

1 JOSEPH JARAMILLO (SBN 178566)
jjarmillo@heraca.org
2 HOUSING & ECONOMIC RIGHTS
3 ADVOCATES
3950 Broadway, Suite 200
4 Oakland, CA 94611
Tel.: (510) 271-8443
5 Fax: (510) 868-4521

EILEEN M. CONNOR (SBN 248856)
econnor@law.harvard.edu
MARGARET E. O’GRADY (*pro hac vice*)
mogrady@law.harvard.edu
REBECCA C. ELLIS (*pro hac vice*)
rellis@law.harvard.edu
LEGAL SERVICES CENTER OF
HARVARD LAW SCHOOL
122 Boylston Street
Jamaica Plain, MA 02130
Tel.: (617) 390-3003
Fax: (617) 522-0715

6
7
8
9 Attorneys for Plaintiffs

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 THERESA SWEET, CHENELLE
13 ARCHIBALD, DANIEL DEEGAN, SAMUEL
14 HOOD, TRESA APODACA, ALICIA DAVIS,
and JESSICA JACOBSON on behalf of
15 themselves and all others similarly situated,

16 *Plaintiffs,*

17 v.

18 MIGUEL CARDONA, in his official capacity
as Secretary of the United States Department
19 of Education, and

20 THE UNITED STATES DEPARTMENT OF
EDUCATION,

21 *Defendants.*
22

Case No. 19-cv-03674-WHA

**PLAINTIFFS’ RESPONSE TO
COURT’S ORDER DATED
JANUARY 27, 2022**

(Class Action)
(Administrative Procedure Act Case)

1 On January 27, 2022, this Court notified the parties to this action that it had received a
2 letter from a class member. ECF No. 214. The Court instructed “[l]ead counsel from both sides”
3 to “investigate the merits and status of the [borrower] defense claimed by the letter and report in
4 writing thereon to the Court.” *Id.* The Court further instructed the parties to “[e]xplain specifically
5 why it is taking so long to act on and resolve these applications.” *Id.*

6 The letter that the Court appended to its January 27 Order was the fourth such letter sent
7 by class members to the Court since November 2021. In each of these four letters, class members
8 explained how their borrower defense applications had languished at the Department of Education
9 (“Department”) for years without a response. They questioned why the Department had not taken
10 any action on their applications, even under the scrutiny of this lawsuit.

11 Counsel for Plaintiffs, quite simply, have the same questions. The Department has not
12 provided a straight answer as to why it continues to delay decisions on tens of thousands of
13 borrower defense applications¹—many of them from schools for which there is ample public
14 evidence of wrongdoing. *See, e.g.*, Plaintiffs’ Response to the Court’s Request Regarding Schools
15 with Prior Findings of Fraud, ECF No. 142; Defendants’ Response Regarding the Court’s Request
16 at the October 1, 2020 Class Hearing, Attachment 1, ECF No. 145-2. The narrow classes of
17 approvals that the Department has announced since June 2021—accounting for less than 14% of
18 unresolved applications²—are a drop in the bucket.

19
20
21 ¹ For publicly available borrower defense data, *see* Borrower Defense to Repayment Loan
22 Forgiveness Data, U.S. Dep’t of Educ., [https://studentaid.gov/data-center/student/loan-](https://studentaid.gov/data-center/student/loan-forgiveness/borrower-defense-data)
23 [forgiveness/borrower-defense-data](https://studentaid.gov/data-center/student/loan-forgiveness/borrower-defense-data) (last visited Feb. 23, 2022). The most recent set of this data is
24 appended hereto as Exhibit A (hereinafter “Sept. 2021 BD Data”).

25 ² This calculation includes as “unresolved” all applications the Department reported as “pending”
26 and “pending notification” as of September 30, 2021, plus 128,361 unlawful form denials.
27 Plaintiffs calculate the number of unlawful form denials by subtracting the number of denials the
28 Department had issued as of September 30, 2019 (the last report before the Department began
sending form denial notices) from the total number of denials currently reported. *Compare* Ex. A,
Sept. 2021 BD Data (listing 137,438 denied applications), *with* Borrower Defense to Repayment
Loan Forgiveness Data – September 2019, [https://studentaid.gov/data-center/student/loan-](https://studentaid.gov/data-center/student/loan-forgiveness/borrower-defense-data)
[forgiveness/borrower-defense-data](https://studentaid.gov/data-center/student/loan-forgiveness/borrower-defense-data) (listing 9,077 denied applications).

1 Also concerning is that the Department’s publicly available data indicate that it *has*
2 *adjudicated*—in other words, has already decided—over 45,000 applications, but has not yet
3 informed applicants of those decisions. *See* Ex. A (Sept. 2021 BD Data). This statistic raises
4 important questions about how these decisions were reached and why the Department is
5 withholding notice of them. The Department has not provided any information about when these
6 decisions were made, what criteria or processes were used to make them, what evidence was
7 consulted, or what schools the borrowers attended.

8 Plaintiffs endeavor below to respond to the Court’s Order to the best of their ability.

9 **I. THE FOUR CLASS MEMBER CORRESPONDENTS**

10 Although the Court’s January 27 Order addressed one specific letter the Court received,
11 Plaintiffs address here all four of the class member letters sent to the Court in recent months.
12 Plaintiffs’ counsel have spoken with each class member about their situation. Plaintiffs’ counsel
13 also sought information from the Department regarding the status of their applications, including
14 by sending the Department written permission from the class members for the Department to share
15 their borrower defense files with Plaintiffs’ counsel. The Department, however, provided just a
16 single document from one applicant’s file, which did not reveal the current status of the
17 application.

18 **A. Tudor Neagu**

19 The letter at issue in the January 27 Order was from Tudor Neagu, who filed an application
20 with the Department asserting school misconduct as a basis for loan cancellation first in February
21 2016, and then again in 2017, with respect to his student loans from Villanova Law School.³ Mr.
22 Neagu has received no response to his application.

23 Mr. Neagu submitted written evidence in support of his application, including findings
24 against Villanova Law School by the American Bar Association. He made that evidence available
25

26 ³ Mr. Neagu initially characterized his claim as one for false certification/ability to benefit, but it
27 is Mr. Neagu’s and counsel’s understanding that his application ultimately was accepted and
28 processed by the Department as one for borrower defense.

1 to the Court and counsel in this case via a link included in his letter to the Court. He also reported
2 in that letter that he, along with others from his law school class, was approached about filing a
3 lawsuit against the school, but they were “afraid to participate on account of the potential
4 repercussions” to their legal careers, so the lawsuit was never filed.

5 It is counsel’s understanding that the Department has reviewed Mr. Neagu’s application,
6 sought information from Villanova Law School, and received a response from the school. But, so
7 far as counsel or Mr. Neagu knows, the Department has not taken the final step of determining
8 whether borrower defense is warranted in his case based on the operative regulation. The
9 Department has had more than four years to complete this process, yet neither Mr. Neagu nor
10 Plaintiffs’ counsel have any insight into why this application remains pending (or whether it is one
11 of the over 45,000 applications that have been adjudicated with no notice to the applicant).

12 **B. Yolande Walker**

13 Ms. Walker wrote to the Court on January 5, 2022, and the Court subsequently sent copies
14 of her letter to counsel. *See* ECF No. 211. Ms. Walker attended DeVry University. She applied for
15 borrower defense in 2017 and has received no response to her application.

16 Regarding the merits of Ms. Walker’s claim, we know at least that she is far from alone.
17 As of April 2020—the most recent count that Plaintiffs have available based on discovery
18 produced in this case—the Department had received *over 16,000* applications from DeVry
19 University borrowers. *See* CMN Cases By School Owner – Open – 2020 (DOE00003066),
20 appended hereto as Exhibit B. That number is undoubtedly higher now. Some percentage of those
21 borrowers received form denial notices between December 2019 and October 2020. *See, e.g.*,
22 Supplemental Class Action Complaint for Declaratory and Injunctive Relief ¶¶ 379-388, ECF No.
23 198 (hereinafter “Supp. Compl.”). There is no way for Plaintiffs to know whether Ms. Walker’s
24 borrower defense application was held for further evaluation at that time, or whether hers is among
25 the over 45,000 applications that the Department has adjudicated without notice to the applicant.

26 In any case, there is ample evidence of DeVry’s wrongdoing in the public record. For
27 example, in 2015, the Department demanded that DeVry substantiate its widely advertised job
28

1 placement rate claims, and DeVry admitted it could not.⁴ In 2016, the Federal Trade Commission
2 brought a complaint against DeVry for these false advertisements. DeVry settled that complaint
3 for \$100 million, and the FTC sent restitution checks to over 173,000 students,⁵ including Ms.
4 Walker. *See* Affidavit of Yolande Walker (hereinafter “Walker Aff.”) ¶¶ 11-12, appended hereto
5 as Exhibit C. DeVry also settled separate complaints brought by the attorneys general of
6 Massachusetts and New York,⁶ and a 2018 report by the Department of Veterans Affairs likewise
7 supported findings of false advertising.⁷ In 2020, DeVry settled a private class action suit for nearly
8 \$45 million; the class in that case included approximately 323,000 members.⁸

9 Despite this voluminous record, the Department had not, until February 16, 2022, issued a
10 *single borrower defense grant* to a DeVry borrower since the inception of the borrower defense
11

12 ⁴ *See* Merrit Kennedy, “DeVry University Agrees to Stop Ads Touting Grads’ Job Success Without
13 Proof,” *NPR* (Oct. 14, 2016), [https://www.npr.org/sections/thetwo-
14 way/2016/10/14/497917516/devry-university-agrees-to-stop-ads-touting-grads-job-success-
without-evidence](https://www.npr.org/sections/thetwo-way/2016/10/14/497917516/devry-university-agrees-to-stop-ads-touting-grads-job-success-without-evidence).

15 ⁵ *See* Press Release, Fed. Trade Comm’n, DeVry University Agrees to \$100 Million Settlement
16 with FTC (Dec. 15, 2016), [https://www.ftc.gov/news-events/press-releases/2016/12/devry-
17 university-agrees-100-million-settlement-ftc](https://www.ftc.gov/news-events/press-releases/2016/12/devry-university-agrees-100-million-settlement-ftc); Bridget Small, “FTC Sends DeVry Refund Checks,”
Fed. Trade Comm’n Consumer Information Blog (July 5, 2017),
<https://www.consumer.ftc.gov/blog/2017/07/ftc-sends-devry-refund-checks>.

18 ⁶ *See* Press Release, Office of Mass. Att’y Gen., AG Healey Secures \$455,000 in Refunds for
19 Students Deceived by Online For-profit School (July 5, 2017), [https://www.mass.gov/news/ag-
20 healey-secures-455000-in-refunds-for-students-deceived-by-online-for-profit-school](https://www.mass.gov/news/ag-healey-secures-455000-in-refunds-for-students-deceived-by-online-for-profit-school); Press
21 Release, Office of N.Y. Att’y Gen., A.G. Schneiderman Obtains Settlement With DeVry
22 University Providing \$2.25 Million in Restitution for New York Graduates Who Were Misled
About Employment and Salary Prospects After Graduation (Jan. 31, 2017),
[https://ag.ny.gov/press-release/2017/ag-schneiderman-obtains-settlement-devry-university-
providing-225-million](https://ag.ny.gov/press-release/2017/ag-schneiderman-obtains-settlement-devry-university-providing-225-million).

23 ⁷ *See* Dep’t of Veterans’ Affairs Office of Inspector Gen., “VA’s Oversight of State Approving
24 Agency Program Monitoring for Post-9/11 GI Bill Students” at 12-13 (Dec. 3, 2018), *available at*
<https://www.va.gov/oig/pubs/VAOIG-16-00862-179.pdf>.

25 ⁸ *See* Settlement Agreement, *McCormick v. Adtalem Global Educ. Inc.*, No. 2018-CH-04872 (Ill.
26 Cir. Ct. May 10, 2020), *available at*
[https://www.devryuniversitysettlement.com/home/400/DocumentHandler?docPath=/Documents/
27 2020_05_11_McCormick_DeVry_Settlement_AgreementB.pdf](https://www.devryuniversitysettlement.com/home/400/DocumentHandler?docPath=/Documents/2020_05_11_McCormick_DeVry_Settlement_AgreementB.pdf).

1 program in 2015. Just eight days ago, the Department announced its first set of DeVry approvals—
2 to 1,800 borrowers, or approximately 1% of the number of people who received refund checks
3 under the FTC’s settlement.⁹ Ms. Walker has not received notice that her application is among this
4 small number of approvals. *See* Ex. C, Walker Aff. ¶ 21.

5 Based on the available evidence, Plaintiffs believe Ms. Walker is eligible for borrower
6 defense relief. Plaintiffs can offer no explanation for why her application has not been granted yet.
7 Plaintiffs cannot discern any reason why the Department would have marked her application for
8 denial, but if it has, the Department has not disclosed any reasoned basis for denying Ms. Walker’s
9 (or any other DeVry borrower’s) application.

10 **C. Joseph Mallon**

11 Mr. Mallon wrote to the Court on December 10, 2021; copies of his letter were sent to
12 counsel along with Ms. Walker’s. *See* ECF No. 211. Mr. Mallon attended the University of
13 Phoenix. He applied for borrower defense in 2017 but has yet to receive any response to his
14 application.

15 As of April 2020, the Department had received *over 21,000* applications from University
16 of Phoenix borrowers. *See* Ex. B. Again, that number has undoubtedly increased in the nearly two
17 years since. As with DeVry, some percentage of those borrowers received form denial notices
18 between December 2019 and October 2020. And, just as with Ms. Walker, there is no way for
19 Plaintiffs to know whether Mr. Mallon’s borrower defense application was held for further
20 evaluation or has been denied without notice to Mr. Mallon.

21 University of Phoenix has engaged in widespread and widely reported misconduct. For
22 example, the Federal Trade Commission brought a complaint against the school in 2019 alleging

23
24
25 ⁹ *See* Press Release, U.S. Dep’t of Educ., Education Department Approves \$415 Million in
26 Borrower Defense Claims Including for Former DeVry University Students (Feb. 16, 2022),
27 [https://www.ed.gov/news/press-releases/education-department-approves-415-million-borrower-
28 defense-claims-including-former-devry-university-students](https://www.ed.gov/news/press-releases/education-department-approves-415-million-borrower-defense-claims-including-former-devry-university-students).

1 that it falsely advertised, among other things, employment partnerships with major companies. The
2 university settled that complaint for \$191 million—a record at the time—which included \$50
3 million in direct payments to former students and \$141 million in private loan cancellation.¹⁰ The
4 FTC distributed the payments to 147,000 students.¹¹ The University of Phoenix has also been
5 investigated by the attorneys general of California, Delaware, Florida, and Massachusetts, and by
6 the Department of Education’s own Office of the Inspector General.¹² In 2009, the university
7 settled a False Claims Act case related to its recruiting practices for \$67.5 million.¹³ In 2020, the
8 Department of Veterans Affairs announced its intention to suspend GI Bill enrollments at
9 University of Phoenix (among other for-profit schools) because of its deceptive advertising, sales,
10 and enrollment practices.¹⁴

11 Despite these and other facts, the Department has not, to Plaintiffs’ knowledge, issued a
12 *single borrower defense grant* to a University of Phoenix borrower from 2015 through the present.

13 Based on the available evidence, Plaintiffs believe Mr. Mallon is eligible for borrower
14 defense relief. Just as with Ms. Walker, if the Department has classified Mr. Mallon’s application
15

16 ¹⁰ See Press Release, Fed. Trade Comm’n, FTC Obtains Record \$191 Million Settlement from
17 University of Phoenix to Resolve FTC Charges It Used Deceptive Advertising to Attract
18 Prospective Students (Dec. 10, 2019), <https://www.ftc.gov/news-events/press-releases/2019/12/ftc-obtains-record-191-million-settlement-university-phoenix>.

19 ¹¹ See Leslie Fair, “\$50 Million in Refund Checks for University of Phoenix Students,” *Fed. Trade*
20 *Comm’n Business Blog* (Mar. 24, 2021), <https://www.ftc.gov/news-events/blogs/business-blog/2021/03/50-million-refund-checks-university-phoenix-students>.

21 ¹² See David Halperin, “Law Enforcement Investigations and Actions Regarding For-Profit
22 Colleges,” *Republic Report*, <https://www.republicreport.org/2014/law-enforcement-for-profit-colleges/> (last updated Jan. 20, 2022).

23 ¹³ See Press Release, U.S. Dep’t of Justice, University of Phoenix Settles False Claims Act Lawsuit
24 for \$67.5 Million (Dec. 15, 2009), <https://www.justice.gov/opa/pr/university-phoenix-settles-false-claims-act-lawsuit-675-million>.

25 ¹⁴ See Press Release, U.S. Dep’t of Veterans Affairs, VA Intends to Suspend Enrollment of New
26 GI Bill Students at University of Phoenix, Career Education Corporation, Bellevue University and
27 Temple University (Mar. 9, 2020), <https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5399>.
28 The VA later reversed this decision, however, concluding that the schools had taken sufficient
corrective action. See “VA’s Resolution of [§]3696 Violations by 5 Schools,” *Veterans Education*
Success (July 2, 2020), <https://vetsedsuccess.org/vas-resolution-of-3696-violations-by-5-schools/>.

1 as potentially eligible for relief, Plaintiffs cannot explain why it has not been granted yet; and if
2 the Department has marked Mr. Mallon's or any other University of Phoenix borrower's
3 application for denial, it has not provided a reasoned basis for doing so.

4 **D. Steven Sullwold**

5 Mr. Sullwold wrote to the Court in November 2021. *See* ECF No. 210. Per the Court's
6 instructions, Plaintiffs reviewed Mr. Sullwold's letter *in camera* on December 2, 2021. Mr.
7 Sullwold later sent the text of the letter via email to Plaintiffs' counsel. Mr. Sullwold borrowed
8 federal student loans on behalf of his son, who attended Collins College (a Career Education Corp.
9 school) in 2003-2004. Mr. Sullwold applied for borrower defense in 2016 and received a form
10 denial notice in 2020. Mr. Sullwold has filed for reconsideration of that denial.

11 The Department's failure to either withdraw the form denial notice and adjudicate Mr.
12 Sullwold's initial application or act on Mr. Sullwold's reconsideration application is, once again,
13 wholly inexplicable. As of April 2020, the Department had received *over 12,000* applications from
14 Career Education Corp. ("CEC") borrowers, including over 250 applications from Collins College.
15 *See* Ex. B. Yet between December 2019 and October 2020, the Department denied a wide swath
16 of these applications using its unlawful form denial notices, pursuant to a policy that excluded
17 from relief any applicant whose loans dated from before January 1, 2008 or after January 1, 2013.
18 *See* Supp. Compl. Exs. 29-30, ECF No. 198-7 (DOE00009550; DOE00009552). Plaintiffs believe
19 that Mr. Sullwold's application was denied under this policy.

20 As Plaintiffs have detailed in their Supplemental Complaint, this policy was arbitrary and
21 capricious, and resulted from an unlawful process that denied applicants their rights under the
22 Administrative Procedure Act and the Due Process Clause. *See* Supp. Compl. ¶¶ 359-366; *see*
23 *generally id.* ¶¶ 196-236, 258-288. At the time the Department instituted its policy of denying
24 these CEC applications, there was evidence readily and publicly available demonstrating that its
25 conclusion was inaccurate. For example, in 2019, CEC entered into an Assurance of Voluntary
26 Compliance with 48 states and the District of Columbia—led by Mr. Sullwold's home state of
27 Texas—that addressed CEC's alleged violations of state laws regarding its recruitment and
28

1 enrollment practices, including misrepresentations regarding the costs of enrollment,
2 transferability of credits, program offerings, employment prospects, and job placement rates.¹⁵
3 Among other provisions, the Assurance of Voluntary Compliance required CEC to forego
4 collection on nearly \$500 million in student debts, including for students who enrolled both before
5 January 1, 2008 and after January 1, 2013.¹⁶ In short, the Department's policy of rejecting CEC
6 applications, including Mr. Sullwold's, rested on the flimsiest of pretenses.

7 The Department has come under new leadership since these CEC denials were issued, and
8 in some cases it has disclaimed the unlawful policies of its predecessor.¹⁷ Yet it has not announced
9 any policy changes with respect to borrower defense applications from CEC borrowers, nor with
10 respect to any borrower defense applications (from any school) that were subjected to the unlawful
11 policies that resulted in mass denials.

12 The Department has likewise given no indication of the processes or timeline it will follow
13 to adjudicate the reconsideration applications of borrowers like Mr. Sullwold. Plaintiffs have
14 requested, but Defendants have thus far refused to provide, any information about how the
15 reconsideration process is organized, what standards the Department is applying on
16 reconsideration, and whether the Department has granted (or denied) any reconsideration
17 application since the change in administration.

18 Based on the available evidence, Plaintiffs believe Mr. Sullwold is eligible for borrower
19 defense relief. His denial should be vacated, and his application should be granted. Plaintiffs
20

21
22 ¹⁵ See Assurance of Voluntary Compliance, *In re State of Texas & Career Educ. Corp.*, No. D-1-
GN-19-000017 (Tex. Dist. Ct. Travis Cty., 353d Jud. Dist., Jan. 2, 2019), available at
23 <https://www.texasattorneygeneral.gov/sites/default/files/images/admin/2019/Press/FINAL%20CEC%20AVC%20attached%20to%20Petition%20wCauseNo.pdf>.

24 ¹⁶ For further evidence regarding CEC's wrongdoing, see sources cited in Supp. Compl. ¶¶ 362-
25 364.

26 ¹⁷ See, e.g., Press Release, U.S. Dep't of Educ., Department of Education Announces Action to
27 Streamline Borrower Defense Relief Process (Mar. 18, 2021), <https://www.ed.gov/news/press-releases/department-education-announces-action-streamline-borrower-defense-relief-process>
(rescinding partial relief methodology for approved borrower defense claims).

1 cannot offer any explanation for why the Department has not yet taken action to correct unlawful
2 denials like Mr. Sullwold's that were issued by the previous administration.

3 **II. THE ENTIRE CLASS**

4 The four class members who wrote to the Court provide a clear and poignant window into
5 the situations of more than 260,000 borrowers who currently have unresolved borrower defense
6 applications before the Department.

7 **A. The Current Extent of the Backlog**

8 The Department's publicly available data report that, as of September 30, 2021, there were
9 87,747 pending borrower defense applications. *See* Ex. A (Sept. 2021 BD Data). Notably, this is
10 *more* pending applications than there were as of the last month of the prior administration. *See*
11 *Borrower Defense to Repayment Loan Forgiveness Data – January 2021*,
12 <https://studentaid.gov/data-center/student/loan-forgiveness/borrower-defense-data>.

13 The Department's count of "pending" applications does not, however, include the
14 approximately 128,000 borrowers who received form denial notices between December 2019 and
15 October 2020. As Plaintiffs have alleged in this case, the manner of adjudication and the form of
16 notification for these applications did not meet the minimum standards of due process and the
17 Administrative Procedure Act. *See* Supp. Compl. ¶¶ 436-439. These applications cannot, therefore,
18 be considered lawfully resolved.

19 Finally, as of September 2021, the Department reported that 45,782 borrower defense
20 applications were "adjudicated" but "pending notification." *See* Ex. A. Plaintiffs have sought
21 information from the Department to explain whether these decisions are approvals or denials, the
22 bases on which they were decided (*i.e.*, under old protocols or not), and the reasons for withholding
23 notice of these decisions from the applicants. The Department has, as of this writing, refused to
24 provide that information. Regardless, from the perspective of borrowers, their applications are not
25 resolved if they have not received notice of a decision from the Department.

26 In total, these three categories add up to more than 260,000 borrowers who are still waiting
27 for a lawful decision on their borrower defense applications. That number grows every day.

1 This number might be larger still if the Department had not erected additional barriers to
2 the submission of a borrower defense application. Specifically, the Department’s online portal to
3 apply for borrower defense has, since at least September 2021, been displaying confusing pop-up
4 messages that discourage applicants from completing their borrower defense applications.
5 Plaintiffs’ counsel became aware of this problem when class member Dominic Bendijo contacted
6 counsel. Mr. Bendijo, a borrower from Brooks Institute (a CEC school), explained that when he
7 tried to apply for borrower defense in September 2021, a message appeared on the screen that read:
8 “Because you graduated or withdrew from your school more than three years ago, you are unable
9 to apply for reconsideration.” See Affidavit of Dominic Bendijo ¶ 8, appended hereto as Exhibit
10 D. But Mr. Bendijo had not applied for reconsideration—this was his first attempt to file for
11 borrower defense. *Id.* ¶¶ 7, 9. The message left him confused about the status of his application.
12 *Id.* ¶ 10.

13 A similar situation arose when class member Andra Hatchell, a University of Phoenix
14 borrower, attempted to submit a borrower defense application in February 2022. Ms. Hatchell
15 received a pop-up message that read: “It looks like you may not meet the statute of limitations for
16 this case.” See Affidavit of Andra Hatchell ¶ 17, appended hereto as Exhibit E. Ms. Hatchell did
17 not understand this message and thought that it meant she could not continue her application for
18 borrower defense. *Id.* ¶ 18. Several days later, after speaking with Plaintiffs’ counsel about the
19 problem, Ms. Hatchell tried again to apply for borrower defense; this time she was able to complete
20 her application, although the confusing pop-up message remained on the screen the entire time. *Id.*
21 ¶ 19. Because of this pop-up and other difficulties with the borrower defense website, Ms. Hatchell
22 is confused and frustrated by the borrower defense process, and fears that she will have her Social
23 Security garnished before the Department resolves her application. *Id.* ¶¶ 20-23.

24 Plaintiffs requested information from the Department about these messages, including why
25 the messages were being displayed, when the messages are typically displayed, and whether an
26 application for borrower defense will be accepted/processed after the applicant sees this message.
27 These messages are particularly concerning because it had been Plaintiffs’ understanding that the
28

1 Department had not been applying any statute of limitations to deny borrower defense claims on
2 the basis of timing. The Department, however, has not yet answered any of counsel’s questions
3 about these messages.

4 **B. The Reasons for the Delay**

5 This litigation is *not* the cause for the Department’s failure to resolve borrower defense
6 applications lawfully and within a reasonable period of time. The Department is free at any time
7 to approve borrower defense applications on an individual or group basis. Indeed, as discussed
8 below, the Department has done just that three times over the past year. The Department is also
9 free to, and indeed has an obligation to, give updates on the status of applications to the borrowers
10 who submitted them. The only thing that the Department cannot do during the pendency of this
11 litigation—by the Department’s own voluntary agreement—is issue any more form denial letters
12 to class members or enforce previously issued form denials against borrowers. *See* Defendants’
13 Response to October 19, 2020 Order to Show Cause at 2-3, ECF No. 150.

14 The Department, however, has been giving class members false or misleading information
15 about this simple fact. For example, Ms. Walker reported in her letter to the Court that when she
16 called the Department’s borrower defense hotline in December 2021, she was told that “as long as
17 [the *Sweet* litigation] remains open and unresolved, Borrower Defense cannot review, work or give
18 any type of updates until it’s settled.” This message was especially confusing to Ms. Walker given
19 that during two previous phone calls with the borrower defense hotline, in January 2020 and July
20 2020, Ms. Walker had been told that her application was under review. *See* Ex. C, Walker Aff.
21 ¶¶ 15-17. When she was told that this litigation was the cause of the delay, she was understandably
22 enraged. *Id.* ¶ 19. But of course, the Department’s statement was categorically false.

23 As another example, class member Sydney Andrade, an Art Institute borrower, applied for
24 borrower defense in 2016 and received a form denial notice in August 2020. *See* Affidavit of
25 Sydney Andrade ¶¶ 5-6, appended hereto as Exhibit F. Mr. Andrade contacted the Department on
26 February 21, 2022, requesting that the Department re-open his case. *Id.* ¶ 7 & Exhibit A. He
27 received a form response on February 23, 2022, which included, in bold type: “Your claim will
28

1 not be re-evaluated unless the court orders re-evaluations when Sweet v Cardona is decided. While
2 the court case is pending a decision, your case will remain closed, unless you submit a request for
3 reconsideration. While the case is pending, your loans do remain in the court ordered forbearance.”
4 *Id.* ¶¶ 8-9 & Exhibit B. Again, this statement provides borrowers with false information by telling
5 them that the *Sweet* lawsuit prevents the Department from re-examining previously issued form
6 denials. It does not.

7 Rather, the backlog is growing because the Department apparently lacks a lawful process
8 to evaluate and resolve borrower defense applications within a reasonable timeframe. In the
9 context of a persistent and growing backlog, the Department’s limited borrower defense approvals
10 since June 2021—including its surprise announcement of new grants just over a week ago, under
11 the shadow of this status update—are mere drops in the bucket.

12 Since the parties last briefed the Court, the Department has approved the following tranches
13 of borrower defense applications:

- 14 • June 2021: 18,000 applications from ITT Technical Institute.¹⁸
- 15 • July 2021: 1,800 applications from a combination of Westwood College, Marinello
16 Schools of Beauty, and the Court Reporting Institute.¹⁹
- 17 • February 2022²⁰:
 - 18 ○ 1,800 applications from DeVry University;

21 ¹⁸ See Press Release, U.S. Dep’t of Educ., Department of Education Announces Approval of New
22 Categories of Borrower Defense Claims Totaling \$500 Million in Loan Relief to 18,000 Borrowers
23 (June 16, 2021), <https://www.ed.gov/news/press-releases/department-education-announces-approval-new-categories-borrower-defense-claims-totaling-500-million-loan-relief-18000-borrowers>.

24 ¹⁹ See Press Release, U.S. Dep’t of Educ., Department of Education Approves Borrower Defense
25 Claims Related to Three Additional Institutions (July 9, 2021), <https://www.ed.gov/news/press-releases/department-education-approves-borrower-defense-claims-related-three-additional-institutions>.

26 ²⁰ See Press Release (Feb. 16, 2022), *supra* n.9.

- 1 ○ 1,600 applications from Westwood College;
- 2 ○ 130 applications from ITT's Breckenridge School of Nursing;
- 3 ○ 270 applications from Minnesota School of Business/Globe University²¹;
- 4 and
- 5 ○ 11,900 applications from a combination of schools based on earlier
- 6 findings against them, including Corinthian Colleges, ITT Technical
- 7 Institute, Marinello Schools of Beauty, Westwood College, and Court
- 8 Reporting Institute.

9 These resolutions represent less than 14% of unresolved applications.²² While Plaintiffs
10 certainly welcome any action by the Department that provides full borrower defense relief to class
11 members, the above cannot be considered anything approaching a fulsome, transparent borrower
12 defense process. For one thing, each of the Department's decisions has limited borrower defense
13 approvals to applicants who made allegations of specific misstatements during specific periods of
14 time—even if the evidence indicates that the institution's misconduct was wide-ranging and
15 widespread. For another, none of the Department's approval decisions have arrived with an
16 explanation of why the Department chose to take action on that class of applicants at that time.
17 Although the Department characterizes these as “new” findings against the schools,²³ its decisions

18
19 ²¹ Another 921 students from this school group received borrower defense discharges separately
20 as part of the school's bankruptcy settlement. *See id.*

21 ²² The Department has not publicly stated whether borrower defense applicants who previously
22 received unlawful form denial notices will receive relief under the approval “findings” it
23 announced in 2021 and 2022. In other words, if a borrower—for example—attended Westwood
24 College, and made borrower defense allegations of the sort described in the Department's July
25 2021 press release, but had her application denied in the 2020 form denial wave, will that borrower
26 now have her denial rescinded and her application granted pursuant to the July 2021 findings?
27 Plaintiffs have posed this precise question to the Department, but have not received an answer.
28 The notice that Mr. Andrade received implies, however, that the answer is no. *See* Ex. F, Andrade
Aff. ¶¶ 8-9 & Exhibit B.

²³ *See, e.g.*, Press Release (Feb. 16, 2022), *supra* n.9 (describing discharges as “following the
approval of four new findings”).

1 have uniformly been based on conduct that has been in the public record for years. At least some
2 of the criteria for the June 2021 ITT approvals had been drafted by the Department in *January*
3 *2017*, only to be put into effect more than four years later.²⁴ As detailed above, DeVry settled its
4 FTC suit in 2016 and has been paying settlements on that conduct ever since.

5 Nor has the Department set a timeline for when it expects to issue decisions relating to any
6 other schools or school groups, or to other applicants within the school groups that have seen some
7 discharges. This lack of a roadmap for borrowers or the public includes, but is certainly not limited
8 to, the school groups that represent the majority of pending and unlawfully denied borrower
9 defense claims (among them DeVry, CEC, and the University of Phoenix).²⁵

10 The Department likewise has not set out any policies governing how long an individual
11 borrower defense applicant can expect to wait until they get a decision on their application. To the
12 contrary, as demonstrated by the class members who wrote to the Court, applications that have
13 languished for *four years* or more do not appear to be getting priority in the decision-making queue.
14 The Department also has not issued any new guidelines that could help borrowers discern what
15 kinds of allegations or evidence will be considered by the Department to support an approval
16 decision.

17 In short, Plaintiffs cannot offer any coherent explanation for “why it is taking so long to
18 act on and resolve these applications.” ECF No. 214.

22
23 ²⁴ See Supp. Compl. Ex. 26, ECF No. 198-7 (DOE00009399) (memorandum dated January 10,
24 2017, recommending the Department grant borrower defense relief to ITT borrowers alleging
misrepresentations about employment prospects).

25 ²⁵ Other school groups with significant representation among unresolved claims include such
26 infamous for-profit players as Corinthian Colleges, Kaplan, EDMC, Dream Center Education
27 Holdings, Bridgepoint Education, Infilaw Holdings, and Vatterot Education. See Ex. B
28 (DOE00003066). Further, even after two sets of approvals for ITT borrowers, Plaintiffs estimate
that there are over 7,000 ITT applications still pending or unlawfully denied. See *id.* (as of April
2020, Department had received 30,874 applications from ITT borrowers).

1 Dated: February 24, 2022

2 Respectfully submitted,

3 /s/ Rebecca C. Ellis

4 EILEEN M. CONNOR (SBN 248856)
5 econnor@law.harvard.edu
6 MARGARET E. O'GRADY (*pro hac vice*)
7 mogrady@law.harvard.edu
8 REBECCA C. ELLIS (*pro hac vice*)
9 rellis@law.harvard.edu
10 LEGAL SERVICES CENTER OF
11 HARVARD LAW SCHOOL
12 122 Boylston Street
13 Jamaica Plain, MA 02130
14 Tel.: (617) 390-3003
15 Fax: (617) 522-0715

16 JOSEPH JARAMILLO (SBN 178566)
17 jjarmillo@heraca.org
18 HOUSING & ECONOMIC RIGHTS
19 ADVOCATES
20 3950 Broadway, Suite 200
21 Oakland, CA 94611
22 Tel.: (510) 271-8443
23 Fax: (510) 868-4521

24 *Attorneys for Plaintiffs*

Exhibit A

Borrower Defense - Quarterly Report - for quarter end 9/30/2021*

Total Received Applications	399,259
Total Pending Applications, Awaiting Adjudication***	87,747
Total Adjudicated Applications, Pending Notification	45,782
Total Approved Applications	115,955
Total Denied Applications	137,438
Total Closed Applications	12,337

Total Amount Discharged**	\$1,211,472,400
Percentage of the total approved applications receiving partial discharge	10.0%
Percentage of the total approved Applications receiving 100% discharge	90.0%
Total dollar amount of outstanding debt prior to discharge	\$1,425,693,856
Median dollar amount of outstanding debt prior to discharge	\$10,166
Median loan debt remaining for applications receiving partial discharge	\$8,574

State Level Breakouts:

Total Received Applications		
Borrower State of Residence	Application Count	Change since Last Month
TOTAL	399,259	13,577
California	76,104	2,293
Florida	35,128	1,352
Texas	33,111	1,157
Illinois	19,615	594
Georgia	18,653	636
Ohio	12,984	419
New York	12,414	411
Pennsylvania	12,186	371
Washington	11,904	274
Michigan	11,164	387
North Carolina	10,743	375
Virginia	9,262	270
Massachusetts	8,753	138
Arizona	8,509	299
Indiana	8,295	263
Missouri	7,849	261
Tennessee	6,949	317
Colorado	6,927	235
New Jersey	6,818	211
Maryland	6,477	209
Minnesota	6,069	140
Nevada	5,604	191
Oregon	5,467	154
South Carolina	5,376	237
Alabama	5,015	245
Wisconsin	4,885	153
Kentucky	4,248	147
Louisiana	3,730	140
Hawaii	3,200	80
Mississippi	3,063	103
Oklahoma	2,861	136
Utah	2,692	93
Kansas	2,311	73
Arkansas	2,156	60
Connecticut	2,030	78
Iowa	1,908	65
West Virginia	1,818	54
New Mexico	1,591	56
Idaho	1,569	51
Nebraska	1,273	32
District of Columbia	922	29
New Hampshire	828	24

Total Pending Applications, Awaiting Adjudication		
Borrower State of Residence	Application Count	Change since Last Quarter
TOTAL	87,747	13,837
California	11,843	1,533
Texas	7,826	1,342
Florida	7,007	1,308
Illinois	4,778	654
Georgia	4,318	790
Ohio	3,686	443
New York	3,394	486
Pennsylvania	3,194	441
North Carolina	2,871	504
Arizona	2,585	371
New Jersey	2,442	305
Indiana	2,170	230
Michigan	1,943	315
Virginia	1,880	302
Colorado	1,756	261
Washington	1,697	228
Missouri	1,682	276
Tennessee	1,682	345
Maryland	1,581	242
Massachusetts	1,575	134
Kentucky	1,551	144
South Carolina	1,549	281
Minnesota	1,468	209
Alabama	1,247	267
Nevada	1,242	192
Wisconsin	1,097	145
Oregon	889	129
Louisiana	796	170
Utah	760	106
Oklahoma	679	159
Connecticut	651	148
Kansas	607	71
Iowa	521	102
Mississippi	514	146
Idaho	450	56
New Mexico	427	51
Arkansas	382	83
West Virginia	343	85
Nebraska	270	34
Delaware	229	43
Hawaii	224	52
New Hampshire	192	39

Total Adjudicated Applications, Pending Notification		
Borrower State of Residence	Application Count	Change since Last Quarter
TOTAL	45,782	(8,685)
California	9,099	205
Florida	4,331	(583)
Texas	3,916	(657)
Illinois	1,759	(530)
Georgia	1,742	(212)
Ohio	1,561	(635)
Michigan	1,378	(606)
Pennsylvania	1,372	(341)
North Carolina	1,298	(287)
New York	1,272	(190)
Indiana	1,208	(408)
Virginia	1,110	(350)
Washington	1,093	(229)
Tennessee	1,046	(431)
Missouri	1,019	(312)
Arizona	920	(202)
Maryland	907	(269)
Minnesota	867	(76)
Colorado	760	(107)
Wisconsin	719	(262)
Nevada	696	(161)
South Carolina	675	(171)
Alabama	614	(333)
Oklahoma	566	(107)
Oregon	549	(91)
Massachusetts	504	(118)
Kentucky	466	(257)
New Jersey	465	(45)
Louisiana	449	(162)
Kansas	361	(96)
Utah	309	(140)
Mississippi	301	(37)
Hawaii	274	35
Arkansas	245	(56)
Connecticut	234	-
Nebraska	190	(80)
New Mexico	188	(114)
Idaho	187	(77)
Iowa	171	(68)
West Virginia	137	(47)
Delaware	104	(12)
District of Columbia	91	(19)

Total Approved Applications		
Borrower State of Residence	Application Count	Change since Last Quarter
TOTAL	115,955	21,171
California	30,804	2,786
Florida	9,220	1,823
Texas	8,463	1,623
Illinois	5,263	1,061
Georgia	5,066	621
Washington	4,997	566
Massachusetts	4,745	277
Michigan	3,963	1,030
Ohio	3,094	1,058
Virginia	2,862	663
North Carolina	2,808	511
Pennsylvania	2,669	670
New York	2,181	496
Missouri	2,051	552
Oregon	1,865	271
Indiana	1,860	696
Colorado	1,824	377
Hawaii	1,601	51
Tennessee	1,423	713
Nevada	1,398	377
Minnesota	1,345	164
Maryland	1,335	434
Arizona	1,267	474
New Jersey	1,254	134
Alabama	1,194	519
South Carolina	1,089	329
Mississippi	1,056	84
Wisconsin	910	457
Louisiana	888	284
Kentucky	867	394
Utah	678	231
West Virginia	661	80
Arkansas	602	119
Oklahoma	513	216
Kansas	446	157
Iowa	404	105
Idaho	392	147
New Mexico	357	181
Nebraska	323	129
Connecticut	296	41
District of Columbia	221	39
Wyoming	207	10

Delaware	792	29
Maine	703	28
Montana	672	36
Rhode Island	581	25
South Dakota	530	11
Wyoming	504	11
Alaska	430	20
North Dakota	401	13
Foreign Country	256	-
Vermont	238	-
Puerto Rico	184	-
US Virgin Islands	98	-
Armed Forces Europe	88	-
Armed Forces Pacific	50	-
Federated Micronesia	48	-
Guam	31	-
Less than 30	1,192	591

Maine	189	45
District of Columbia	175	30
Montana	163	17
South Dakota	148	24
Rhode Island	146	32
Wyoming	104	17
Alaska	90	15
North Dakota	84	11
Puerto Rico	67	22
Vermont	45	-
Less than 30	538	402

Rhode Island	86	(13)
Montana	76	-
New Hampshire	68	(14)
Maine	65	-
North Dakota	56	-
South Dakota	47	-
Alaska	41	-
Wyoming	40	-
Vermont	33	-
Less than 30	117	(20)

New Hampshire	203	39
Montana	174	38
Delaware	154	29
Maine	141	10
Foreign Country	129	-
Alaska	112	-
North Dakota	110	17
South Dakota	108	-
Rhode Island	96	20
Vermont	64	-
US Virgin Islands	42	-
Armed Forces Euro	34	34
Less than 30	126	34

***NOTES**

Enhanced functionality, now available in borrower defense system, Customer Engagement Management System (CEMS), allows the U.S. Department of Education (ED) to more quickly identify potential duplicate Applications. As a result, the methodology of this report Outstanding and remaining debt amounts exclude consolidation loans and loans previously paid off by consolidation.

As referenced in the letter submitted from ED regarding the 6/30/2018 Borrower Defense Quarterly Congressional report, data provided at the state level presents an inadvertent disclosure risk. Therefore, the state data for received applications has not been updated in the event that the borrower count has changed less than ten since the previous report. Application status counts by state have not been updated in the event the borrower count has changed less than ten or if the discharged dollar amount has changed less than \$35,000. These changes are included in the bucket, "Less than 30" or "Less than \$100,000" as to not impact the total numbers. These buckets also include those applications for which no borrower address is reported.

**Discharged dollar amounts, total dollar amount of outstanding debt prior to discharge, median dollar amount of outstanding debt prior to discharge and median loan debt for applications receiving partial discharge remaining reflect those approved applications for which a discharge has been processed. It typically takes 90-120 days from the approval notification until the borrower's discharge is processed. This includes the values referenced: Total Amount Discharged, Total dollar amount of outstanding debt prior to discharge, Median dollar amount of outstanding debt prior to discharge, and Median loan debt remaining for applications receiving partial discharge. Discharge data is sourced from the Enterprise Data Warehouse and leverages the most recent address of the borrower, which could result in changes by state if a borrower relocates.

Data Descriptions:

Total Received Applications: Total count of individual applications received by ED that have passed initial intake reviews and deemed ready for further review and adjudication.

Total Pending Applications, Awaiting Adjudication: Total count of applications under review prior to a determination.

Total Adjudicated Applications, Pending Notification: Total count of applications for which a determination has been made, but the borrower notification has not been sent. (Please note that the count includes approximately 37k applications which are pending court approval of relief methodology.)

Total Approved Applications: Total count of applications approved or preliminarily approved for discharge in which the borrower notification has been sent.

Total Denied Applications: Total count of applications denied for discharge in which the borrower notification has been sent.

Total Closed Applications: Total count of applications closed with no need for adjudication. (e.g. borrower requests that ED stop processing application or the borrower receives another benefit such as loan forgiveness or discharge.)

Total Amount of Discharges: Total dollar amount associated with approved applications for which the discharge has been processed.

Sources:

CEMS Borrower Defense System

Enterprise Data Warehouse (EDWA)

Total Denied Applications		
Borrower State of Residence	Application Count	Change since Last Quarter
TOTAL	137,438	25
California	21200	-
Florida	13772	-
Texas	12000	-
Illinois	7289	-
Georgia	6908	-
New York	5190	-
Pennsylvania	4631	-
Ohio	4275	-
Washington	3815	-
Michigan	3616	-
Arizona	3548	-
North Carolina	3454	-
Virginia	3160	-
Missouri	2876	-
Indiana	2868	-
Tennessee	2648	-
New Jersey	2510	-
Maryland	2468	-
Colorado	2443	-
Minnesota	2216	-
Nevada	2119	-
Wisconsin	2024	-
Oregon	1994	-
South Carolina	1947	-
Alabama	1802	-
Massachusetts	1654	-
Louisiana	1505	-
Kentucky	1255	-
Mississippi	1049	-
Oklahoma	1020	-
Utah	888	-
Arkansas	851	-
Hawaii	850	-
Kansas	842	-
Connecticut	805	-
Iowa	754	-
West Virginia	622	-
New Mexico	594	-
Idaho	510	-
Nebraska	459	-
District of Columbia	403	-
New Hampshire	341	-

Total Closed Applications		
Borrower State of Residence	Application Count	Change since Last Quarter
TOTAL	12,337	380
California	3,158	37
Texas	906	35
Florida	798	36
Georgia	619	20
Illinois	526	20
New York	377	17
Ohio	368	13
Pennsylvania	320	-
North Carolina	312	14
Washington	302	-
Massachusetts	275	-
Michigan	264	15
Hawaii	251	-
Virginia	250	11
Missouri	221	-
Arizona	189	20
Indiana	189	-
Maryland	186	10
Minnesota	173	-
Oregon	170	16
Alabama	158	-
Tennessee	150	-
Nevada	149	-
New Jersey	147	-
Colorado	144	12
Mississippi	143	-
Wisconsin	135	-
South Carolina	116	-
Kentucky	109	-
Louisiana	92	-
Oklahoma	83	-
Arkansas	76	-
Iowa	58	13
Utah	57	-
Kansas	55	11
West Virginia	55	-
Connecticut	44	-
District of Columbia	32	-
Nebraska	31	-
Idaho	30	30
Less than 30	619	50

Total Amount Discharged**		
Borrower State of Residence	Total Discharged	Change since Last Quarter
Total Discharged	\$ 1,211,472,400	\$ 134,896,925
California	\$ 351,091,050	\$ 21,482,078
Florida	\$ 96,834,634	\$ 10,548,144
Texas	\$ 70,182,273	\$ 6,922,032
Georgia	\$ 51,854,669	\$ 2,544,036
Washington	\$ 47,291,631	\$ 3,840,921
Massachusetts	\$ 45,525,545	\$ 12,298,359
Illinois	\$ 42,562,966	\$ 7,738,822
Michigan	\$ 40,462,435	\$ 13,041,275
North Carolina	\$ 38,665,850	\$ 4,304,124
Pennsylvania	\$ 33,649,659	\$ 6,238,942
Ohio	\$ 28,974,671	\$ 3,821,545
Virginia	\$ 28,006,618	\$ 3,052,777
New York	\$ 25,633,548	\$ 1,741,718
Missouri	\$ 21,972,690	\$ 5,285,430
Hawaii	\$ 21,460,343	\$ 269,142
Oregon	\$ 21,174,304	\$ 890,590
Nevada	\$ 18,444,498	\$ 2,885,935
Indiana	\$ 18,016,232	\$ 2,005,344
Colorado	\$ 16,819,609	\$ 1,302,867
South Carolina	\$ 14,554,647	\$ 1,589,512
New Jersey	\$ 13,451,959	\$ 1,664,986
Mississippi	\$ 13,409,977	\$ 402,210
Tennessee	\$ 13,150,381	\$ 1,476,166
Maryland	\$ 12,936,872	\$ 1,712,596
Minnesota	\$ 12,011,499	\$ 2,046,622
Arizona	\$ 8,821,975	\$ 1,235,174
Alabama	\$ 8,578,982	\$ 758,931
Louisiana	\$ 8,521,439	\$ 534,423
Wisconsin	\$ 8,026,152	\$ 1,985,055
Kentucky	\$ 7,832,878	\$ 1,028,838
Arkansas	\$ 6,970,264	\$ 935,306
Utah	\$ 6,499,914	\$ 1,595,191
West Virginia	\$ 6,312,338	\$ 495,973
Oklahoma	\$ 5,176,637	\$ 1,176,985
Kansas	\$ 4,987,094	\$ 901,865
Iowa	\$ 4,036,946	\$ 364,672
New Mexico	\$ 3,611,152	\$ 1,181,317
Idaho	\$ 3,487,375	\$ 669,263
Nebraska	\$ 3,459,047	\$ 967,445
Connecticut	\$ 3,329,774	\$ 236,457
Wyoming	\$ 3,130,170	\$ 162,121
Foreign Country	\$ 3,060,882	\$ 71,031

Delaware	286	-
Maine	284	-
Montana	243	-
Rhode Island	237	-
South Dakota	209	-
Alaska	155	-
North Dakota	146	-
Wyoming	135	-
Vermont	82	-
Puerto Rico	80	-
Foreign Country	73	-
US Virgin Islands	35	-
Armed Forces Europe	30	-
Less than 30	268	25

New Hampshire	\$ 2,491,017	\$ 482,042
Montana	\$ 2,046,282	\$ 69,042
Maine	\$ 1,922,176	\$ 273,223
South Dakota	\$ 1,585,286	\$ 83,618
Delaware	\$ 1,537,722	\$ 52,803
Rhode Island	\$ 1,476,906	\$ 259,409
District of Columbia	\$ 1,403,767	\$ -
North Dakota	\$ 1,281,781	\$ -
Vermont	\$ 1,074,065	\$ 182,394
Alaska	\$ 990,422	\$ 38,756
US Virgin Islands	\$ 880,742	\$ -
Guam	\$ 225,183	\$ -
Puerto Rico	\$ 120,856	\$ -
Less than \$100,000	\$ 454,616	\$ 49,418

Exhibit B

Warning: This report had more results than could be exported (up to 100,000 rows). Summary totals include all rows.

CMN Cases by School Owner - Open - 2020

As of 2020-04-16 15:24:44 Eastern Standard Time/EST • Generated by Colleen Nevin

Filtered By
 Show: All cases
 Units: Hours
 Resolution Action not equal to Duplicate - Customer Requesting Information, Duplicate - Existing Application, Customer Inquiry - No Existing Case, Non-Customer Inquiry/Request, Spam
 Line of Business equals BD
 School Owner not equal to
 Status equals 2.10 - Ready for EU Review, 2.11 - Narrative Needed, 2.20 - EU Review in Progress, 2.21 - Ready for Quality Control, 2.22 - Quality Control in Progress, 2.23 - Awaiting Evidence Check by ED Divisions, 2.30 - Final BD Review Complete, 2.32 - Awaiting Relief Implementation, 2.40 - Flagged for Approval - Confirm Loans, 2.50 - Ready for ED, 2.60 - Sent to ED

Primary School ↓	School Owner ↓	Status ↑	Record Count	
ITT Technical Institute	ITT Educational Services, Inc.	2.10 - Ready for EU Review	25114	
		2.20 - EU Review in Progress	804	
		2.21 - Ready for Quality Control	21	
		2.22 - Quality Control in Progress	63	
		2.23 - Awaiting Evidence Check by ED Divisions	23	
		2.40 - Flagged for Approval - Confirm Loans	4811	
		2.50 - Ready for ED	37	
		2.60 - Sent to ED	1	
Subtotal		30874		
Subtotal		30874		
University of Phoenix	Apollo Group, Inc (University Of Phoenix)	2.10 - Ready for EU Review	17291	
		2.11 - Narrative Needed	3	
		2.20 - EU Review in Progress	1001	
		2.21 - Ready for Quality Control	18	
		2.22 - Quality Control in Progress	6	
		2.23 - Awaiting Evidence Check by ED Divisions	31	
2.40 - Flagged for Approval - Confirm Loans	2738			
Subtotal		21088		
Subtotal		21088		
DeVry University	Devry	2.10 - Ready for EU Review	16120	
		2.20 - EU Review in Progress	17	
Subtotal		16137		
Subtotal		16137		
Sanford-Brown College	CEC	2.10 - Ready for EU Review	3134	
		2.20 - EU Review in Progress	55	
		2.21 - Ready for Quality Control	21	
		2.22 - Quality Control in Progress	237	
		2.23 - Awaiting Evidence Check by ED Divisions	571	
		2.40 - Flagged for Approval - Confirm Loans	428	
		Subtotal		4446
EDMC	2.10 - Ready for EU Review	18		
Subtotal		18		
Subtotal		4464		
Purdue University Global	Graham Holdings Company (Kaplan)	2.10 - Ready for EU Review	3932	
		2.20 - EU Review in Progress	1	
		2.40 - Flagged for Approval - Confirm Loans	1	
Subtotal		3934		
Subtotal		3934		
Heald College	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	65	
		2.11 - Narrative Needed	3	
		2.20 - EU Review in Progress	82	
		2.21 - Ready for Quality Control	6	
		2.22 - Quality Control in Progress	46	
		2.23 - Awaiting Evidence Check by ED Divisions	194	
		2.40 - Flagged for Approval - Confirm Loans	2616	
		2.50 - Ready for ED	581	
		2.60 - Sent to ED	227	
		Subtotal		3820
		Heald	2.10 - Ready for EU Review	11
Subtotal		11		
Subtotal		3831		
Art Institute of Las Vegas (The)	EDMC	2.10 - Ready for EU Review	2257	
		2.20 - EU Review in Progress	65	
	Subtotal		2322	
	Dream Center Education Holdings (DCEH)	2.10 - Ready for EU Review	368	
Subtotal		368		
Subtotal		2690		
Argosy University	Dream Center Education Holdings (DCEH)	2.10 - Ready for EU Review	1871	
		2.20 - EU Review in Progress	3	
	Subtotal		1874	
	EDMC	2.10 - Ready for EU Review	736	
	2.20 - EU Review in Progress	66		
Subtotal		802		
Subtotal		2676		
Le Cordon Bleu College of Culinary Arts	CEC	2.10 - Ready for EU Review	1773	

		2.20 - EU Review in Progress	23
		2.21 - Ready for Quality Control	1
		2.22 - Quality Control in Progress	37
		2.23 - Awaiting Evidence Check by ED Divisions	181
		2.40 - Flagged for Approval - Confirm Loans	305
	Subtotal		2320
Subtotal			2320
Art Institute of Pittsburgh (The)	Dream Center Education Holdings (DCEH)	2.10 - Ready for EU Review	2130
	Subtotal		2130
	EDMC	2.10 - Ready for EU Review	41
	Subtotal		41
Subtotal			2171
Brightwood College	Willis Stein & Partners III, L.P.	2.10 - Ready for EU Review	2143
	Subtotal	2.20 - EU Review in Progress	24
	Subtotal		2167
Subtotal			2167
Virginia College	Willis Stein & Partners III, L.P.	2.10 - Ready for EU Review	1943
	Subtotal	2.20 - EU Review in Progress	25
	Subtotal		1968
Subtotal			1968
Westwood College - Denver North	Westwood	2.10 - Ready for EU Review	1670
	Subtotal	2.40 - Flagged for Approval - Confirm Loans	1
	Subtotal		1671
Subtotal			1671
Ashford University	Bridgepoint Education, Inc.	2.10 - Ready for EU Review	1632
	Subtotal	2.20 - EU Review in Progress	2
	Subtotal		1634
Subtotal			1634
American InterContinental University	CEC	2.10 - Ready for EU Review	1628
	Subtotal		1628
Subtotal			1628
Colorado Technical University	CEC	2.10 - Ready for EU Review	1565
	Subtotal		1565
Subtotal			1565
Minnesota School of Business	Globe University/Minnesota School Of Business	2.10 - Ready for EU Review	1428
	Subtotal	2.20 - EU Review in Progress	62
	Subtotal		1490
Subtotal			1490
Westwood College - Los Angeles	Westwood	2.10 - Ready for EU Review	1304
	Subtotal	2.20 - EU Review in Progress	1
	Subtotal	2.60 - Sent to ED	1
	Subtotal		1306
Subtotal			1306
Illinois Institute of Art (The)	EDMC	2.10 - Ready for EU Review	1205
	Subtotal		1205
Subtotal			1205
Altierus Career College	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	10
		2.11 - Narrative Needed	5
		2.20 - EU Review in Progress	40
		2.21 - Ready for Quality Control	13
		2.22 - Quality Control in Progress	5
		2.23 - Awaiting Evidence Check by ED Divisions	73
		2.40 - Flagged for Approval - Confirm Loans	17
		2.50 - Ready for ED	506
		2.60 - Sent to ED	532
	Subtotal		1201
Subtotal			1201
Marinello School of Beauty	Marinello School Of Beauty	2.10 - Ready for EU Review	903
		2.20 - EU Review in Progress	21
		2.40 - Flagged for Approval - Confirm Loans	1
		2.50 - Ready for ED	249
	Subtotal		1174
Subtotal			1174
Everest College	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	43
		2.11 - Narrative Needed	1
		2.20 - EU Review in Progress	50
		2.21 - Ready for Quality Control	10
		2.22 - Quality Control in Progress	12
		2.23 - Awaiting Evidence Check by ED Divisions	61
		2.40 - Flagged for Approval - Confirm Loans	10
		2.50 - Ready for ED	306
		2.60 - Sent to ED	609
	Subtotal		1102
Subtotal			1102
Art Institute of Atlanta (The)	EDMC	2.10 - Ready for EU Review	887
	Subtotal	2.20 - EU Review in Progress	133
	Subtotal		1020
Subtotal			1020
Charlotte School of Law	Infilaw Holding, LLC	2.10 - Ready for EU Review	945
	Subtotal	2.50 - Ready for ED	26
	Subtotal		971
Subtotal			971
Walden University	Wengen Alberta, Limited Partnership (Laureate Education)	2.10 - Ready for EU Review	938

	Subtotal		938
Subtotal			938
Art Institute of California - Los Angeles (The)	EDMC	2.10 - Ready for EU Review	872
	Subtotal		872
Subtotal			872
Vatterott College	Vatterott Education, Inc.	2.10 - Ready for EU Review	776
		2.20 - EU Review in Progress	55
		2.40 - Flagged for Approval - Confirm Loans	1
	Subtotal		832
Subtotal			832
Globe University	Globe University/Minnesota School Of Business	2.10 - Ready for EU Review	801
		2.20 - EU Review in Progress	14
		2.50 - Ready for ED	1
	Subtotal		816
Subtotal			816
ATI Career Training Center	Ati Career Training	2.10 - Ready for EU Review	794
	Subtotal		794
Subtotal			794
Anthem College	Anthem College	2.10 - Ready for EU Review	785
		2.20 - EU Review in Progress	7
	Subtotal		792
Subtotal			792
Keller Graduate School of Management	Devry	2.10 - Ready for EU Review	791
	Subtotal		791
Subtotal			791
Everest Institute	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	55
		2.11 - Narrative Needed	4
		2.20 - EU Review in Progress	62
		2.21 - Ready for Quality Control	5
		2.22 - Quality Control in Progress	3
		2.23 - Awaiting Evidence Check by ED Divisions	47
		2.40 - Flagged for Approval - Confirm Loans	6
		2.50 - Ready for ED	187
		2.60 - Sent to ED	378
	Subtotal		747
Subtotal			747
Brooks Institute	CEC	2.10 - Ready for EU Review	489
		2.20 - EU Review in Progress	10
		2.21 - Ready for Quality Control	15
		2.22 - Quality Control in Progress	80
		2.23 - Awaiting Evidence Check by ED Divisions	101
	Subtotal		695
Subtotal			695
Capella University	Capella Education Company	2.10 - Ready for EU Review	679
	Subtotal		679
Subtotal			679
Art Institute of Philadelphia (The)	EDMC	2.10 - Ready for EU Review	675
	Subtotal		675
Subtotal			675
Art Institute of Fort Lauderdale (The)	EDMC	2.10 - Ready for EU Review	654
	Subtotal		654
Subtotal			654
WyoTech	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	27
		2.11 - Narrative Needed	1
		2.20 - EU Review in Progress	69
		2.21 - Ready for Quality Control	9
		2.22 - Quality Control in Progress	19
		2.23 - Awaiting Evidence Check by ED Divisions	77
		2.40 - Flagged for Approval - Confirm Loans	14
		2.50 - Ready for ED	128
		2.60 - Sent to ED	305
	Subtotal		649
Subtotal			649
Universal Technical Institute	Universal Technical Institute	2.10 - Ready for EU Review	557
		2.20 - EU Review in Progress	75
		2.23 - Awaiting Evidence Check by ED Divisions	1
	Subtotal		633
Subtotal			633
Star Career Academy	Star Career Academy	2.10 - Ready for EU Review	558
		2.20 - EU Review in Progress	48
	Subtotal		606
Subtotal			606
Lincoln Technical Institute	Lincoln Technical Institute, Inc.	2.10 - Ready for EU Review	17
		2.20 - EU Review in Progress	587
	Subtotal		604
Subtotal			604
United Education Institute	Sp/Palm Iec Holdings LLC (United Education Institute)	2.10 - Ready for EU Review	578
		2.20 - EU Review in Progress	25
	Subtotal		603
Subtotal			603
South University	EDMC	2.10 - Ready for EU Review	539
		2.20 - EU Review in Progress	53
	Subtotal		592

Subtotal			592
Wright Career College	Wright Business School	2.10 - Ready for EU Review	24
		2.30 - Final BD Review Complete	1
		2.40 - Flagged for Approval - Confirm Loans	214
		2.50 - Ready for ED	321
		2.60 - Sent to ED	10
	Subtotal		570
Subtotal			570
Everest University	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	31
		2.11 - Narrative Needed	2
		2.20 - EU Review in Progress	49
		2.21 - Ready for Quality Control	4
		2.22 - Quality Control in Progress	6
		2.23 - Awaiting Evidence Check by ED Divisions	30
		2.40 - Flagged for Approval - Confirm Loans	9
		2.50 - Ready for ED	149
		2.60 - Sent to ED	282
	Subtotal		562
Subtotal			562
Westwood College - O'Hare Airport	Westwood	2.10 - Ready for EU Review	470
		2.20 - EU Review in Progress	85
	Subtotal		555
Subtotal			555
Art Institute of Colorado (The)	EDMC	2.10 - Ready for EU Review	549
		2.20 - EU Review in Progress	1
	Subtotal		550
Subtotal			550
Full Sail University	Full Sail Recorders, Inc.	2.10 - Ready for EU Review	545
	Subtotal		545
Subtotal			545
Grand Canyon University	Grand Canyon Education, Inc	2.10 - Ready for EU Review	536
		2.20 - EU Review in Progress	1
	Subtotal		537
Subtotal			537
Keiser University	Everglades College, Inc.	2.10 - Ready for EU Review	511
	Subtotal		511
Subtotal			511
Strayer University	Strayer Education Inc.	2.10 - Ready for EU Review	16
		2.11 - Narrative Needed	1
		2.20 - EU Review in Progress	1
		2.40 - Flagged for Approval - Confirm Loans	492
	Subtotal		510
Subtotal			510
Westwood College - DuPage	Westwood	2.10 - Ready for EU Review	509
	Subtotal		509
Subtotal			509
Brown Mackie College-Cincinnati	EDMC	2.10 - Ready for EU Review	504
		2.20 - EU Review in Progress	1
	Subtotal		505
Subtotal			505
Fortis College	Fortis College	2.10 - Ready for EU Review	486
	Subtotal		486
Subtotal			486
Brightwood Career Institute	Willis Stein & Partners III, L.P.	2.10 - Ready for EU Review	445
		2.20 - EU Review in Progress	36
		2.30 - Final BD Review Complete	1
	Subtotal		482
Subtotal			482
ICDC College	International Career Development Center	2.10 - Ready for EU Review	452
		2.20 - EU Review in Progress	1
	Subtotal		453
Subtotal			453
Heritage College	Weston Educational, Inc.	2.10 - Ready for EU Review	403
		2.20 - EU Review in Progress	49
	Subtotal		452
Subtotal			452
Bryman School of Arizona (The)	Everest	2.10 - Ready for EU Review	73
		2.20 - EU Review in Progress	367
	Subtotal		440
Subtotal			440
Devry Institute of Technology	Devry	2.10 - Ready for EU Review	436
	Subtotal		436
Subtotal			436
Art Institute of California - San Diego	EDMC	2.10 - Ready for EU Review	434
	Subtotal		434
Subtotal			434
New England Institute of Art (The)	EDMC	2.10 - Ready for EU Review	427
		2.23 - Awaiting Evidence Check by ED Divisions	1
	Subtotal		428
Subtotal			428
Career Point College	Career Point College	2.10 - Ready for EU Review	408
		2.20 - EU Review in Progress	19
	Subtotal		427

Subtotal			427
Art Institute of Houston (The)	EDMC	2.10 - Ready for EU Review	418
	Subtotal		418
Subtotal			418
Lincoln College of Technology	Lincoln Technical Institute, Inc.	2.10 - Ready for EU Review	403
		2.20 - EU Review in Progress	8
	Subtotal		411
Subtotal			411
Medtech College	Jtc Education, Inc.	2.10 - Ready for EU Review	375
		2.20 - EU Review in Progress	33
	Subtotal		408
Subtotal			408
Miami International University of Art & Design	EDMC	2.10 - Ready for EU Review	402
	Subtotal		402
Subtotal			402
Academy of Art University	Academy Of Art University	2.10 - Ready for EU Review	399
	Subtotal		399
Subtotal			399
Carrington College	Devry	2.10 - Ready for EU Review	274
		2.20 - EU Review in Progress	112
	Subtotal		386
Subtotal			386
Westwood College - South Bay	Westwood	2.10 - Ready for EU Review	342
		2.20 - EU Review in Progress	31
	Subtotal		373
Subtotal			373
Art Institute of Seattle (The)	Dream Center Education Holdings (DCEH)	2.10 - Ready for EU Review	323
		2.20 - EU Review in Progress	46
	Subtotal		369
Subtotal			369
American College for Medical Careers	Premier Education Group L.P.	2.10 - Ready for EU Review	192
		2.20 - EU Review in Progress	167
	Subtotal		359
Subtotal			359
Art Institute of New York City (The)	EDMC	2.10 - Ready for EU Review	352
	Subtotal		352
Subtotal			352
Art Institutes International Minnesota (The)	EDMC	2.10 - Ready for EU Review	344
		2.20 - EU Review in Progress	2
	Subtotal		346
Subtotal			346
Florida Career College	Sp/Palm Iec Holdings LLC (United Education Institute)	2.10 - Ready for EU Review	332
		2.20 - EU Review in Progress	10
	Subtotal		342
Subtotal			342
Regency Beauty Institute	Regency Corporation	2.10 - Ready for EU Review	341
	Subtotal		341
Subtotal			341
Daymar College	The Mark A. Gabis Revocable Inter Vivos Trust	2.10 - Ready for EU Review	322
		2.50 - Ready for ED	4
	Subtotal		326
Subtotal			326
Le Cordon Bleu Institute of Culinary Arts	CEC	2.10 - Ready for EU Review	207
		2.20 - EU Review in Progress	7
		2.22 - Quality Control in Progress	5
		2.23 - Awaiting Evidence Check by ED Divisions	28
		2.40 - Flagged for Approval - Confirm Loans	60
	Subtotal		307
Subtotal			307
Harrison College	Educational Management Corporation (Not Education Management Corp.)	2.10 - Ready for EU Review	304
	Subtotal		304
Subtotal			304
Art Institute of Charlotte (The)	EDMC	2.10 - Ready for EU Review	287
		2.20 - EU Review in Progress	1
	Subtotal		288
Subtotal			288
Brown Mackie College-South Bend	EDMC	2.10 - Ready for EU Review	286
	Subtotal		286
Subtotal			286
Art Institute of Portland (The)	EDMC	2.10 - Ready for EU Review	286
	Subtotal		286
Subtotal			286
Kaplan College	Willis Stein & Partners III, L.P.	2.10 - Ready for EU Review	143
		2.20 - EU Review in Progress	5
		2.60 - Sent to ED	19
	Subtotal		167
	Graham Holdings Company (Kaplan)	2.10 - Ready for EU Review	111
	Subtotal		111
Subtotal			278
Stevens Henager College	Collegeamerica Services, Inc.	2.10 - Ready for EU Review	272
	Subtotal		272
Subtotal			272
Dade Medical College	Dade Medical College	2.10 - Ready for EU Review	4

		2.11 - Narrative Needed	21
		2.40 - Flagged for Approval - Confirm Loans	241
	Subtotal		266
Subtotal			266
Brown Mackie College-Findlay	EDMC	2.10 - Ready for EU Review	260
	Subtotal		260
Subtotal			260
Briarcliffe College	CEC	2.10 - Ready for EU Review	165
		2.20 - EU Review in Progress	22
		2.22 - Quality Control in Progress	1
		2.23 - Awaiting Evidence Check by ED Divisions	8
		2.40 - Flagged for Approval - Confirm Loans	63
	Subtotal		259
Subtotal			259
Collins College	CEC	2.10 - Ready for EU Review	88
		2.20 - EU Review in Progress	8
		2.21 - Ready for Quality Control	4
		2.23 - Awaiting Evidence Check by ED Divisions	15
		2.40 - Flagged for Approval - Confirm Loans	139
	Subtotal		254
Subtotal			254
Branford Hall Career Institute	Premier Education Group L.P.	2.10 - Ready for EU Review	244
	Subtotal		244
Subtotal			244
Brown Mackie College (The)	EDMC	2.10 - Ready for EU Review	239
	Subtotal		239
Subtotal			239
ATI- Career Training Center	Ati Career Training	2.10 - Ready for EU Review	234
	Subtotal		234
Subtotal			234
Art Institute of California-Hollywood (The)	EDMC	2.10 - Ready for EU Review	228
	Subtotal		228
Subtotal			228
Le Cordon Bleu College of Culinary Arts in Chicago	CEC	2.10 - Ready for EU Review	158
		2.20 - EU Review in Progress	4
		2.22 - Quality Control in Progress	5
		2.23 - Awaiting Evidence Check by ED Divisions	30
		2.40 - Flagged for Approval - Confirm Loans	30
	Subtotal		227
Subtotal			227
American National University	American National University Group	2.10 - Ready for EU Review	41
		2.20 - EU Review in Progress	184
	Subtotal		225
Subtotal			225
Mountain State University	Mountain State University	2.10 - Ready for EU Review	91
		2.20 - EU Review in Progress	125
		2.60 - Sent to ED	1
	Subtotal		217
Subtotal			217
Career Colleges of America	Career Colleges Of America	2.10 - Ready for EU Review	89
		2.20 - EU Review in Progress	125
	Subtotal		214
Subtotal			214
ATI Technical Training Center	Ati Career Training	2.10 - Ready for EU Review	209
		2.20 - EU Review in Progress	1
	Subtotal		210
Subtotal			210
Miller - Motte Technical College	Delta Cec	2.10 - Ready for EU Review	165
		2.20 - EU Review in Progress	33
	Subtotal		198
Subtotal			198
Computer Systems Institute	Computer Systems Institute	2.10 - Ready for EU Review	196
	Subtotal		196
Subtotal			196
National American University	National American University Holdings, Inc.	2.10 - Ready for EU Review	33
		2.20 - EU Review in Progress	162
	Subtotal		195
Subtotal			195
Concorde Career College	Concorde Career Colleges, Inc.	2.10 - Ready for EU Review	119
		2.20 - EU Review in Progress	76
	Subtotal		195
Subtotal			195
McCann School of Business & Technology	Delta Cec	2.10 - Ready for EU Review	171
		2.20 - EU Review in Progress	21
	Subtotal		192
Subtotal			192
Heritage Institute	Weston Educational, Inc.	2.10 - Ready for EU Review	191
	Subtotal		191
Subtotal			191
Bryant & Stratton College	Bryant & Stratton College, Inc.	2.10 - Ready for EU Review	2
		2.20 - EU Review in Progress	120
		2.40 - Flagged for Approval - Confirm Loans	69
	Subtotal		191

Subtotal			191
Fortis Institute	Fortis College	2.10 - Ready for EU Review	189
	Subtotal		189
Subtotal			189
Altierus Career Education	Corinthian Colleges, Inc.	2.11 - Narrative Needed	1
		2.20 - EU Review in Progress	10
		2.21 - Ready for Quality Control	2
		2.23 - Awaiting Evidence Check by ED Divisions	9
		2.40 - Flagged for Approval - Confirm Loans	3
		2.50 - Ready for ED	45
		2.60 - Sent to ED	118
	Subtotal		188
Subtotal			188
Pittsburgh Career Institute	Career Education Corp.	2.10 - Ready for EU Review	26
		2.20 - EU Review in Progress	86
		2.22 - Quality Control in Progress	3
		2.23 - Awaiting Evidence Check by ED Divisions	7
		2.40 - Flagged for Approval - Confirm Loans	58
	Subtotal		180
Subtotal			180
Everest University - Pompano Beach	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	14
		2.20 - EU Review in Progress	17
		2.22 - Quality Control in Progress	2
		2.23 - Awaiting Evidence Check by ED Divisions	12
		2.50 - Ready for ED	44
		2.60 - Sent to ED	88
	Subtotal		177
Subtotal			177
Brooks College	Brooks College	2.10 - Ready for EU Review	162
		2.22 - Quality Control in Progress	8
		2.23 - Awaiting Evidence Check by ED Divisions	5
	Subtotal		175
Subtotal			175
Business Career Training Institute	Business Career Training Institute	2.10 - Ready for EU Review	6
		2.20 - EU Review in Progress	166
	Subtotal		172
Subtotal			172
UEI College	Sp/Palm Iec Holdings LLC (United Education Institute)	2.10 - Ready for EU Review	103
		2.20 - EU Review in Progress	59
	Subtotal		162
Subtotal			162
Remington College	Remington College	2.10 - Ready for EU Review	117
		2.20 - EU Review in Progress	45
	Subtotal		162
Subtotal			162
Kaplan Career Institute	Willis Stein & Partners III, L.P.	2.10 - Ready for EU Review	100
	Subtotal		100
	Graham Holdings Company (Kaplan)	2.10 - Ready for EU Review	53
	Subtotal		53
Subtotal			153
Centura College	Employment Services, Inc.	2.20 - EU Review in Progress	150
	Subtotal		150
Subtotal			150
Art Institute of Dallas (The)	EDMC	2.10 - Ready for EU Review	149
	Subtotal		149
Subtotal			149
Sanford-Brown Institute	CEC	2.10 - Ready for EU Review	96
		2.20 - EU Review in Progress	8
		2.22 - Quality Control in Progress	16
		2.23 - Awaiting Evidence Check by ED Divisions	9
		2.40 - Flagged for Approval - Confirm Loans	16
	Subtotal		145
Subtotal			145
Mount Washington College	Graham Holdings Company (Kaplan)	2.10 - Ready for EU Review	142
	Subtotal		142
Subtotal			142
Rasmussen College	Rasmussen College, Inc.	2.10 - Ready for EU Review	136
		2.20 - EU Review in Progress	5
	Subtotal		141
Subtotal			141
Katharine Gibbs School	Gibbs College	2.10 - Ready for EU Review	123
		2.20 - EU Review in Progress	18
	Subtotal		141
Subtotal			141
Bryman College	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	2
		2.20 - EU Review in Progress	10
		2.21 - Ready for Quality Control	4
		2.23 - Awaiting Evidence Check by ED Divisions	7
		2.40 - Flagged for Approval - Confirm Loans	2
		2.50 - Ready for ED	37
		2.60 - Sent to ED	79
	Subtotal		141
Subtotal			141

SBI Campus - an affiliate of Sanford-Brown	CEC	2.10 - Ready for EU Review	100
		2.20 - EU Review in Progress	13
		2.22 - Quality Control in Progress	2
		2.23 - Awaiting Evidence Check by ED Divisions	11
		2.40 - Flagged for Approval - Confirm Loans	10
		Subtotal	136
Subtotal	136		
Miller-Motte Technical College	Delta Career Education Corporation	2.10 - Ready for EU Review	83
		2.20 - EU Review in Progress	42
Subtotal	Subtotal		125
Subtotal			125
Jones International University	Jones International University	2.10 - Ready for EU Review	121
		Subtotal	121
Subtotal			121
American Career Institute	ACI	2.10 - Ready for EU Review	121
		Subtotal	121
Subtotal			121
American Career College	David Pyle Trust	2.10 - Ready for EU Review	102
		2.23 - Awaiting Evidence Check by ED Divisions	14
Subtotal	Subtotal		116
Subtotal			116
Pima Medical Institute	Vocational Training Institute, Inc.	2.10 - Ready for EU Review	111
		Subtotal	111
Subtotal			111
Everest College Phoenix	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	9
		2.20 - EU Review in Progress	5
		2.23 - Awaiting Evidence Check by ED Divisions	13
		2.50 - Ready for ED	26
		2.60 - Sent to ED	54
		Subtotal	107
Subtotal			107
Western International University	Apollo Group, Inc (University Of Phoenix)	2.10 - Ready for EU Review	30
		2.20 - EU Review in Progress	76
Subtotal	Subtotal		106
Subtotal			106
ATI College of Health	Ati Career Training	2.10 - Ready for EU Review	22
		2.20 - EU Review in Progress	84
Subtotal	Subtotal		106
Subtotal			106
Arizona Summit Law School	Infilaw Holding, LLC	2.10 - Ready for EU Review	106
		Subtotal	106
Subtotal			106
ECPI University	Novateur Education, Inc.	2.10 - Ready for EU Review	12
		2.40 - Flagged for Approval - Confirm Loans	73
		2.60 - Sent to ED	20
		Subtotal	105
Subtotal			105
Remington College - Tampa Campus	Remington College	2.10 - Ready for EU Review	101
		Subtotal	101
Subtotal			101
Missouri College	Weston Educational, Inc.	2.10 - Ready for EU Review	101
		Subtotal	101
Subtotal			101
Brown Mackie College	EDMC	2.10 - Ready for EU Review	100
		Subtotal	100
Subtotal			100
Art Institute of York (The) - Pennsylvania	EDMC	2.10 - Ready for EU Review	9
		2.20 - EU Review in Progress	91
		Subtotal	100
		Subtotal	100
Subtotal			100
Harris School of Business	Premier Education Group L.P.	2.10 - Ready for EU Review	96
		2.50 - Ready for ED	2
Subtotal	Subtotal		98
Subtotal			98
Westech College	Marinello School Of Beauty	2.10 - Ready for EU Review	3
		2.50 - Ready for ED	26
		2.60 - Sent to ED	68
		Subtotal	97
Subtotal			97
Fortis Institute - Towson	Fortis College	2.10 - Ready for EU Review	95
		Subtotal	95
Subtotal			95
Remington College - Mobile Campus	Remington College	2.10 - Ready for EU Review	90
		Subtotal	90
Subtotal			90
Milan Institute	Amarillo College Of Hairdressing, Inc.	2.10 - Ready for EU Review	14
		2.20 - EU Review in Progress	1
		2.40 - Flagged for Approval - Confirm Loans	74
		2.50 - Ready for ED	1
		Subtotal	90
Subtotal			90
DeVry College of Technology	Devry	2.10 - Ready for EU Review	82
		Subtotal	82
Subtotal			82

Subtotal			82
ASA College	Asa Inst Of Bus & Comptr Tech, Inc.	2.10 - Ready for EU Review	81
	Subtotal		81
Subtotal			81
Lehigh Valley College	CEC	2.10 - Ready for EU Review	30
		2.23 - Awaiting Evidence Check by ED Divisions	3
		2.40 - Flagged for Approval - Confirm Loans	47
	Subtotal		80
Subtotal			80
International Academy of Design and Technology	CEC	2.10 - Ready for EU Review	15
		2.20 - EU Review in Progress	4
		2.21 - Ready for Quality Control	4
		2.22 - Quality Control in Progress	6
		2.23 - Awaiting Evidence Check by ED Divisions	17
		2.40 - Flagged for Approval - Confirm Loans	33
	Subtotal		79
Subtotal			79
Chamberlain University	Devry	2.10 - Ready for EU Review	2
		2.20 - EU Review in Progress	72
	Subtotal		74
Subtotal			74
Berkeley College	Berkeley Educ. Serv. Of Ny, Inc.	2.10 - Ready for EU Review	73
	Subtotal		73
Subtotal			73
Gwinnett College	LTT Enterprises, Inc	2.10 - Ready for EU Review	70
	Subtotal		70
Subtotal			70
Gibbs College	Gibbs College	2.10 - Ready for EU Review	67
		2.23 - Awaiting Evidence Check by ED Divisions	1
		2.50 - Ready for ED	2
	Subtotal		70
Subtotal			70
Spencerian College	Sullivan University Systems	2.10 - Ready for EU Review	11
		2.20 - EU Review in Progress	58
	Subtotal		69
Subtotal			69
Harrington College of Design	CEC	2.10 - Ready for EU Review	39
		2.20 - EU Review in Progress	1
		2.21 - Ready for Quality Control	4
		2.23 - Awaiting Evidence Check by ED Divisions	1
		2.40 - Flagged for Approval - Confirm Loans	24
	Subtotal		69
Subtotal			69
Platt College	Stvt-Aai Education Inc.	2.10 - Ready for EU Review	44
	Subtotal		44
	Caltius Equity Partners III, LP	2.10 - Ready for EU Review	24
	Subtotal		24
Subtotal			68
Sullivan University	Sullivan University Systems	2.10 - Ready for EU Review	7
		2.20 - EU Review in Progress	57
	Subtotal		64
Subtotal			64
Concorde Career Institute	Concorde Career Colleges, Inc.	2.10 - Ready for EU Review	14
		2.20 - EU Review in Progress	42
	Subtotal		56
Subtotal			56
Brown Mackie College-Merrillville	EDMC	2.10 - Ready for EU Review	55
		2.20 - EU Review in Progress	1
	Subtotal		56
Subtotal			56
Florida Coastal School of Law	Infilaw Holding, LLC	2.20 - EU Review in Progress	54
		2.21 - Ready for Quality Control	1
	Subtotal		55
Subtotal			55
FastTrain of Miami	Fasttrain	2.10 - Ready for EU Review	30
		2.20 - EU Review in Progress	23
		2.50 - Ready for ED	1
	Subtotal		54
Subtotal			54
Las Vegas College	Corinthian Colleges, Inc.	2.10 - Ready for EU Review	6
		2.20 - EU Review in Progress	6
		2.22 - Quality Control in Progress	2
		2.23 - Awaiting Evidence Check by ED Divisions	2
		2.50 - Ready for ED	9
		2.60 - Sent to ED	28
	Subtotal		53
Subtotal			53
All-State Career	Fortis College	2.10 - Ready for EU Review	53
	Subtotal		53
Subtotal			53
Bryan University	Bryan College	2.10 - Ready for EU Review	52
	Subtotal		52
Subtotal			52

Court Reporting Institute of St Louis	Vatterott Education, Inc.	2.10 - Ready for EU Review	26
		2.20 - EU Review in Progress	24
	Subtotal		50
Subtotal			50
Northcentral University	Innova Management Group, Inc.	2.10 - Ready for EU Review	5
		2.20 - EU Review in Progress	43
	Subtotal		48
Subtotal			48
CollegeAmerica Denver	CollegeAmerica Services, Inc.	2.10 - Ready for EU Review	24
		2.20 - EU Review in Progress	24
	Subtotal		48
Subtotal			48
University of the Rockies	Bridgepoint Education, Inc.	2.10 - Ready for EU Review	47
			47
	Subtotal		47
Subtotal			47
Court Reporting Institute, Inc	Court Reporting Institute, Inc	2.10 - Ready for EU Review	41
		2.20 - EU Review in Progress	4
		2.40 - Flagged for Approval - Confirm Loans	2
	Subtotal		47
Subtotal			47
Bryan College	Bryan College	2.10 - Ready for EU Review	5
		2.20 - EU Review in Progress	41
	Subtotal		46
Subtotal			46
Los Angeles Film School (The)	Phelps Education West, LLC	2.10 - Ready for EU Review	45
			45
	Subtotal		45
Subtotal			45
Remington College - Lafayette Campus	Remington College	2.10 - Ready for EU Review	42
			42
	Subtotal		42
Subtotal			42
Remington College - Cleveland Campus	Remington College	2.10 - Ready for EU Review	41
			41
	Subtotal		41
Subtotal			41
FastTrain of Fort Lauderdale	Fasttrain	2.10 - Ready for EU Review	13
		2.20 - EU Review in Progress	28
	Subtotal		41
Subtotal			41
Thomas Jefferson School of Law	Thomas Jefferson School Of Law	2.10 - Ready for EU Review	6
		2.20 - EU Review in Progress	30
	Subtotal		36
Subtotal			36
Santa Fe University of Art and Design	Wengen Alberta, Limited Partnership (Laureate Education)	2.10 - Ready for EU Review	4
		2.20 - EU Review in Progress	31
	Subtotal		35
Subtotal			35
FastTrain of Tampa	Fasttrain	2.10 - Ready for EU Review	34
			34
	Subtotal		34
Subtotal			34
FastTrain of Jacksonville	Fasttrain	2.10 - Ready for EU Review	32
			32
	Subtotal		32
Subtotal			32
Beckfield College	Quad Partners III-A LP	2.10 - Ready for EU Review	26
		2.50 - Ready for ED	5
	Subtotal		31
Subtotal			31
Masters of Cosmetology College	Masters Of Cosmetology College	2.10 - Ready for EU Review	4
		2.20 - EU Review in Progress	26
	Subtotal		30
Subtotal			30
Chicago School of Professional Psychology	Tcs Education System	2.10 - Ready for EU Review	14
		2.20 - EU Review in Progress	11
		2.60 - Sent to ED	2
	Subtotal		27
Subtotal			27
Everglades University	Everglades College, Inc.	2.10 - Ready for EU Review	24
			24
	Subtotal		24
Subtotal			24
ATI College	Ati Career Training	2.10 - Ready for EU Review	5
		2.20 - EU Review in Progress	19
	Subtotal		24
Subtotal			24
Tucson College	Delta Cec	2.10 - Ready for EU Review	4
		2.20 - EU Review in Progress	17
		2.50 - Ready for ED	2
	Subtotal		23
Subtotal			23
Ross University, School of Medicine	Devry	2.10 - Ready for EU Review	5
		2.20 - EU Review in Progress	3
		2.30 - Final BD Review Complete	4
		2.40 - Flagged for Approval - Confirm Loans	11
	Subtotal		23
Subtotal			23
Herzing University	Herzing, Inc.	2.10 - Ready for EU Review	19

		2.20 - EU Review in Progress	3
		2.50 - Ready for ED	1
	Subtotal		23
Subtotal			23
Bauder College	Graham Holdings Company (Kaplan)	2.20 - EU Review in Progress	19
		2.40 - Flagged for Approval - Confirm Loans	3
	Subtotal		22
Subtotal			22
Remington College - San Diego Campus	Remington College	2.10 - Ready for EU Review	21
	Subtotal		21
Subtotal			21
National College	National College	2.20 - EU Review in Progress	4
		2.30 - Final BD Review Complete	1
		2.60 - Sent to ED	15
	Subtotal		20
Subtotal			20
Heald College, School of Business	Heald	2.10 - Ready for EU Review	20
	Subtotal		20
Subtotal			20
Lincoln Technical Institute - Hartford	Lincoln Technical Institute, Inc.	2.20 - EU Review in Progress	19
	Subtotal		19
Subtotal			19
Ross Medical Education Center	Ross Education, LLC	2.10 - Ready for EU Review	1
		2.30 - Final BD Review Complete	6
		2.60 - Sent to ED	11
	Subtotal		18
Subtotal			18
Heald Institute of Technology	Heald	2.10 - Ready for EU Review	18
	Subtotal		18
Subtotal			18
California College San Diego	Collegeamerica Services, Inc.	2.10 - Ready for EU Review	18
	Subtotal		18
Subtotal			18
Milan Institute of Cosmetology	Amarillo College Of Hairdressing, Inc.	2.10 - Ready for EU Review	3
		2.40 - Flagged for Approval - Confirm Loans	13
	Subtotal		16
Subtotal			16
Lincoln Technical Institute - East Windsor	Lincoln Technical Institute, Inc.	2.20 - EU Review in Progress	16
	Subtotal		16
Subtotal			16
Dowling College	Dowling College (Private)	2.10 - Ready for EU Review	7
		2.20 - EU Review in Progress	8
		2.60 - Sent to ED	1
	Subtotal		16
Subtotal			16
CollegeAmerica - Flagstaff	Collegeamerica Services, Inc.	2.10 - Ready for EU Review	2
		2.20 - EU Review in Progress	12
	Subtotal		14
Subtotal			14
American Public University System	American Public Education, Inc.	2.10 - Ready for EU Review	1
		2.23 - Awaiting Evidence Check by ED Divisions	1
		2.60 - Sent to ED	12
	Subtotal		14
Subtotal			14
West Coast University	David Pyle Trust	2.10 - Ready for EU Review	5
		2.20 - EU Review in Progress	7
	Subtotal		12
Subtotal			12
South Texas Vocational Technical Institute	Stvt-Aai Education Inc.	2.10 - Ready for EU Review	12
	Subtotal		12
Subtotal			12
San Joaquin Valley College	San Joaquin Valley College, Inc.	2.10 - Ready for EU Review	4
		2.60 - Sent to ED	8
	Subtotal		12
Subtotal			12
King's College	Bradford Schools, Inc.	2.60 - Sent to ED	11
	Subtotal		11
Subtotal			11
Globe Institute of Technology	Globe University/Minnesota School Of Business	2.10 - Ready for EU Review	2
		2.20 - EU Review in Progress	8
		2.60 - Sent to ED	1
	Subtotal		11
Subtotal			11
Fashion Institute of Design & Merchandising	Fashion Institute Of Design & Merchandising	2.10 - Ready for EU Review	10
		2.23 - Awaiting Evidence Check by ED Divisions	1
	Subtotal		11
Subtotal			11
Wright Business School	Wright Business School	2.40 - Flagged for Approval - Confirm Loans	3
		2.50 - Ready for ED	6
		2.60 - Sent to ED	1
	Subtotal		10
Subtotal			10
Dorsey School of Business	Quad Partners III-A LP	2.20 - EU Review in Progress	9

		2.23 - Awaiting Evidence Check by ED Divisions	1
	Subtotal		10
Subtotal			10
All-State Career School	Education Affiliates, LLC	2.10 - Ready for EU Review	10
	Subtotal		10
Subtotal			10
Western State University College of Law	EDMC	2.10 - Ready for EU Review	2
		2.20 - EU Review in Progress	7
	Subtotal		9
Subtotal			9
Ross University School of Veterinary Medicine	Devry	2.10 - Ready for EU Review	8
		2.20 - EU Review in Progress	1
	Subtotal		9
Subtotal			9
Saybrook University	Tcs Education System	2.60 - Sent to ED	8
	Subtotal		8
Subtotal			8
National University	National University System	2.10 - Ready for EU Review	2
		2.20 - EU Review in Progress	6
	Subtotal		8
Subtotal			8
International Business College	Bradford Schools, Inc.	2.10 - Ready for EU Review	3
		2.23 - Awaiting Evidence Check by ED Divisions	5
	Subtotal		8
Subtotal			8
Heald College-School of Business	Heald	2.10 - Ready for EU Review	8
	Subtotal		8
Subtotal			8
Remington College - New Orleans Campus	Remington College	2.10 - Ready for EU Review	1
		2.20 - EU Review in Progress	6
	Subtotal		7
Subtotal			7
Kendall College	Wengen Alberta, Limited Partnership (Laureate Education)	2.20 - EU Review in Progress	7
	Subtotal		7
Subtotal			7
Heald College-School of Technology	Heald	2.10 - Ready for EU Review	6
		2.20 - EU Review in Progress	1
	Subtotal		7
Subtotal			7
Charter College	Charter College	2.10 - Ready for EU Review	1
		2.20 - EU Review in Progress	3
		2.21 - Ready for Quality Control	3
	Subtotal		7
Subtotal			7
Centura Institute	Employment Services, Inc.	2.20 - EU Review in Progress	7
	Subtotal		7
Subtotal			7
Bradford School	Bradford Schools, Inc.	2.10 - Ready for EU Review	7
	Subtotal		7
Subtotal			7
American International College	CEC	2.10 - Ready for EU Review	1
		2.23 - Awaiting Evidence Check by ED Divisions	6
	Subtotal		7
Subtotal			7
YTI Career Institute	The Porter And Chester Inst., Inc.	2.20 - EU Review in Progress	6
	Subtotal		6
Subtotal			6
Paul Mitchell the School Salt Lake City	John Paul Mitchell Systems	2.20 - EU Review in Progress	6
	Subtotal		6
Subtotal			6
National Aviation Academy - New England	Corinthian Colleges, Inc.	2.20 - EU Review in Progress	4
		2.50 - Ready for ED	1
		2.60 - Sent to ED	1
	Subtotal		6
Subtotal			6
Empire Beauty School	Regis Corp.	2.20 - EU Review in Progress	1
		2.23 - Awaiting Evidence Check by ED Divisions	4
	Subtotal		5
	Regis Corporation	2.23 - Awaiting Evidence Check by ED Divisions	1
	Subtotal		1
Subtotal			6
Cortiva Institute	Steiner Leisure Ltd.	2.23 - Awaiting Evidence Check by ED Divisions	6
	Subtotal		6
Subtotal			6
Art Institute of Tucson (The)	EDMC	2.10 - Ready for EU Review	1
		2.20 - EU Review in Progress	4
	Subtotal		5
Subtotal			5
International Technical Institute	Lincoln Technical Institute, Inc.	2.10 - Ready for EU Review	1
		2.20 - EU Review in Progress	3
	Subtotal		4
Subtotal			4
Columbia Southern University	Columbia Southern Education Group, Inc.	2.40 - Flagged for Approval - Confirm Loans	4

	Subtotal		4
Subtotal			4
Post University	Post University, Inc.	2.10 - Ready for EU Review	3
	Subtotal		3
Subtotal			3
Katherine Gibbs School	Gibbs College	2.10 - Ready for EU Review	3
	Subtotal		3
Subtotal			3
Florida Technical College	Leeds Equity Partners IV, L.P.	2.10 - Ready for EU Review	2
		2.21 - Ready for Quality Control	1
	Subtotal		3
Subtotal			3
American University of the Caribbean	Devry	2.10 - Ready for EU Review	1
		2.20 - EU Review in Progress	2
	Subtotal		3
Subtotal			3
Wood Tobe - Coburn School	Bradford Schools, Inc.	2.10 - Ready for EU Review	1
		2.20 - EU Review in Progress	1
	Subtotal		2
Subtotal			2
Seacoast Career Schools	Premier Education Group L.P.	2.10 - Ready for EU Review	2
	Subtotal		2
Subtotal			2
Sawyer College	Corinthian Colleges, Inc.	2.60 - Sent to ED	2
	Subtotal		2
Subtotal			2
Radians College	Jtc Education, Inc.	2.10 - Ready for EU Review	2
	Subtotal		2
Subtotal			2
Monroe College	Monroe College, Ltd.	2.10 - Ready for EU Review	2
	Subtotal		2
Subtotal			2
Instituto de Banca y Comercio	Leeds Equity Partners IV, L.P.	2.10 - Ready for EU Review	1
		2.11 - Narrative Needed	1
	Subtotal		2
Subtotal			2
City University of Seattle	National University System	2.10 - Ready for EU Review	2
	Subtotal		2
Subtotal			2
Vista College	Education Futures Management Co.	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Vet Tech Institute	Bradford Schools, Inc.	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
St. Paul's School of Nursing	Education Affiliates, LLC	2.23 - Awaiting Evidence Check by ED Divisions	1
	Subtotal		1
Subtotal			1
St. George's University, School of Medicine	St. George'S University, Ltd.	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Saba University School of Medicine	Equinox Eic Partners LLC	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Rocky Mountain College of Art + Design	Phelps Education West, LLC	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Porter and Chester Institute	The Porter And Chester Inst., Inc.	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Pacific Oaks College	Tcs Education System	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
NewSchool of Architecture and Design	Wengen Alberta, Limited Partnership (Laureate Education)	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
National Institute of Technology	Corinthian Colleges, Inc.	2.20 - EU Review in Progress	1
	Subtotal		1
Subtotal			1
Medical University of the Americas	Equinox Eic Partners LLC	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Jolie Hair and Beauty Academy	Pioneer Education, LLC	2.21 - Ready for Quality Control	1
	Subtotal		1
Subtotal			1
ITT Business Institute	ITT Educational Services, Inc.	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Indiana University - Purdue University Indianapolis	Indiana University	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Hondros College of Nursing	American Public Education, Inc.	2.10 - Ready for EU Review	1
	Subtotal		1

Subtotal			1
Gwinnett College-Sandy Springs	LTT Enterprises, Inc	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Galen Health Institutes	Isleworth Partners Inc.	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Denver College of Nursing	Education Affiliates, Inc.	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Dallas Nursing Institute	Tcs Education System	2.10 - Ready for EU Review	1
	Subtotal		1
Subtotal			1
Cortiva Institute - Scottsdale	Steiner Leisure Ltd.	2.23 - Awaiting Evidence Check by ED Divisions	1
	Subtotal		1
Subtotal			1
Antonelli Institute	Bradford Schools, Inc.	2.30 - Final BD Review Complete	1
	Subtotal		1
Subtotal			1
Total			151613

Exhibit C

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THERESA SWEET, CHENELLE
ARCHIBALD, DANIEL DEEGAN, SAMUEL
HOOD, TRESA APODACA, ALICIA DAVIS,
and JESSICA JACOBSON on behalf of
themselves and all others similarly situated,

Case No. 19-cv-03674-WHA

AFFIDAVIT OF YOLANDE WALKER

Plaintiffs,

v.

MIGUEL CARDONA, in his official capacity
as Secretary of the United States Department
of Education, and

THE UNITED STATES DEPARTMENT OF
EDUCATION,

Defendants.

I, Yolande Walker, state as follows:

1. I am submitting this affidavit in relation to the above-captioned case.
2. I borrowed federal student loans to attend DeVry University to pursue a Bachelor's degree in Technical Management.
3. I enrolled on April 9, 2009 and withdrew in June of 2012 at the end of my third year.
4. On October 31, 2017, I submitted a borrower defense application to the United States Department of Education by mail. That application is attached as Exhibit A.
5. I received by e-mail a confirmation of my submission shortly thereafter. This confirmation is attached as Exhibit B.
6. As detailed in my borrower defense application, DeVry lied to me about the employment prospects for a Technical Management degree, the cost of the degree, the graduation rate, the curriculum, and the available career counseling services. I relied on these misrepresentations and enrolled, thinking that a DeVry education would better

1 my career and financial prospects. Instead, it left me with debt I cannot repay, ruined
2 credit, an inability to qualify for a home loan, and limited job options.

3 7. When I was considering enrolling at DeVry, the recruiters told me that the Technical
4 Management degree was respected in my field. This was a lie. Attending DeVry has
5 not helped advance my career and has instead hampered my ability to change fields.
6 The degree is not related to Information Technology and employers frequently
7 questioned the title of the degree and what it represents. I am repeatedly passed over
8 for job opportunities I am clearly qualified for based on years of experience. When I
9 do attempt to apply with the DeVry program information on job applications I am
10 immediately declined, which leaves me with a feeling of hopelessness, because even
11 with years of experience and hard work in my industry, I cannot get my pay above a
12 certain level.

13 8. DeVry claimed that their programs would be life changing with a “happily ever after”
14 ending. Their sales pitch was “how good is your life now and what have you got to
15 lose?” Students like me in truth had lot of money to lose, but that was not disclosed by
16 any DeVry employees.

17 9. This entire experience has left me with feelings of being a failure, and all of this has
18 given me a complete loss of faith in our educational and government systems.

19 10. My federal student loans for my enrollment at DeVry are over \$70,000. I struggled to
20 make unsustainable, unrealistic monthly payments until October 31, 2017. Now, with
21 interest, I owe approximately \$85,000 – more than the initial loan amount of
22 \$54,500.00 allotted for a Bachelor’s degree in any program by Direct Loans.

23 11. I received a restitution check from the Federal Trade Commission’s action against
24 DeVry for \$337.00 on October 3, 2017, and another check a few months later for
25 approximately \$89.00.

26 12. The letter from the FTC is attached as Exhibit C. The letter states that the check is
27 “your share of a settlement between DeVry University and the Federal Trade
28

1 Commission” based on findings that “DeVry ran advertisements between 2008 and
2 2015 that included deceptive claims about the (1) the likelihood that graduates would
3 find jobs in their fields of study within six months of graduation, and (2) the average
4 earnings of DeVry graduates...”

5 13. The notice also states that “This payment does not prevent you from seeking other relief
6 that may be available under federal or state law” and includes a link to the webpage for
7 the borrower defense application.

8 14. I have not yet received a notice regarding the outcome of my borrower defense
9 application, despite having applied over 4 year ago. I receive more “payment
10 resuming” emails than any status or communication regarding my borrower defense
11 application.

12 15. I called the Department of Education’s Borrower Defense Hotline (1-855-279-6207)
13 on January 3, 2020, and spoke to a woman named Renee. She told me my application
14 was being reviewed and that they were working on it. I was told this each time I called
15 in the following months.

16 16. On July 2, 2020, I received the June 26, 2020 notice of the settlement in the *Sweet v.*
17 *DeVos* case. Prior to receiving this notice, I had no knowledge of the lawsuit, and the
18 Department of Education employees had not given me any information about it.

19 17. On July 6, 2020 I once again called the Department of Education’s Borrower Defense
20 Hotline, and was told by a man named Todd that my application is on file.

21 18. In December 2021, I once again called the Department of Education’s Borrower
22 Defense Hotline. I was told by a woman on the phone at the hotline that as long as the
23 *Sweet v Cardona* (formerly the *Sweet v. DeVos*) litigation is open and unresolved, the
24 Department of Education cannot give me any updates on my borrower defense
25 application, nor review any complainants until the suit was resolved and settled by the
26 court. They said that until then, by law they could not touch our cases.

1 19. On January 5, 2022, I wrote to the Clerk of Court in this matter to ask that the case be
2 moved forward, so that my borrower defense application could be reviewed by the
3 Department of Education, since the hotline representative had told me that my claim
4 was being held up because of this lawsuit.

5 20. It is now my understanding that, contrary to what I was told when I called the
6 Borrower Defense hotline, the Department of Education could make a decision on my
7 application for borrower defense at any time. I was fed misinformation by the
8 Department of Education.

9 21. I understand that on February 17, 2022, the Department of Education announced that
10 1,800 former DeVry students would be receiving loan discharges. I do not know if I
11 am in that group because I have heard nothing from the Department of Education about
12 my borrower defense application. However, they have the loan servicer repeatedly
13 send email communications regarding borrower repayments resuming in May 2022.
14 Any communications surrounding my application review status, or this very important
15 recent announcement, have not been disclosed to me. I feel as if they are intentionally
16 keeping me in the dark.

17 22. It is outrageous that I have had to wait for over 4 years for my borrower defense
18 application to be processed. What is even more disturbing is that they are utilizing the
19 *Sweet v. Cardona* (formerly *Sweet v. DeVos*) lawsuit as a means to avoid providing
20 current details, or review my application. It seems like they hope that I will eventually
21 withdraw my complaint against DeVry, and just “go away”.

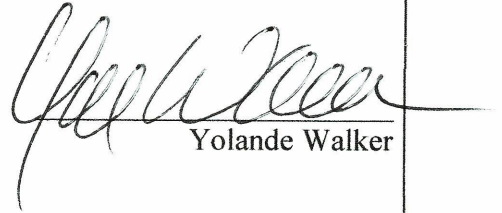
22 23. I have suffered severe personal, professional, and financial harm from the Department
23 of Education’s inaction, lack of honesty and truthfulness in communications, and
24 extreme inability to effectively relay important updates.

25 24. In addition, it is distressing to think that the Department of Education has been derelict
26 in its duties to properly audit for-profit colleges and universities to assure the loan
27 program is not being misused or fraudulently exercised for financial gain. This has left
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

thousands of students like me worse off than when they began because we were lied to by our schools and now owe thousands of dollars we cannot repay for a worthless education.

Signed February 23, 2022



Yolande Walker

WALKER AFFIDAVIT
EXHIBIT A



UNITED STATES DEPARTMENT OF EDUCATION

APPLICATION FOR BORROWER DEFENSE TO LOAN REPAYMENT

FORM APPROVED
OMB NO: 1845-0146
Exp 12/31/2019

If your school misled you or engaged in other misconduct, you may be eligible for "borrower defense to repayment," which is the forgiveness of some or all of your federal student loan debt.

FORM INSTRUCTIONS: To apply, you must complete, sign, and submit this form to the U.S. Department of Education for review.

You may attach additional documents, such as transcripts, enrollment agreements, and promotional materials from your school. Once completed, please submit this form and any additional documents you believe will help us review your application by email to FSAOperations@ed.gov or by mail to: U.S. Department of Education, PO Box 429060, San Francisco, CA 94142.

Fields marked with an asterisk (*) are required for your application to be considered complete.

SECTION I: BORROWER INFORMATION

Please provide contact information for the borrower:

*First Name: Yolande Middle Name: Last Name: Date of Birth:

*Social Security Number (XXX-XX-XXXX): Telephone Number: Email Address:

*Street Address: State: Zip Code:

*Are you a PARENT who took out a federal loan on behalf of the student? Yes No

*If yes, please enter the full name of the student. (Last, First, Middle):

*If yes, please enter the student's Social Security Number (XXX-XX-XXXX):

SECTION II: SCHOOL INFORMATION

*School: Devry University

Campus (Including on-line campuses for distance education borrowers): Long Beach, CA & Centennial, CO

*Location: City: Centennial *State: CO

*Enrollment Dates at this School (MM/YY): *FROM: 4/1/2009 *TO: 6/1/2012 Still Enrolled

Check if the enrollment dates are approximate, or if you are unsure of them.

If your attendance at the school listed above was not or has not been continuous (for example, from October 2015 to March 2016, then again from August 2016 to November 2016), please describe all dates that you attended:

CAMPUS PROGRAM

*Program Name or Major	Credential
Technical Management	Bachelors

If you enrolled in multiple programs at the school listed above, please describe all programs that you were enrolled in:

*Current Status at school listed above: Attending Withdrew Transferred Out Graduated

SECTION III: OTHER LOAN REDUCTION OR TUITION RECOVERY REQUESTS

*Have you made any other requests to have your Federal loans forgiven (for example, under a closed school discharge or false certification discharge from the U.S. Department of Education)?

Yes No

*If yes, please describe these other request(s), including the amount of any loan forgiveness that you received, and attach any documentation about the requests, if available:

*Have you made any other requests to recover tuition amounts that you paid to your school (for example, a lawsuit against the school or a claim made to a tuition recovery program)?

Yes No

*If yes, please describe these other request(s), including the amount of the payment that you received (if any), and attach any documentation about the requests, if available:

SECTION IV: BASIS FOR BORROWER DEFENSE

Answer the questions for each section below that applies to you.

For each section below that applies to you, please provide a detailed description of why you believe you are entitled to borrower defense, including the following information:

1. What the school told you or failed to tell you.
2. How the school communicated with you, whether in a brochure, online, over the phone, by email or in person.
3. The name/title or people who you believe misled you (if known).
4. Why you believe you were misled.

Attach any related documents, such as transcripts, enrollment agreements, promotional materials from the school, emails with school officials or your school's manual, or course catalog.

Note: You only need to provide information for the sections below that apply to you, but you must complete at least one section. If you are a Parent PLUS borrower, the word "you" in the following sections also refers to the student.

If you need more space to complete any section, please attach additional pages to your application.

EMPLOYMENT PROSPECTS

Did the school mislead you (or fail to tell you important information) about promises of future employment, likelihood of finding a job, eligibility for certification or licensure in your field of study, how many students graduate, and/or earnings after graduation?

Yes No

If yes, you must provide detailed information about how the school misled you. Please also describe any financial harm to you as a result of the school's conduct.

I was uncertain about earning a "Technical Mgmt." degree because I'd never heard of it & neither had any employer I was working for. To employers it sounded IT related. They took advantage of me during the Great Recession because I had no college education & only 9 college credits to my name from University of Phoenix from 2003, couldn't get a job to save my life because employers were demanding only candidates with degrees could apply, leaving everyone without one scrambling to go back to school to get one with a willingness to believe what we were told & to rake up the debt with promises that our new salary after earning the degree would be considerably higher. I'm still waiting for any of that education to payoff in some way other than my owing huge sums of money I can't pay back in my life time at 57.
 The degree means profit for Devry. A university this size should have a business admin program. To date they still don't. The degree is not recognized. On interviews I've been asked to explain what it entailed & meant. I was unable to do so because I don't understand what it's supposed represent. I worked with someone at a prior employer who paid almost \$80K for this

*Did you choose to enroll in your school based in part on the issues describe above? Yes No

PROGRAM COST AND NATURE OF LOANS

Did the school mislead you (or fail to tell you important information) about how much your classes would cost, how you would pay for your education, the terms of loan repayment, and/or other issues about the cost of your education?

Yes No

If yes, you must provide detailed information about how the school misled you. Please also describe any financial harm to you as a result of the school's conduct.

They basically told me how much the hybrid classes would be - expensive & tried to justify it with how well I would be doing once I graduated financially that the student loan payments wouldn't be noticeable based on the money I'd be making. I barely make \$82K annually, am saddled with \$70K in student loan debt and other debts putting me at \$150K total debts owed that my annual doesn't begin to support without a monthly deficit of \$700+, that I have to figure out how to work around by doing bi-weekly pay day loans, costing me \$45 per loan & is nothing more than a debt trap. I have 4 of them that I pay every pay period. I had to enter a debt relief program because my payments on everything was so high I couldn't sleep at night. I had to go to community college to cut out paying my student loan payments because I can't really afford them at this time. My situation due to this added debt has worsened. My employer doesn't give me more than 3% annual raise which pays the IRS not me. I'm in over my head & forget about buying a house. I've read enough articles to know that lenders will turn you down if you have

*Did you choose to enroll in your school based in part on the issues describe above? Yes No

TRANSFERRING CREDITS

Did the school mislead you (or fail to tell you important information) about transferring your credits from this school to other schools?

Yes No

If yes, you must provide detailed information about how the school misled you. Please also describe any financial harm to you as a result of the school's conduct.

*Did you choose to enroll in your school based in part on the issues describe above? Yes No

CAREER SERVICES

Did the school mislead you (or fail to tell you important information) about the availability or quality of job placement, career services assistance, or the school's connections to employers within your field of study?

Yes No

If yes, you must provide detailed information about how the school misled you. Please also describe any financial harm to you as a result of the school's conduct.

They told me basically not to worry, they have a counseling dept. that is really good and helps students all of the time to find jobs once they graduate. They bragged about their 80+% falsified graduation success rate, stating they have had no issues with students not finding jobs because they partner with so many businesses on the curriculum that the employers know what they're getting. It was all hog wash!

Their success rates were falsified. A documentary came out years later citing them & a few other universities for falsifying graduation rates & over selling their curriculums. Sallie Mae who I also borrowed from was cited for lying to students, cheating them then harassing them for payments. Toward the end of my time at Devry Sallie Mae turned me down, then were rude about the reasons why.

\$70K in student loan debt I cannot afford to pay back in my life time nor even monthly payments because I'm not enrolled in school full time anymore. I will have to steal from Peter to make sure I can pay the monthly student loan payments. That means something else will not get paid. My credit rating has taken a serious beating & I am not sure how I will recover from it or ever buy a house at 57 if I can never see my way clear of student loan debt. In addition, I still have no degree to show for the years of attending college along with the huge expense incurred to attend!

All done in person, very convincingly might I add. I really believed what they said. All lies!

Same as all the other sections

*Did you choose to enroll in your school based in part on the issues describe above? Yes No

EDUCATIONAL SERVICES

Did the school mislead you (or fail to tell you important information) about educational services, such as the availability of externships, qualifications of teachers, instructional methods, or other types of educational services?

Yes No

If yes, you must provide detailed information about how the school misled you. Please also describe any financial harm to you as a result of the school's conduct.

*Did you choose to enroll in your school based in part on the issues describe above? Yes No

ADMISSIONS AND URGENCY TO ENROLL

Did the school mislead you (or fail to tell you important information) about the importance of enrolling immediately, the consequences of failure to enroll, how difficult it was to be admitted, or anything else about the admittance process?

Yes No

If yes, you must provide detailed information about how the school misled you. Please also describe any financial harm to you as a result of the school's conduct.

I wanted to think it through before making a decision to attend especially given the shock of the hybrid costs per unit. They told me they were filling up fast, the scholarships wouldn't be available long, student loan FAFSA app & grant cutoffs would leave me waiting until certain times of the year to apply again, I would be that much further behind on my degree & graduating to move my career forward, that they could lend me money to attend in the interim which meant I'd have to pay them back immediately at the tune of \$400 per month. I had no job at one point & that was not sustainable, another time I was working a job not paying me more than \$43K annually & there was no way I could take on a huge monthly payment like that. I lost my car to repossession because I couldn't afford to make the \$500+ per month payments on it during the Great Recession & after. There was no way I could take on a huge payment for a private school loan from the college. They just wanted to me to enroll & worry about the FAFSA for the next 8 weeks. There was no concern over my financial well being.

They made it seem like they were the Mercedes of private colleges & that University of Phoenix was inferior to them. They discouraged community college which would've cost me \$1,000s less, asking if I really wanted to be uncomfortable around high school kids just starting out in life. They encouraged being in an adult learning environment.

\$70K in student loan debt that I cannot afford to pay back in my life time at 57, no degree to show for it & possibly never experiencing home ownership due to the huge balances which has caused me to be turned down or approved for very low amounts on home loans. I've had to decline the loans because \$200K will not buy me a house in the state of CA where homes are beginning in the low \$600K's for town homes & condos. Therefore I'm stuck paying \$2K+ per month for a 1+1 apartment. I don't see an out. If lose my job I will be bankrupt.

In person
Same as the other sections

*Did you choose to enroll in your school based in part on the issues describe above? Yes No

OTHER

Do you have any other reasons relating to your school that you believe qualify you for borrower defense, such as your school failing to perform its obligations under its contract with you, or that there is a judgment against your school in a Federal court, a State court, or in front of an administrative board or that you believe that you have a state law cause of action against the school? Is there some other reason you feel your school misled you? For more information about the basis for borrower defense relief, see StudentAid.ed.gov/borrower-defense.

If yes to any of the above, you must provide detailed information about how the school misled you. Please also describe any financial harm to you as a result of the school's conduct.

They really promoted their quality of education to justify the outrageous costs. I shuddered & still wasn't convinced. It felt more like a police interrogation where they keep at you until you relent. By the time you do your tired, hungry & just want to go home especially after a long day! They really do work on wearing you down & make you feel really guilty if you don't sign up on the spot. Once you do they rush you to financial aid for more slick talking with confusing or unclear jargon to get you to sign right away. When I had bad experiences with my instructors who weren't communicating lesson plans clearly enough, I called Student Support only to be beat down & told I was the problem not the instructor & that I just needed to suck it up & do the work, for all the money I was being bilked out of. They could've cared less. In 1 of my business classes, they stress that you will be graded on spelling, grammar & a host of other things instilling fear in many that don't excel in those areas. They do it in all of

*Did you choose to enroll in your school based in part on the issues describe above? Yes No

SECTION V: FORBEARANCE/STOPPED COLLECTIONS

If you are not currently in default on your federal student loans, you may request to have them placed into **forbearance** status while your application is under review. **Forbearance means that you do not have to make loan payments and your loans will not go into default.** Forbearance will continue until the borrower defense review process of your application is completed. Your servicer will notify you when your loans have been placed into forbearance status.

If your federal student loans are in **default**, you may request to have debt collection on your loan stopped (“**stopped collections status**”). **This means that the federal government or debt collection companies will stop attempting to collect on the loans, including by not withholding money from your wages or income tax refunds.** Stopped collections status will continue until the borrower defense review process of your application is completed.

Please see the “Common Questions and Answers Regarding Forbearance/Stopped Collections” section on the Borrower Defense website (<https://studentaid.ed.gov/borrower-defense>) if you have any questions regarding choosing to enter forbearance or stopped collections.

Note that interest will continue to accumulate on federal loans regardless of what status they are in, including subsidized loans. If your application for borrower defense is denied, or partially approved, the total amount you owe on those loans may be higher.

PLEASE NOTE: You do not have to place your loans in forbearance or stopped collections to apply for borrower defense relief.

For the most current information with regard to your rights and obligations regarding forbearance and stopped collections, please visit the Borrower Defense website at <https://studentaid.ed.gov/borrower-defense>.

*Are you requesting forbearance/stopped collections?

Yes, I want all of my federal loans currently in repayment to be placed in forbearance and for collections to stop on any loans in default while my borrower defense application is reviewed. During this time period, I understand that interest will continue to accrue.

No, I do not want all of my federal loans currently in repayment to be placed in forbearance and for collections to stop on any loans in default while my borrower defense application is reviewed. During this time period, I understand that interest will continue to accrue and that I must continue to make loan payments.

If you do not select one of the options immediately above, your federal loans currently in repayment will automatically be placed into forbearance and collections will stop for any defaulted loans, and the Department will request forbearance for any commercially held Federal Family Education Loan (FFEL) program loans currently in repayment and for debt collection to stop for any defaulted, commercially held FFEL program loans that you have currently (as applicable).

SECTION VI: CERTIFICATION

By signing this attestation I certify that:

All of the information I provided is true and complete to the best of my knowledge. Upon request, I agree to provide to the U.S. Department of Education information that is reasonably available to me that will verify the accuracy of my completed attestation.

I agree to provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfaction of the U.S. Department of Education or its designee that I meet the qualifications for borrower defense.

I certify that I received proceeds of a federal loan, in whole or in part, to attend the school/campus identified in Section II (above).

I understand that if my application is approved and some or all of my loans are forgiven, I am assigning to the U.S. Department of Education any legal claim I have against the school for those forgiven loans. By assigning my claims, I am effectively transferring my interests in any claim that I could make against the school relating to the forgiven loans (including the ability to file a lawsuit over those forgiven loans and any money ultimately recovered in compensation for those forgiven loans in court or other legal proceedings) to the U.S. Department of Education. I am not assigning any claims I may have against the school for any other form of relief -- including injunctive relief or damages related to private loans, tuition paid out-of-pocket, unforgiven loans, or other losses.

I understand that the U.S. Department of Education has the authority to verify information reported on this application with other federal or state agencies or other entities. I authorize the U.S. Department of Education, along with its agents and contractors, to contact me regarding this request at the phone number above using automated dialing equipment or artificial or prerecorded voice or text messages.

I understand that any rights and obligations with regard to borrower defense to repayment are subject to the provisions currently in effect under Title 34 of the Code of Federal Regulations.

I understand that if I purposely provided false or misleading information on this application, I may be subject to the penalties specified in 18 U.S.C. § 1001, including fines. I understand that I may be asked to confirm the truthfulness of the statements in this application to the best of my knowledge under penalty of perjury.

***Signature:**  _____

Date: 10/31/2017

Privacy Act Notice. *The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you. The authorities for collecting the requested information from and about you are §421 et seq., §451 et seq. and §461 et seq. of the Higher Education Act of 1965, as amended (20 U.S.C. 1071 et seq., 20 U.S.C. 1087a et seq., and 20 U.S.C. 1087aa et seq.) and the authorities for collecting and using your Social Security Number (SSN) are §§428B(f) and 484(a)(4) of the HEA (20 U.S.C. 1078-2(f) and 20 U.S.C. 1091(a)(4)) and 31 U.S.C. 7701(b). Participating in the William D. Ford Federal Direct Loan (Direct Loan) Program, the Federal Family Education Loan (FFEL) Program, or the Federal Perkins Loan (Perkins Loan) Program, and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate. The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the Direct Loan Program, FFEL, or Perkins Loan Programs, to permit the servicing of your loans, and, if it becomes necessary, to locate you and to collect and report on your loans if your loans becomes delinquent or defaults. We also use your SSN as an account identifier and to permit you to access your account information electronically. The information in your file may be disclosed, on a case-by-case basis or under a computer matching program, to third parties as authorized under routine uses in the appropriate systems of records notices. The routine uses of this information include, but are not limited to, its disclosure to federal, state, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to consumer reporting agencies, to financial and educational institutions, and to guaranty agencies in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loans, to enforce the terms of the loans, to investigate possible fraud and to verify compliance with federal student financial aid program regulations, or to locate you if you become delinquent in your loan payments or if you default. To provide default rate calculations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to state agencies. To provide financial aid history information, disclosures may be made to educational institutions. To assist program administrators with tracking refunds and cancellations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal or state agencies. To provide a standardized method for educational institutions to efficiently submit student enrollment statuses, disclosures may be made to guaranty agencies or to financial and educational institutions. To counsel you in repayment efforts, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal, state, or local agencies. In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may be made to our contractors for the purpose of performing any programmatic function that requires disclosure of records. Before making any such disclosure, we will require the contractor to maintain Privacy Act safeguards. Disclosures may also be made to qualified researchers under Privacy Act safeguards.*

Paperwork Reduction Act Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0146. Public reporting burden for this collection of information is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit (20 U.S.C. 1087e(h)). If you have comments or concerns regarding the status of your individual submission of this application, please contact FSAOperations@ed.gov.

WALKER AFFIDAVIT
EXHIBIT B



PROUD SPONSOR of
the AMERICAN MIND®

Confirmation

We have received your Application for Borrower Defense to Loan Repayment.

If the U.S. Department of Education needs to contact you, we will do so using the contact information you provided.

We recommend that you print and/or save an electronic copy of your application for your records. To save an electronic version, you can do so by clicking here: [Download Application](#).

If you have any questions regarding the status of your application, you may call our Borrower Defense hotline at (855) 279-6207. Representatives are available Monday through Friday from 8:00 a.m. to 8:00 p.m. Eastern time. If you have questions about Borrower Defense, you may also send an email to FSAOperations@ed.gov.

WALKER AFFIDAVIT
EXHIBIT C



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

FTC v. DeVry University

*Rec'd
10/3/17*



DEV000BD8AA5A

Claim Number: [REDACTED]



Dear Yolande Walker,

The enclosed check is your share of a settlement between DeVry University and the Federal Trade Commission (FTC). According to the FTC, DeVry ran advertisements between 2008 and 2015 that included deceptive claims about (1) the likelihood that graduates would find jobs in their fields of study within six months of graduating, and (2) the average earnings of DeVry graduates compared to those graduating with bachelor's degrees from other colleges or universities.

This payment does not prevent you from seeking other relief that may be available under federal or state law. For example, the Department of Education's Borrower Defense to Repayment program provides for loan forgiveness in certain circumstances. For more information about the program, visit <https://studentaid.ed.gov/sa/repay-loans/forgiveness-cancellation/borrower-defense>.

Please cash the enclosed check by October 29, 2017. After this date, your check could bounce and you could be charged a bank fee.

You can find additional information at: www.ftc.gov/devry.

Please call us toll-free at (844) 578-2645 if you have any questions.

Sincerely,

FTC Refund Administrator

THE FACE OF THIS CHECK IS PRINTED RED - THE BACK CONTAINS A SIMULATED WATERMARK

FTC v. DeVry University Qualified Settlement Fund
FTC Refund Administrator
PO Box 2008
Chanhassen, MN 55317-2008



DATE OF CHECK
September 29, 2017

PAY EXACTLY: THREE HUNDRED THIRTY-SEVEN AND 37 / 100 DOLLARS

\$337.37

DEV000BD8AA5A



VOID AFTER 30 DAYS

PAY to
the order of

YOLANDE WALKER

AUTHORIZED SIGNATURE

Exhibit D

1
2
3
4
5
6
7
8
9
10
11
12
13

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THERESA SWEET, CHENELLE
ARCHIBALD, DANIEL DEEGAN, SAMUEL
HOOD, TRESA APODACA, ALICIA DAVIS,
and JESSICA JACOBSON on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

MIGUEL CARDONA, in his official capacity
as Secretary of the United States Department
of Education, and

THE UNITED STATES DEPARTMENT OF
EDUCATION,

Defendants.

Case No. 19-cv-03674-WHA

AFFIDAVIT OF DOMINIC BENDIJO

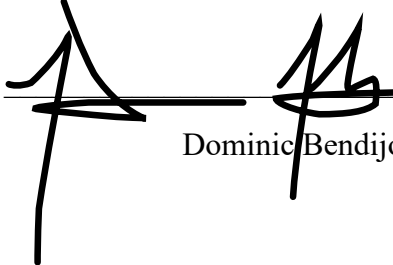
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, Dominic Bendijo, state as follows:

1. I am submitting this affidavit in relation to the above-captioned case.
2. I borrowed federal student loans to attend Brooks Institute in Ventura, California, pursuing a BA in Cinematography and Film/Video Production.
3. I enrolled in July of 2003 and graduated in September of 2006.
4. As detailed in my borrower defense application, Brooks lied about the job placement services it would provide, as well as the job prospects for graduates. Brooks recruiters told me that I would earn anywhere between 100K-150K per year with a Brooks degree, and that the program was selective. I relied on these statements and enrolled. However, these statements turned out to be utter lies.
5. I took out federal and private loans to attend Brooks. My federal student loans were originally about \$20,000.

- 1 6. In late 2006, I started paying back my loans. My original payments were \$1800 a
- 2 month. I consolidated my loans to drop the interest rates in 2007. My loans were first
- 3 serviced by Sallie Mae, then Navient.
- 4 7. On September 14, 2021, I submitted a borrower defense application online to the
- 5 United States Department of Education.
- 6 8. When I submitted the application, the following pop-up message appeared: "Because
- 7 you graduated or withdrew from your school more than three years ago, you are unable
- 8 to apply for reconsideration."
- 9 9. This pop-up message was extremely confusing to me. I had not applied for
- 10 reconsideration.
- 11 10. I do not understand what this message meant or what the status of my borrower defense
- 12 application is.

13
14 Signed February 23, 2022

15
16  A handwritten signature in black ink, appearing to be 'Dominic Bendijo', is written over a horizontal line. The signature is stylized with a large 'D' and 'B'.

17 Dominic Bendijo

Exhibit E

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THERESA SWEET, CHENELLE
ARCHIBALD, DANIEL DEEGAN, SAMUEL
HOOD, TRESA APODACA, ALICIA DAVIS,
and JESSICA JACOBSON on behalf of
themselves and all others similarly situated,

Case No. 19-cv-03674-WHA

AFFIDAVIT OF ANDRA HATCHELL

Plaintiffs,

v.

MIGUEL CARDONA, in his official capacity
as Secretary of the United States Department
of Education, and

THE UNITED STATES DEPARTMENT OF
EDUCATION,

Defendants.

I, Andra Hatchell, state as follows:

1. I am submitting this affidavit in relation to the above-captioned case.
2. I borrowed federal student loans to attend Axia College of the University of Phoenix online. I completed an Associates Degree in Arts & Information Technology.
3. I enrolled in August of 2007 and completed my program in August of 2009.
4. I currently over \$38,000 on loans that were originally \$16,688. I have not been able to afford the payments due to the high cost of the program coupled with accumulated interest.
5. My tax refund was seized in 2019 for the tax year 2018.
6. I was in loan rehabilitation for some time making payments of approximately 5 dollars per month, after repeated forbearance, deferment, and default status.
7. Being unemployed after graduation for about 5 years, I was not able to make the payments. Even now that I am employed, I do not have the means to pay this debt.
8. As I understand it, my loans are currently in forbearance under CARES Act relief.
9. I consolidated two of my loans last year, while the other two loans are in default.

1 10. My nightmare with the University of Phoenix began in 2007. I clicked on an advertisement
2 after I had lost my job. A recruiter called me and gave me a high-pressure sales pitch,
3 promising me excellent job prospects and a high salary in the IT field.

4 11. I told the recruiter I did not want to take out any loans to pay for my education, and he
5 assured me that I would be able to pay for school with Pell Grants alone. He explained that
6 applying for loans was only a “formality” in case my “situation changed,” for example, if
7 I “married a millionaire.” When I had to choose a lender, he told me to pick Sallie Mae. I
8 was hesitant in doing this but he told me not to worry, and said, “it won’t cost you a dime.”
9 I relied on these statements and enrolled. Fees for the program were included on a standard
10 letter, but was of little importance to me since I was told the Pell Grant would take care of
11 all it. I later realized I had been charged \$90 more per general education class, \$120 more
12 per core class, and \$5 more per resource fee than what was stated.

13 12. The recruiter also lied about the transferability of my credits. They only allowed 16 of my
14 28 credits to transfer from my previous college, Arkansas State University. Students
15 transferring with less than 24 credits were required to complete a different version of the
16 program in which 18 of the 45 general education credits had to be earned at the University
17 of Phoenix, to students who transferred with 24 or more credits only had to complete 6 of
18 the 45 credits at the University of Phoenix. This meant that I was roped into paying for
19 more of their overpriced classes. I relied on these statements regarding transferability, and
20 enrolled.

21 13. I learned later that recruiters were under extreme pressure to lie to unsuspecting people just
22 to get them enrolled.

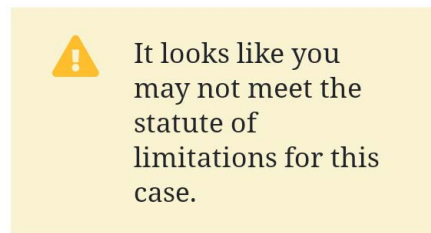
23 14. I wrote a letter to the university after I finished the two years expressing my disappointment
24 in my education, because I could not find a job in the IT field. They replied with job
25 statistics in my area.

26 15. I also learned that the University of Phoenix is not respected in any field. I started leaving
27 the degree off of my resume, as I felt it was hurting me more than helping. I remained
28

1 unemployed for several years. My current job does not relate to my University of Phoenix
2 degree.

3 16. I learned how ridiculously overpriced University of Phoenix was when I helped my niece
4 enroll into a state school. Tuition at the State University, including associated costs, came
5 to \$1,089 to earn 12 credits in 2009. Everything was paid by a Pell Grant and she still got
6 a refund for what was left over. At the University of Phoenix, the same amount of credits
7 cost me almost four times that amount.

8 17. In February, 2022 I attempted to apply for Borrower Defense online through the Federal
9 Student Aid website. Because I logged in, the application was linked to my loan accounts.
10 The first thing I saw was a message regarding my loans. The screenshot below shows the
11 message.



12
13
14
15
16
17 18. Once I received this message, I stopped filling out my application. I thought the pop-up
18 message meant that I could not continue my application and that I was not eligible for
19 borrower defense due to the age of my loans.

20 19. Several days later, on or around February 8, 2022, I spoke to someone with the Project on
21 Predatory Lending and was advised that the message might not prevent me from applying,
22 and that I might still be able to submit the form. I took the advice and I was finally able to
23 complete my application. Each time I would log in, the message was always the first thing
24 I saw.

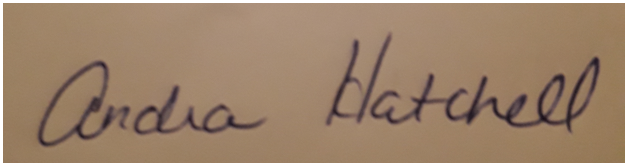
25 20. I had tried several times before to complete the application that was not linked to my loan
26 accounts, but I was not successful. I found it quite frustrating.

1 21. I am 57 years old. I feel very depressed about what has happened. My credit is ruined. I
2 will always have to rent, instead of purchase, a home. Rent is very high in this area.

3 22. I fear that when I begin drawing my social security, my checks will be garnished for
4 payment if I do not succeed in having loans discharged. I need a solution and I don't know
5 where to start.

6 23. I am frustrated and confused by the borrower defense process. The message I got upon
7 logging in only delayed the submission even more. I do not know the status of my
8 application or when or how it will be resolved. I can only hope and pray that all of the
9 wrongs are corrected for everyone who fell into this trap.

10
11 Signed February 24, 2022

12
13 A rectangular area containing a handwritten signature in dark ink on a light brown background. The signature reads "Andra Hatchell".

14
15 Andra Hatchell

Exhibit F

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THERESA SWEET, CHENELLE
ARCHIBALD, DANIEL DEEGAN, SAMUEL
HOOD, TRESA APODACA, ALICIA DAVIS,
and JESSICA JACOBSON on behalf of
themselves and all others similarly situated,

Case No. 19-cv-03674-WHA

AFFIDAVIT OF SYDNEY ANDRADE

Plaintiffs,

v.

MIGUEL CARDONA, in his official capacity
as Secretary of the United States Department
of Education, and

THE UNITED STATES DEPARTMENT OF
EDUCATION,

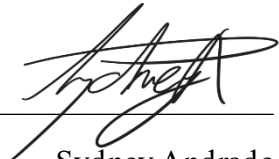
Defendants.

I, Sydney Andrade, state as follows:

1. I am submitting this affidavit in relation to the above-captioned case.
2. I borrowed federal student loans to attend Art Institute schools in Fort Lauderdale (2006-2007) and Tampa (2007-2011). In 2011, I earned my Bachelor's Degree in Fine Arts in Game Design from AI.
3. The Art Institute lied to me about employment prospects, the cost of the program, the quality of the program, career services, and the transferability of credits. I relied on these lies and enrolled.
4. I currently owe over \$35,000, which does not include related Parent Plus loans.
5. I filed for Borrower Defense in May 2016.
6. On August 6, 2020, I received a form denial notice.
7. On February 21, 2022, I wrote to borrowerdefense@ed.gov requesting that my application be put back into review. That email, which includes the form denial notice, is attached as Exhibit A.

- 1 8. On February 23, I received an email from Borrower Defense telling me to request
2 reconsideration. This email is attached as Exhibit B.
- 3 9. Notably, this email states that “Your claim will not be re-evaluated unless the court orders
4 re-evaluations when *Sweet v Cardona* is decided. While the court case is pending a
5 decision, your case will remain closed, unless you submit a request for reconsideration.”
- 6 10. I am aware of several other people who received this message when they contacted the
7 Department of Education about their applications, including my fiancé.
- 8 11. I do not understand why the Department of Education is telling borrower defense applicants
9 that their claims will not be “re-evaluated unless the court orders re-evaluation when *Sweet*
10 *v. Cardona* is decided.” I do not understand why the Department of Education cannot
11 evaluate my claim now.
- 12 12. I have waited almost six years for a lawful decision on my borrower defense application.
13 This delay is unconscionable and has caused me and other borrowers like me extensive
14 harm.

15 Signed February 24, 2022

16
17
18
19
20
21
22
23
24
25
26
27
28

Sydney Andrade

ANDRADE AFFIDAVIT
EXHIBIT A

Request for Reconsideration [ref:_00Dt0Gyiq,_500t0DPHok:ref]

From: Sydney Andrade

To: borrowerdefense@ed.gov

Date: Monday, February 21, 2022, 11:46 AM CST

Hello.


My Borrowers Defense to Repayment application was denied in August of 2020. It is important that this application be put back into review.

As per case *Sweet v. Cardona*, No. 19-cv-3674 (formerly *Sweet v. DeVos*) , I am a member of this class based on the following case item:

- You submitted a borrower defense application about any school and have not received a decision, or received a form denial in or after December 2019

Please put my application back into review as per the case.
borrower defense application

Here is a link to the case details on Harvards site. [Sweet v. DeVos Class Members | Predatory Student Lending](#)



[Sweet v. DeVos Class Members | Predatory Student Lending](#)

[If you submitted a borrower defense application and have not received a decision, you are automatically a member...](#)

Thank you.
Sydney Andrade

On Monday, February 21, 2022, 11 41 56 AM CST, Federal Student Aid Information Center <customerservice@studentaid.gov> wrote:



8/6/2020

Borrower Defense Application #:

Dear Sydney Andrade:

The U.S. Department of Education (ED) has completed its review of your application under the applicable Borrower Defense to Repayment regulations for discharge of your William D. Ford Federal Direct Loans (Direct Loans) made in connection with your or your child's enrollment at Miami International University of Art & Design. "You" as used here should be read to include your child if you are a Direct PLUS Loan borrower who requested a discharge for loans taken out to pay for a child's enrollment at Miami International University of Art & Design. ED has determined that your application is ineligible for relief based on review of the facts of your claim and the regulatory criteria for relief; this decision means that your Direct Loans will not be discharged. ED explains the reasons below.

Applicable Law

For Direct Loans first disbursed prior to July 1, 2017, a borrower may be eligible for a discharge (forgiveness) of part or all of one or more Direct Loans if the borrower's school engaged in acts or omissions that would give rise to a cause of action against the school under applicable state law. See § 455(h) of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1087e(h), and 34 C.F.R. § 685.206(c) and 685.222 (the Borrower Defense regulations). ED recognizes a borrower's defense to repayment of a Direct Loan only if the cause of action directly relates to the Direct Loan or to the school's provision of educational services for which the Direct Loan was provided. 34 C.F.R. §§685.206(c)(1), 685.222(a)(5); U.S. Department of Education, Notice of Interpretation, 60 Fed. Reg. 37,769 (Jul. 21, 1995).

Why was my application determined to be ineligible?

ED reviewed your borrower defense claims based on any evidence submitted by you in support of your application, your loan data from National Student Loan Data System (NSLDS®), and evidence provided by other borrowers.

Allegation 1: Employment Prospects

You allege that Miami International University of Art & Design engaged in misconduct related to Employment Prospects. This allegation fails for the following reason(s): Insufficient Evidence

Your claim for relief on this basis therefore is denied

Allegation 2: Program Cost and Nature of Loan

You allege that Miami International University of Art & Design engaged in misconduct related to Program Cost and Nature of Loan. This allegation fails for the following reason(s): Insufficient Evidence

Your claim for relief on this basis therefore is denied.

Allegation 3 Career Services

You allege that Miami International University of Art & Design engaged in misconduct related to Career Services This allegation fails for the following reason(s) Insufficient Evidence

Your claim for relief on this basis therefore is denied.

Allegation 4: Educational Services

You allege that Miami International University of Art & Design engaged in misconduct related to Educational Services. This allegation fails for the following reason(s): Failure to State a Legal Claim

Your claim for relief on this basis therefore is denied.

Allegation 5: Transferring Credits

You allege that Miami International University of Art & Design engaged in misconduct related to Transferring Credits. This allegation fails for the following reason(s): Insufficient Evidence

Your claim for relief on this basis therefore is denied.

What evidence was considered in determining my application's ineligibility?

***COVID-19 Note:** On March 27, 2020, the president signed the *CARES Act*, which, among other things, provides broad relief in response to the coronavirus disease 2019 (COVID-19) for federal student loan borrowers whose loans are owned by ED. For the period March 13, 2020, through September 30, 2020, the interest rate on the loan will be 0% and no payments will be required. During this same period for defaulted borrowers, all proactive collection activities, wage garnishments, and Treasury offsets will be stopped. Your federal loan servicer will answer any questions you have about your specific situation. In addition, Federal Student Aid's COVID-19 information page for students, borrowers, and parent is located at [StudentAid.gov/coronavirus](https://studentaid.gov/coronavirus). Please visit the page regularly for updates.

What if I have another pending borrower defense application?

If you have additional pending borrower defense to repayment application, this information applies to you:

- If your loan associated with an additional borrower defense to repayment application that is still pending are in forbearance or another status that does not require you to make payments, your loans will remain in forbearance or that other status. Similarly, if your loans associated with that borrower defense application are in default and you are currently in stopped collections, those loans will remain in stopped collections.
- If you are unsure if you have additional pending applications, or if you would like to check on the status of your loan associated with an additional application, contact our borrower defense hotline at 1-855-279-6207 from 8 a.m. to 8 p.m. ET on Monday through Friday.

ED offers a variety of loan repayment options, including the standard 10-year repayment plan, as well as extended repayment, graduated repayment, and income-driven repayment plans. For more information about student loan repayment options, visit StudentAid.gov/plans. If you have questions about the status of your loans or questions about repayment options, please contact your servicer(s). If you do not know the name of your federal loan servicer, you may go to StudentAid.gov to find your servicer and view your federal loan information.

Sincerely,

U.S. Department of Education
Federal Student Aid



CONFIDENTIALITY NOTICE This e-mail message, including any attachment, is for the sole use of the intended recipient and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

ANDRADE AFFIDAVIT
EXHIBIT B

Here are the borrower defense reconsideration request instructions [ref: 00Dt0Gyiq. 500t0DPHok:ref]

From: Borrower Defense (borrowerdefense@ed.gov)

To:

Date: Wednesday, February 23, 2022, 01:53 PM CST



2/23/2022

Borrower Defense Application #

Dear Sydney Andrade:

You recently contacted our borrower defense hotline about your disagreement with the U.S. Department of Education’s decision about your borrower defense application 01317088. Here are the two ways you can ask us to reconsider that decision:

- Send a new email with the subject line “Request for Reconsideration” to BorrowerDefense@ed.gov. Include the number that appears with the words “Request for Reconsideration” in the “What if I don’t agree with this decision?” section of your notification email.

OR

- Mail your request to U.S. Department of Education, P.O. Box 1854, Monticello, KY 42633

In your request for reconsideration, provide the following information:

- 1) What you think was decided incorrectly
- 2) Why you believe the decision was incorrect
- 3) Any evidence that you believe establishes that you are eligible for a different decision

We will not accept any request for reconsideration that includes new allegations of misconduct by your school. If you include new allegations of misconduct by your school in your reconsideration request, the request will be rejected. You must file a new application regarding acts or omissions by your school other than those described in borrower defense

application 01317088 by submitting an application at StudentAid.gov/borrower-defense. In the new application, you should explain in the relevant sections the basis for any new borrower defense claims and submit all supporting evidence.

We will not place your federal student loans into forbearance or stopped collection activity when you file a request for reconsideration. In addition, if your borrower defense claim was approved, we will not begin our review of your request for reconsideration until your federal loan servicer notifies you that the discharge has been completed. As a reminder, discharge completion is expected to occur within 90-120 days after the date of your discharge notification email.

Your claim will not be re-evaluated unless the court orders re-evaluations when Sweet v Cardona is decided. While the court case is pending a decision, your case will remain closed, unless you submit a request for reconsideration. While the case is pending, your loans do remain in the court-ordered forbearance.

What if I have questions about this letter?

We're available to help you understand the information in this letter. You can contact our borrower defense hotline at 1-855-279-6207 from 8 a.m. to 8 p.m. Eastern time on Monday through Friday.

Sincerely,

U.S. Department of Education

Federal Student Aid



830 First Street, NE, Washington, D.C. 20202
StudentAid.gov/borrower-defense

ref:_00Dt0Gyiq._500t0DPHok:ref

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient and may contain confidential and privileged information. Any unauthorized review, use, disclosure or

distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.