



AMERICAN
BANKRUPTCY
INSTITUTE

2022 Consumer Practice Extravaganza

The Basics of Student Loans: Acronyms, Payment Plans, Forgiveness Plans and Administrative Discharges

Joshua R. I. Cohen

Cohen Consumer Law, PLC; St. Albans, Vt.

Richard J. Parker

Parker, Butte & Lane PC; Portland, Ore.

STUDENT LOAN BASICS

INTRODUCTION

Other panels will be discussing bankruptcy, adversary proceedings and updates so my presentation will be limited to the basics for those not familiar with some of the nuances of student loans – both private and federal. Some bankruptcy topics are mentioned below but will just be touched upon.

Student loans have a long history going back to the G. I Bill. Some of that history is explored in the attached article – “Let Them Eat Cake.” (with credit / apology to Marie Antoinette.) Student loans have a pervasive effect on almost every family and can have repercussions not only in bankruptcy, but also in financial planning, estate planning, taxation, probate, disability, and dissolution. One particularly odious problem that is about to be solved is what is called “spousal consolidation” which was a process in place for a few years (1993 to 2006) which allowed husband and wife to combine their federal student loans. Until just recently it was virtually impossible to deal with such loans. At last count there were still about 14,000 such loans. A new process is being put into place right now in order to allow “deconsolidation.” In addition to truly separating the financial affairs of the divorced parties, it will allow one spouse to get Public Service Loan Forgiveness which had not been possible.

The main take away from today is that much like the Bar exam, the starting point is spotting the issue. Attached is a “Student Loan Primer” which can be used to triage cases and make a preliminary determination of options and next steps. This was originally drafted by the author to aid pro bono attorneys working with Oregon Legal Aid to help spot issues. Once the issue has been explored, engage a professional who is

familiar with the issues. Some financial planners are familiar with the subject matter and some lawyers are, but there are not many. The job of student loan lawyers was made more difficult a few months when we were suddenly forbidden to access the federal student loan accounts of our clients. It is now a felony to do so and as a result we must try and talk out clients through the website to print what is needed. It is much like a tax lawyer trying to give proper advice without access to tax transcripts. Once information has been obtained, student loans can be attacked on many fronts: the student; the type of loan; or the school. Attached is a list of approximately schools which were deemed to be so inadequate as to justify forgiveness of federal loans used to attend.

THE SIZE OF THE PROBLEM

Loans outstanding total approximately \$1.75 Trillion (about 10% are private) and about 44 million student loan debtors (4 million are Parent Plus). The average debt is around \$60,000, but many have several hundred thousand. Over half of the loans are held by people between 35 and 55 years old. Nearly 40% of those with student loan debt did not get a degree. About ½ of the 44 million have debts less than \$20,000. It is estimated that the current forgiveness will take about 40% of the 44 million entirely out of the system and more will have their debts reduced to an easily payable level.

To date, the Biden administration has cancelled about \$25 billion in federal student loan debt and more will be forgiven after a “re-count” of credit allowed for income driven programs. In recent weeks, the White House has announced sweeping changes to the federal programs. The piece that has garnered the most attention and press is the “forgiveness” of up to \$10,000 for most borrowers (subject to income caps) and up to \$20,000 for people who received Pell Grants. This forgiveness is NOT taxable at the

federal level but is in up to 13 states. At last word 4 states intend to tax the forgiveness. These changes will be discussed by other panels along with several other things are new or pending. Keep in mind that this all may change. First, there are multiple lawsuits are pending to challenge the forgiveness program. Second, changes in Income Driven Repayment (IDR) will have to go through the rule making process via the federal register, including negotiations and comments. Some of the forgiveness amounts to date are the following.

- A. Borrower Defense to Repayment: \$1.5 billion
- B. Sweet vs. Cardona: \$6 billion (class action)
- C. Total and Permanent Disability: \$7 billion
- D. Public Service Loan forgiveness: \$10 billion
- E. ITT Tech Students: \$1.3 billion (208,000 students)
- F. Corinthian College: \$5.8 billion (560,000 students)
- G. Westwood College: \$1.5 billion (79,000 students)

1. TYPES OF STUDENT LOANS

Federal – Either Direct or from a bank and guaranteed by the United States (FFEL Loans)

Perkins Loans and Pell Grants

Private – Usually banks (Discover, Wells Fargo, etc.). Many of the banks have sold or assigned their portfolios to servicers such as Firstmark.

Private with non-profit guarantor – the main one is the various National Collegiate Student Loan Trusts which acquired loans from many banks in the

early 2000's. Other than their protection in bankruptcy court, private student

loans are like any other debt and subject to all state court defenses.

State – Alaska and others. These can be very difficult to deal with.

2. STUDENT LOAN TIME-LINE

Loan is created

Federal loans are assigned to a servicer and private loans are usually sold.

Payment begins

Default happens

Resolution by payment, by bankruptcy, or various administrative remedies for federal loans

3. GETTING INFORMATION

Bills, correspondence, credit reports, studentaid.gov, etc.

4. STUDENT LOAN ENTITIES

Lenders – Department of Education, other federal entities, Banks, and States.

Servicers – Navient and Fedloan are dropping out of federal servicing. Navient is transferring accounts to Maximus / Aidvantage. Fedloan (PHEAA) is transferring accounts to Mohela. Other servicers include Edfinancial and Nelnet.

Guarantors – TERI, Access, ECMC, Texas Guaranty (Trellis).

Collectors – various.

Attorneys – various local, regional and national firms.

5. TYPES OF FEDERAL LOANS

Direct, FFEL (FFELP), Stafford loans, Graduate PLUS loans, Parent PLUS loans, Perkins loans.

6. ADMINISTRATIVE DISCHARGE FOR FEDERAL LOANS

School related – closed school, false certification (ability to benefit, disqualifying status, forgery, identity theft, etc.

Borrower Defense to Repayment (Also see Cardona vs Sweet).

Disability – 100% VA disability, Social Security Disability, or Physician Certification (changes pending).

Death – federal student loans are NOT a claim against an estate. Private loans are.

7. DEFAULT

Non-payment for 270 days (federal loans)

Missed payment (private)

8. GETTING OUT OF DEFAULT (federal)

Rehabilitation

Consolidation

Refinance

Settlement

Automatic cure (pending for next year)

9. REPAYMENT PLANS (federal)

Balance based – payment in full over 10 or 20 years. Such payments can be “extended,” “graduated,” or “extended graduated.”

Income Driven – Income Contingent, Income Based Repayment (IBR), New IBR, Paye, and Repay – payments are a percentage of AGI – 20%, 15% and 10% over 20 years for undergraduate and 25 years for graduate.

Custom – used when other programs simply do not work – hard to get.

Changes pending – a new plan at 5% of AGI for ALL Income Driven Repayments and Spousal Consolidation relief.

10. LOAN FORGIVENESS

Public Service Loan Forgiveness

Teacher Loan Forgiveness

Perkins Loan Forgiveness

Repayment Assistance

At the conclusion of Income Driven Payment plans (20 or 25 years) there MAY be a taxable event.

11. DEFERMENT AND FORBEARANCE

Deferment

Forbearance

12. MEDICAL STUDENT LOANS (heavy evidence burden for discharge)

A. HEAL loans

B. Other HHS loans

13. PRIVATE STUDENT LOANS (usually co-signed)

Defenses – all state court defenses are available. Statute of Limitations, Fraud, TILA, etc.

Evidence objections based on chain of title

CFPB actions (National Collegiate Student Loan Trusts)

14. STATE STUDENT LOANS

Alaska and others

15. STUDENT LOANS IN BANKRUPTCY

The Code – section 523 – the “hardship discharge” and the Brunner test.

Adversary Proceedings – Complaint and Service

“Cost of Education”

Objections to Claims

Claim Classification

Income Driven Repayment in Chapter 13 (Buchanan)

APPENDIX, OTHER RECENT CASES, ARTICLES & RESOURCES

I Primer

II School discharges based on Sweet vs Cardona.

III “Let Them Eat Cake.”

RESOURCES

Joshua Cohen (The Student Loan Lawyer), Adam Minsky (Forbes articles), NCLC

Student Loan Law, studentaid.gov, Debtor Creditor web site.

STUDENT LOAN VICTIMS –
“LET THEM EAT CAKE”

By Richard J. Parker
Parker, Butte & Lane, PC

Several recent articles in the *American Bankruptcy Law Journal* and the American Bankruptcy Institute's *Bankruptcy Brief*, as well as a seminar at the recent Annual Debtor-Creditor Section CLE and Annual Meeting, dispassionately describe the statutory and case law on student loans in the United States. This article is not such an endeavor. Rather, it examines how we got here and considers some of the political and economic issues related to what has rightly been called the student loan crisis.

Numerous sources report that total student loan debt is now in excess of one trillion dollars. *See, e.g.,* <http://www.consumerfinance.gov/newsroom/studentdebtswellsfederalloansnowtopatrillion/>. About 10% of this amount is private student loans, with the rest being federally insured student loans of various kinds. *Id.* The differences between the two types of loans are significant, both in and out of the bankruptcy courts. This article will briefly describe how student loans work and their history, then analyze the impact student loan debt has on individuals and on society. Finally it will discuss the inadequate remedies available to deal with the problem.

Student Loan History

In the beginning there were student loans and they were good. The initial student loan program was inspired by the very successful GI bill, which guaranteed up to 48 months of higher education to qualified veterans. The Federal Family Education Loan Program (FFEL) began in 1965. It allowed middle-class and working-class families to borrow money without regard to their creditworthiness and repay the loans, usually over a 10-year period after graduation, at a low fixed interest rate. Due to the reluctance of banks to take any risks, such loans were later guaranteed by the federal government. When the banks were still reluctant to take on risk, Congress created Sallie Mae as a secondary market for guaranteed loans. During the 1990s, purely private loans became more common and students were directed to these loans even when they would have qualified for more favorable federal programs. The full history is available in many sources, including the excellent *Student Loan Law*, National Consumer Law Center (4th ed. & Supp. 2012).

In the early years of student loans (before 1976), they were treated like any other debt and were dischargeable in bankruptcy. Following some questionable stories told to Congress about rich doctors and lawyers ripping off the government for a free education, federally insured student loans were made dischargeable only after five years. The period was extended to seven years in 1990. Finally, in 1998, Congress made federal loans nondischargeable in the absence of a showing of “undue hardship” (undefined in the Bankruptcy Code). With BAPCPA in 2005, the

noose was fully tightened – private student loans as well were made nondischargeable. The legislative history of this provision is sparse: at one point (on May 5, 1999) during the tortured eight-year process that led to BAPCPA's ultimate enactment, Senator Lindsey Graham offered an amendment to extend nondischargeability to private student loans. A total of three minutes of floor time was devoted to the issue, according to Maureen Thompson, NACBA (Nat'l Assoc. of Consumer Bankruptcy Attorneys) lobbyist. Through all the later debates on BAPCPA, the major concerns were with the means test and changes to chapter 13; this student loan provision was never really addressed again. Even before BAPCPA, though, options were being closed off. In 1991, the statute of limitations was eliminated for collections on federally insured student loans. This provision was later ruled to have retroactive effect, reviving student loan debt that had been previously time barred. *United States v. Phillips*, 20 F3d 1005 (9th Cir 1994). This extraordinary change put most student loan debtors in the same category as murderers and traitors who can be pursued until death.

The Law Today

During the time that student loans were dischargeable only after five years, the *Brunner* case was decided. *Brunner v New York State Higher Educ. Services, Inc.*, 831 F2d 395 (2d Cir 1987). The *Brunner* test for a hardship discharge (required at the time for discharge without the waiting period) requires proof that: 1) the debtor cannot maintain, based on current income, a minimal standard of living for the debtor and dependents if forced to repay the student loan by its terms; 2) circumstances indicate that this state of affairs is likely to persist for a significant portion of the repayment period; and 3) the debtor has made a good faith effort to repay the loans. This standard was eventually adopted by virtually all of the circuits. In a recent Ninth Circuit BAP case authored by Judge Renn, *In re Roth*, 490 BR 908 (9th Cir BAP 2013), Judge Pappas wrote a concurring opinion in which he explicitly questioned the continuing validity of the *Brunner* doctrine, referring to it as "truly a relic of times long gone." *Id.* at 920. (An interesting side note is that in *Roth*, as in *Brunner*, the debtor was a *pro se* appellant.)

While federally insured student loans have numerous repayment programs available for students facing economic hardship (Income Based Repayment, Income Contingent Repayment, etc.), no such programs exist for private student loans. The federal repayment programs, along with options such as disability discharge, make bankruptcy unnecessary for most people who owe under the federal programs. This is not true for those subject to private student loans, which are vigorously pursued by numerous collection agencies, confident that no matter what else happens, their targets are unlikely to attempt to obtain a hardship discharge. The failure to even consider bankruptcy in these cases is a function of debtor and attorney ignorance, as well as the expense of pursuing student loan hardship discharge. A recent article by an academic found that the odds were reasonably good for those willing or able to pursue a hardship discharge. Iuliano, "An Empirical Assessment of Student Loan Discharges and the Undue Hardship Standard," *Am Bankr LJ* (Volume 86, Issue #3, 2012). In 2007, the year studied, 51 of the approximately 200 people filing for hardship discharges received a full discharge and 30 received a partial discharge, while 25 more received an administrative remedy such as one of the repayment programs mentioned above.

In contrast to these favorable results, some real-life examples show how ruthlessly some agencies and collectors believe *Brunner* should be applied. The creditor in *In re Renville*, 2006 WL 3206126 (D Mont), suggested to the court that in order to have the funds to pay a student loan, the debtor should make a 1600-mile round trip each month so he could buy his prescriptions at lower cost on an Indian reservation. The court discharged the student loans.

The North Dakota court in *In re Lindquist*, 2007 WL 4868312 (Bankr D ND), was urged to require the debtor (who had been employed at several low wage jobs) to open her own beauty salon so she could make the income adequate to pay her loans. This was despite the fact that she suffered from depression, anxiety, scoliosis, obesity and back pain, and had advised the court that she could only do haircuts; she was not good at other salon skills, having once glued herself to a patron while attempting a manicure. The court declined to follow the advice of the collector.

Finally, a debtor with numerous medical issues sought a discharge and the creditor suggested that she eat “dry breakfast cereal several days a week” to save money. The debtor’s food costs were high because she needed a diabetic, low sodium and dairy-free diet. The creditor also believed that the debtor could find other gainful employment, contending that the results of her “Functional Capacity Examination” (showing severe limitations) were skewed – the debtor had been in a diabetic coma and suffered from recurring pneumonia before the test. She could do only sedentary work but had no secretarial skills. Discharge granted. *In re Hurley*, 258 BR 15 (Bankr D Mont 2001).

But sometimes the court is equally ruthless. In an Ohio case highlighted in the *New York Times*, the bankruptcy judge opined that the debtor’s blindness did not necessarily create a hopeless employment situation, despite the fact that the debtor lived in a rural area and had certain transportation issues. While not requiring the debtor to move to an urban area with more opportunities for employment for the blind, the judge declined to grant a discharge; he set a future date to allow the debtor “additional time to adjust to his situation.” See Lieber, “Degrees of Debt,” *NY Times* Sept 1, 2012, <http://query.nytimes.com/gst/fullpage.html?res=9A0DE5DE153CF932A3575AC0A9649D8B63>.

Another judge in Illinois addressed a case of a visually impaired man on Social Security Disability. The judge was not prepared to declare his situation hopeless and gave him a two year “window of opportunity” to recover from his financial situation, stating that he believed that the debtor had the potential to obtain “meaningful employment.” *Id.*

The Economic Impact

People fighting the burden of \$50,000 or \$100,000 or more in student loan debt are unable to buy houses, start families, or make many of the normal consumer purchases that drive our economy. A *New York Times* article addressed the problem of people being left out of the mainstream economy and deferring starting families due to their crushing student loan debt.

Lewin, "Burden of College Loans on Graduates Grows," *NY Times*, April 11, 2011, http://www.nytimes.com/2011/04/12/education/12college.html?_r=0. In a similar vein, the ABI *Bankruptcy Brief* of August 15, 2013, included an article titled "Analysis: Student-Loan Load Kills Startup Dreams," documenting how the debt load discourages many graduates from becoming entrepreneurs.

At the same time, some private student loan agencies are among the most profitable businesses around, and have highly compensated employees. At one agency, seven employees earned more than \$400,000 per year through commissions ranging up to 31%, not to mention the CEO who earned \$1.1 million in 2010. http://www.huffingtonpost.com/2012/05/17/studentloandebtcollectorsalaries_n_1525297.html. A scathing commentary by Matt Taibbi that recently appeared in *Rolling Stone* assigned some blame to schools that have little incentive to cut costs when the cash flow from student loans is virtually unlimited, but there is plenty of blame to go around. Taibbi, "Ripping Off Young America: The College-Loan Scandal," *Rolling Stone* Aug. 15, 2013, <http://www.rollingstone.com/politics/news/rippingoffyoungamericathecollegeloanscandal20130815>.

The Political Situation

As even the most casual observers of national politics can tell, it is unlikely that Congress in the foreseeable future will have the votes, the will, or the interest to address the growing student debt problem. While some bills have been proposed to change the law, they have gained no traction. Of more impact are the efforts of Senator Elizabeth Warren to shine a light on the issues, including highlighting the fact that the government makes a profit on many student loans. She has also questioned why Sallie Mae was allowed to borrow money from the Federal Home Loan Banks (\$8.5 billion dollar line of credit at .23%) to help to fuel its 2012 profit of \$2.5 billion, largely from interest income from its private student loan portfolio (June 24th, 2013 letter from Senator Warren to the Director of the Federal Housing Finance Agency). It is ironic that the FHLB was chartered to help people buy homes, but now aids a sector of the economy whose practices prevent people from buying homes.

What Can Be Done

First, everyone concerned – students, former students, their families and their lawyers – must push for changes at the federal level, recognizing that it may be two years or longer before anything happens. The Consumer Finance Protection Bureau, <http://www.consumerfinance.gov/>, is becoming more active in the area of student loan collection abuse, and its involvement should provide some relief from the most egregious collection abuses.

Second, those concerned should take action on the state level, supporting such measures as the Oregon proposal to "pay it forward" and have repayment based on future income. Locally, attorneys need to make sure their clients understand the dangers of private student loans.

As far as litigation is concerned, remember that but for the nondischargeability protection in bankruptcy, student loans are just as vulnerable to state court defenses and counterclaims as credit card debts. In some cases they are more vulnerable, as the creditor usually cannot use the “account stated” allegation. All such defenses and counterclaims should be considered. In bankruptcy court, attorneys simply need to keep pushing not just on discharge issues, but on chapter 13 classification and use of §1322(b)(5) for dealing with student loans as long term debt.

Of course, there is always the option of the hardship discharge in bankruptcy. As discussed in the companion article by Natalie Scott, “Misconceptions & Muddied Waters,” the first major change in hardship cases in years is taking place in the 9th Circuit. The change in the standard of review, along with the greater doubts expressed about the viability of the *Brunner* standards, should give debtors a better chance at a partial or total hardship discharge than they have had since the *Brunner* test was adopted by the 9th Circuit. This does not mean every client will qualify – the *Brunner* test is still there for now. What it does mean is that a larger number of cases should be appropriate for hardship discharge. But counsel must still present the case in such a way as to show the court that a fact based decision can be rendered that will withstand appellate scrutiny. Even if the debtor does not in fact apply for Income Based Repayment or a similar program, counsel must be prepared to show that the option has been explored and what the payments would be under a repayment program. Then, counsel must explain why it is not feasible, perhaps due to the presence of private student loans which have no such programs.

While as attorneys we must press all possible arguments and explore all avenues of relief for our clients, such actions are only a partial solution. Counsel can also be active in contacting the offices of their Senators and Representatives to help educate them about the glaring flaws in the system. Unless the student-loan problem is dealt with on a national policy basis, we face another economic crisis and lasting damage to not just the millions of graduates, but to the entire economy.

STUDENT LOAN PRIMER

As with all resources, each attorney should verify that the information is still current and reliable as the student loan area is changing rapidly. While the 3 prong test of the Brunner case is still the law in most Circuits, it is weakening. This is particularly true in the 9th Circuit.

Student loan litigation is beyond the scope of representation for most lawyers, but it is helpful to give the clients some idea of what the law is rather than just says student loans are not dischargeable and you cannot help. The client can then decide if they wish to be referred to an attorney who can deal with the more complex student loan issues.

First, the Brunner test is as follows: 1) the debtor cannot maintain, based on current income and expenses, a “minimal” standard of living for the debtor and any dependents if forced to repay the loans; 2) that additional circumstances exist indicating that this state of affairs is likely to persist for a significant portion of the repayment period; and 3) that the debtor has made good faith efforts in the past to repay the loans. Essentially the hardship case must be made for past, present and future – not an easy task.

However, in addition to knowing the history of the debtor with regard to meeting the Brunner test, it is important to know what kind of loans are being dealt with by the client. Federally insured loans and private loans are totally different. About all that they have in common is that at this time they are both non-dischargeable in a basic bankruptcy. Even that rule has some exceptions as certain private loans ARE discharged in bankruptcy without an adversary proceeding. BUT, there are other potential remedies, depending on the kind of loan. To determine the kind of loan, the client needs to go to the government website to get the federal loan account information. That web site is “studentaid.gov”. First, the client has to log in and establish a password from the site and then return to get their loan info. If a loan is not there, it is 99% likely that the loan is private. There is no central clearing house for private loans, though a credit report can be of some help.

Even if the case for hardship discharge cannot be made at the time of the filing of the bankruptcy, remember that you can file for a hardship discharge near the end of a chapter 13 (which gives the debtor some breathing room) or a discharged and closed 7 or 13 case can be re-opened for the purpose of filing an Adversary Proceeding for hardship discharge. If a hardship discharge is not feasible, there are still many options for special treatment in chapter 13. And most private loans have a co-signer who could be protected in a chapter 13 under section 1301.

Essentially, private student loans are glorified credit cards or personal loans that are usually non-dischargeable, but still subject to all traditional defenses – Statute of Limitations, fraud, TILA, FDCPA, not a qualified educational expense, etc. In addition, many have been “securitized” in the same way as mortgages are and are subject to attack on that basis, as well as on standing. Complications arise when one agency, such as Navient, services both private and federal loans and they misstate remedies available (a potential violation of some debt collection practices laws). The major differences in the loans are the following:

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	PRIVATE	FEDERAL
Parties	Co-signers may exist	No. "Parent Plus" Loans ("spousal consolidation") ("endorsers")
Interest	High / often variable	Generally lower and fixed
Statute of limitations	Yes, contractual	None
Formal work-outs	No, not usually	Yes, IBR, ICR, etc.
Wage Garnishment	Must get judgment	Can take 15% by letter w/o court
Social Security offset	No	Yes – 15%
IRS refund intercept	No	Yes
Discharge on Death	No, not usually	Yes
Disability Discharge	Not usually (some banks do)	Yes
Cure Default	Not usually	Yes
Credit Re-hab	Not usually	Yes
Consolidation	Not usually	Yes

RESOURCES

Thestudentloanlawyer.com – Josh Cohen website

studentaid.gov

Adam Minsky (Forbes articles and blog)

NCLC

Prepared by Richard J. Parker - rjp@pbl.net

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Sweet v. Cardona Settlement Agreement Exhibit C

School Owner(s)	School/Brand Name
Alta Colleges, Inc. (Westwood)	Westwood College
American Commercial Colleges, Inc.	American Commercial College
American National University	American National University
Ana Maria Piña Houde and Marc Houde	Anamarc College
Anthem Education Group; International Education Corporation	Anthem College Anthem Institute
Apollo Group	University of Phoenix Western International University
ATI Enterprises	ATI Career Training Center
	ATI College
	ATI College of Health
	ATI Technical Training Center
B&H Education, Inc.	Marinello School of Beauty
Berkeley College (NY)	Berkeley College
Bridgepoint Education	Ashford University
	University of the Rockies
Capella Education Company; Strategic Education, Inc.	Capella University
Career Education Corporation	American InterContinental University
	Briarcliffe College
	Brooks College
	Brooks Institute
	Collins College
	Colorado Technical University
	Gibbs College
	Harrington College of Design
	International Academy of Design and Technology
	Katharine Gibbs School
	Le Cordon Bleu
	Le Cordon Bleu College of Culinary Arts
	Le Cordon Bleu Institute of Culinary Arts
	Lehigh Valley College
	McIntosh College
	Missouri College of Cosmetology North
	Pittsburgh Career Institute
	Sanford-Brown College
	Sanford-Brown Institute
	Brown College
	Brown Institute
	Washington Business School
	Allentown Business School
	Western School of Health and Business Careers
	Ultrasound Diagnostic Schools
	School of Computer Technology

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School Owner(s)	School/Brand Name
	Al Collins Graphic Design School
	Orlando Culinary Academy
	Southern California School of Culinary Arts
	California Culinary Academy
	California School of Culinary Arts
	Pennsylvania Culinary Institute
	Cooking and Hospitality Institute of Chicago
	Scottsdale Culinary Institute
	Texas Culinary Academy
	Kitchen Academy
	Western Culinary Institute
Center for Employment Training	Center for Employment Training
Center for Excellence in Higher Education (CEHE)	California College San Diego
	CollegeAmerica
	Independence University
	Stevens-Henager
Computer Systems Institute	
Court Reporting Institute, Inc.	Court Reporting Institute
Cynthia Becher	La' James College of Hairstyling
	La' James International College
David Pyle	American Career College
	American Career Institute
Delta Career Education Corporation	McCann School of Business & Technology
	Miami-Jacobs Career College
	Miller Motte Business College
	Miller-Motte College
	Miller-Motte Technical College
DeVry	Tucson College
	American University of the Caribbean
	Carrington College
	Chamberlain University
	DeVry College of Technology
	Devry Institute of Technology
	DeVry University
	Keller Graduate School of Management
EDMC/Dream Center	Ross University School of Veterinary Medicine
	Ross University School of Medicine
	Argosy University
	The Art Institute
	Brown Mackie College
	Illinois Institute of Art (The)
	Miami International University of Art & Design
	New England Institute of Art (The)
	South University
	Western State University College of Law
	All-State Career School

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School Owner(s)	School/Brand Name
Education Affiliates (JLL Partners)	Fortis College
	Fortis Institute
Edudyne Systems Inc.	Career Point College
Empire Education Group	Empire Beauty School
Everglades College, Inc.	Everglades University
	Keiser University
FastTrain	FastTrain
Globe Education Network	Globe University
	Minnesota School of Business
Graham Holdings Company (Kaplan)	Bauder College
	Kaplan Career Institute
	Kaplan College
	Mount Washington College
	Purdue University Global
Grand Canyon Education, Inc.	Grand Canyon University
Infilaw Holding, LLC	Arizona Summit Law School
	Charlotte School of Law
	Florida Coastal School of Law
International Education Corporation	Florida Career College
	United Education Institute
ITT Educational Services Inc.	ITT Technical Institute
JTC Education, Inc.	Gwinnett College
	Medtech College
	Radians College
Laureate Education, Inc.	Walden University
Leeds Equity Partners V, L.P.	Florida Technical College
	National University College
	NUC University
Liberty Partners	Concorde Career College
	Concorde Career Institute
Lincoln Educational Services Corporation	International Technical Institute
	Lincoln College of Technology
	Lincoln Technical Institute
Mark A. Gabis Trust	Daymar College
Mission Group Kansas, Inc.	Wright Business School
	Wright Career College
Premier Education Group L.P.	American College for Medical Careers
	Branford Hall Career Institute
	Hallmark Institute of Photography
	Hallmark University
	Harris School of Business
	Institute for Health Education (The)
	Micropower Career Institute
	Suburban Technical School
	Salter College
	Beckfield College

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School Owner(s)	School/Brand Name
Quad Partners LLC	Blue Cliff College
	Dorsey College
Remington University, Inc.; Remington College BCL, Inc.	Remington College
Southern Technical Holdings, LLC	Southern Technical College
Star Career Academy	Star Career Academy
Sullivan and Cogliano Training Center, Inc.	Sullivan and Cogliano Training Centers
TCS Education System	Chicago School of Professional Psychology
Vatterott Educational Centers, Inc.	Court Reporting Institute of St Louis
	Vatterott College
Wilfred American Education Corp.	Robert Fiance Beauty Schools
	Robert Fiance Hair Design Institute
	Robert Fiance Institute of Florida
	Wilfred Academy
	Wilfred Academy of Beauty Culture
Willis Stein & Partners (ECA)	Wilfred Academy of Hair & Beauty Culture
	Brightwood Career Institute
	Brightwood College
	New England College of Business and Finance
	Virginia College

Faculty

Joshua R.I. Cohen is a practitioner at Cohen Consumer Law, PLC in St. Albans, Vt., and is known as the Student Loan Lawyer™. He has been practicing law since 2008, defending and assisting consumers with student loan issues. He has been interviewed on Fox and Bloomberg and quoted in multiple news articles. Mr. Cohen created the Student Loan Law Workshop in 2011, an intensive seminar and comprehensive roadmap that gives other attorneys the ammunition they need to fight back and win for their clients. The workshops were designed for lawyers to learn about student loans, potential solutions, how to defend against a variety of problems and more. More than 500 lawyers have attended the workshop. Mr. Cohen is admitted to practice in Connecticut, Vermont, and the Eastern and Western Districts of New York. He is a member of the National Association of Consumer Advocates, the National Association of Consumer Bankruptcy Attorneys, and the American, Connecticut and Vermont Bar Associations. Mr. Cohen received his B.A. in psychology from Brandeis University in 1996, his M.B.A. from the University of Phoenix in 2002 and his J.D. from Quinnipiac University School of Law in 2007.

Richard J. Parker is a shareholder in Parker, Butte, & Lane, P.C. in Portland, Ore., where his practice focuses on student loans and bankruptcy. He also volunteers with United Farm Workers and received the American Jurisprudence Award in Labor Law. He also received the Award of Merit from the Debtor-Creditor section of the Oregon State Bar for service to the section. Mr. Parker has been a member of the Washington State Bar since 1978 and the Oregon State Bar since 1980. He is admitted to the Oregon and Washington federal courts and the Ninth Circuit Court of Appeals. Mr. Parker is a past chair of the Consumer Bankruptcy Subcommittee of the Oregon State Bar's Debtor-Creditor Section (1998-99) and has been a member of the editorial board of the OSB Debtor-Creditor Section Newsletter since 2003. In addition, he is a member of the Legislation subcommittee of the OSB Debtor-Creditor section, has been chair of the *Pro Bono* Bankruptcy Clinic Subcommittee since 2012, is a member of the OSB Debtor-Creditor Section's Executive Board (2013-17), is a past Debtor-Creditor Section Secretary, Treasurer and Chair (2014-16), and is a member of the National Association of Consumer Bankruptcy Attorneys (NACBA) and the National Association of Chapter 13 Trustees (NACTT). Mr. Parker has authored numerous articles on student loan issues and is a frequent speaker at state, regional and national seminars on student loans, including the Oregon State Bar and the Northwest Bankruptcy Institute, and at the NACBA and NACTT conventions. He received his B.A. in political science in 1975 from Reed College and his J.D. in 1978 from Golden Gate University School of Law, where he was a member of its law review.