

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NEW YORK

PENSION BENEFIT GUARANTY	)	
CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	11-CV-727S
	)	
BORDER TRADING CO., INC.	)	
as Plan Administrator	)	
of the Border Trading Co., Inc.	)	
Pension Plan,	)	
	)	
Defendant.	)	
	)	

**ORDER FOR DEFAULT JUDGMENT**

**THE COURT** having reviewed the Motion for Default Judgment of Plaintiff Pension Benefit Guaranty Corporation (“PBGC”) against Defendant Border Trading, Co. Inc. (“Border Trading”) and the supporting Memorandum, and the Clerk having entered a Default with respect to Defendant on October 21, 2011, and good cause having been shown therefore, it is, by the Court,

**ORDERED:** That Plaintiff’s Motion for Default Judgment (Docket No. 8) is GRANTED and a judgment by default is entered in favor of PBGC under Fed. R. Civ. P. 55(b)(2); and it is

**FURTHER ORDERED:** That the Border Trading Co., Inc. Pension Plan (the “Pension Plan”) is terminated pursuant to 29 U.S.C. § 1342(c); and it is

**FURTHER ORDERED:** That August 15, 2008, is established as the termination date of the Pension Plan under 29 U.S.C. § 1348(a)(4); and it is

**FURTHER ORDERED:** That PBGC is appointed as statutory trustee of the Pension Plan under 29 U.S.C. § 1342(c); and it is

**FURTHER ORDERED:** That Defendant or any other person having possession, custody, or control of any records, assets, or other property of the Pension Plan shall transfer, convey, and deliver all such records, assets, and property to PBGC; and it is

**FURTHER ORDERED:** That the Clerk of Court shall CLOSE this case.

**SO ORDERED.**

December 12, 2011.  
Buffalo, New York

s/William M. Skretny  
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WILLIAM M. SKRETNY  
Chief Judge  
United States District Court