

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 09-CV-01997-MSK

UNITED STATES OF AMERICA,

Petitioner,

v.

LOREN A. BERK,

Defendant.

FINAL ENFORCEMENT ORDER

HAVING CONSIDERED the United States' Petition to Enforce Internal Revenue Service Summons (#1) and the Declaration of Cathy Rojas (#1-2), this Court finds as follows:

1. The Internal Revenue Service summons was issued to Respondent, Loren A. Berk, for a legitimate purpose - to obtain information concerning the collection of federal income tax liability of Respondent Loren A. Berk for tax periods in the year ended December 31, 2007.
2. The above-listed tax periods were specified in the Internal Revenue Service summons served on the Respondent.
3. The testimony, records, and documents demanded by the Internal Revenue Service summons are not in the possession of the Internal Revenue Service.
4. The administrative steps required by the Internal Revenue Code for the issuance of the summons have been met.
5. As indicated in the Declaration of Service (#3), Respondent Loren A.

Berk was served on October 8, 2009, with the Order to Show Cause issued by the Court on September 2, 2009.

6. As of this date, the Respondent has failed to comply with the IRS summons.
7. Respondent has failed to show sufficient cause as to why he should not be ordered to comply with the Internal Revenue Service summons.

IT IS THEREFORE ORDERED that

- (1) Loren A. Berk shall comply with and obey the Internal Revenue Service summons served upon him by appearing at the Internal Revenue Service office at 56 Inverness Drive East, Englewood, Colorado, 80112 (or other agreeable location determined by the parties) before Revenue Officer Cathy Rojas, telephone number (720) 956-4231, on or before Friday, November 13, 2009, to give testimony and to produce for examination and copying the records, documents, and other data demanded by the Internal Revenue Service summons.
- (2) Upon entry of this Order, this case shall be closed and Judgment shall be entered in favor of the Petitioner.

Dated this 10th day of November, 2009

BY THE COURT:



Marcia S. Krieger
United States District Judge