, Roybal Courthouse, Courtroom 840,
14	located at 255 East Temple Street, Los Angeles, California, Defendant Klein shall
15	appear and show cause, if there be any, why he should not be found to be in civil
16	contempt of this Court's Consent Judgment entered on February 22, 2012;
17	Not later than 21 days prior to the hearing Defendant Klein shall file his
18	response specifically admitting or denying the allegations of Plaintiff's Motion and
19	a copy of the response shall be served upon the attorneys for the Plaintiff in
20	accordance with Rule 5(b) of the Federal Rules of Civil Procedure; and
21	Plaintiff shall file and serve any reply to Respondent's response not later
22	than 14 days prior to the hearing.
23	IT IS SO ORDERED
24	DATED: Wale S. Jescher
25	DATED:
26	
27	DALE S. FISCHER

## United States District Judge