

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF William C Martin

1. My name is William C Martin. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended MTA School and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I have a VA Loan being held hostage, I'm in default without an avenue out, \$3000 in 1989, is now over \$16000. So my multi unit storefront dream is caught up in this mess.

Signed under the penalty of perjury.

January 23, 2023



William C Martin

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Dallas Martinez

1. My name is Dallas Martinez. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Arizona Summit Law School and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I would continue to owe over 250k in loans for law school. This puts me way above the debt to income ratio limits needed to qualify for a home. I have to keep renting and dealing with the rising costs of rent and housing in Seattle - with a family, including my 90 year old father aging in place with us. Also, this debt keeps me from being able to get a second family car. Our financing options are dismal. We get disqualified for financial aid services and resources because my income looks average on paper, but my haunting debt makes it to where my family cannot truly afford things despite the income made. Also, this has had a large impact on my mental health. Having this much debt without the valued credentials is crippling. I cannot just go out and get a great salaried position with my botched closed school's history. And, this affects my entire family and delays our opportunity for generational wealth, which adds to the barriers we face already as a queer family of color.

Signed under the penalty of perjury.

January 24, 2023



Dallas Martinez

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

**DECLARATION OF Jonathan Charles
Martinez**

1. My name is Jonathan Charles Martinez. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Florida Coastal School of Law and submitted a borrower defense application on or before November 16, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I am a Veteran of the US Army and cannot use my VA loan due to my outstanding debt. I want to buy a house to raise my family and if a stay is issued it would prolong my ability to use this benefit that I fought for.

Signed under the penalty of perjury.

January 24, 2023



Jonathan Charles

Martinez

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Paul McClay

1. My name is Paul McClay. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended The Art Institute of Philadelphia and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

As a class member who attended a school on the automatic approval list, I'm entitled to a full discharge of my federal student loans as well as a refund of payments made. I was hoping to use that money to help pay down some credit cards which I used to help cover the rising costs of everyday living. I was also hoping that the Sweet Settlement would become a legal argument for the discharge of private student loans. I can no longer afford my private loan payments and my servicer has been harassing me with calls and threatening letters.

My school defrauded me and the Department of Education agrees. Why should a few schools that I didn't even attend have a say in denying me relief?

Signed under the penalty of perjury.

January 24, 2023



Paul McClay

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Michael C McDonald

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Michael C McDonald. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended University of Phoenix and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I am a single father working full time who drives 100 miles round trip per work day because I cannot get a mortgage to move closer only because of my student loans. I do not work in the field I study for and am looking for a recourse in action but at 37 years old and in high debt is that really obtainable. The jobs the school promised were in the realm of imagination but they can sell a degree for sure. Please don't delay the relief as this is my last real chance to finally have my first home....at 37...PLEASE HELP

Signed under the penalty of perjury.

January 24, 2023



Michael C McDonald

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Hugh McGinley

1. My name is Hugh McGinley. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Illinois Institute of Art, Schaumburg - Art Institute of California, Sunnyvale - Art Institute of California, Los Angeles and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I wish that I could say that I didn't expect any schools to appeal this case, but I can't because I know how scummy they truly are. Just like every other student who attended these scam schools, I would continue to be affected both mentally and financially if a stay was issued. I submitted my Defense to Repayment almost 7 years ago now, and it STILL has not been addressed. I've paid and stressed over my student loans for over a decade, and now these schools want me to wait even longer for some relief, just to try and save face? They should be fined additional penalties for even considering such an act. It is so disrespectful and inconsiderate... I really don't know how these people sleep at night.

Thank you Judge Alsup for all your time and consideration you've given us. We greatly appreciate it. And thank you, too, Project on Predatory Student Lending. The time and effort you've provided us is truly unbelievable. We cannot thank you enough.

Signed under the penalty of perjury.

January 24, 2023



Hugh McGinley

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Kelli McLaughlin

1. My name is Kelli McLaughlin. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended University of Phoenix and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I'm trying to buy a home and this balance effects my debt to income ratio greatly making it impossible for me to buy a house a lender can approve. My rent keeps going up and so do interest rates. If this delays and stays on my credit I will not be able to get approved for a mortgage.

Signed under the penalty of perjury.

January 23, 2023



Kelli McLaughlin

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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MIGUEL CARDONA, in his official capacity as
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Education, and THE UNITED STATES
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Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Heather Miller

1. My name is Heather Miller. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Arizona Summit Law School and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I currently am barely making enough money to pay rent. My debt to income ratio includes my student loan so I cannot be approved to buy a home, which would cost less monthly. I am a mom who had a kidney autotransplant two years ago and never passed the bar to obtain the job I have 325,000 in student loans for. The school defrauded me and I cannot continue to provide for my two children.

Signed under the penalty of perjury.

January 24, 2023



Heather Miller

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Margaret Montes

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Margaret Montes. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Art Institute of Fort Lauderdale and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

The delay of the delivery of the settlement would affect me not only because of my age (70 years old), but financially as I'm on a fixed retirement income. Allowing the stay requested by these three schools who don't really have standing in the case because their school reputations maybe effected is an issue between them and the DOE, which is not a part of this class action. The stay would certainly add multiple years to a resolution to this case. I may not have those years. Having been defrauded by my school has haunted me for many years. Having to pay for being defrauded has been a financial burden, which I hope does not follow me to my grave. The many years it has taken for the members of the class action to get justice has already been too great.

Signed under the penalty of perjury.

January 24, 2023


Margaret Montes

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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v.

MIGUEL CARDONA, in his official capacity as
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Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Lorinda Morgan

1. My name is Lorinda Morgan. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Vatterott College and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

As long as I have this embarrassing debt, I cannot heal from the damage that Vatterott has caused me. I take medication for anxiety and depression. I was not on this medicine until I got this debt. I will never be able to pay it off. Vatterott lied to me, the administrators guaranteed that I would be making at least 2 times the amount I make now. I am working in my "field of study" and I have been with the same company for 9+ years and I still am not making what I was promised. No company in the area pays as much as Vatterott promised.

The schools who want to stop this settlement from moving forward have no reason to fight this. They are putting their own school names in the spotlight, then accusing the Sweet lawsuit of causing them a bad reputation. Their lawyers do not even care about their reputation, that is proven every time they open their mouths. Their lawyers only see dollar signs. Meanwhile, thousands of student loan borrowers are paying for their clients deceitful practices.

If the stay is approved, it only delays the inevitable. Whether or not this settlement goes through, the DOE still has more applications for relief than they can possibly review. This was addressed on November 9th. Some of the people who applied for relief will be dead and buried before the DOE gets to their application. There are applications that have been pending for over 10 years. Give that some thought, please. Let this settlement move forward.

Signed under the penalty of perjury.

January 24, 2023



Lorinda Morgan

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Michael Morris

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Michael Morris. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Anthem College and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

My first lesson in life as an adult that entities such as schools didn't always have your best interest in mind was a very hard one. After everything I'd been through with this school, the lying, misrepresentation, bankruptcy of the school itself, I thought after many years of hopelessness that a fair solution was at hand. By letting only these few schools hold back relief from the many thousands of borrowers who were taken advantage of by these for profit schools, justice isn't prevailing. Tying the courts limited resources up by appealing on extremely flimsy grounds is delaying justice to ultimately try to defeat it. I personally believe all of these tactics undermine the spirit and legitimacy of the courts, and rights that citizens have. Please do not allow big corporations to legitimately railroad our rights further. Thank you for your time.

Signed under the penalty of perjury.



January 24, 2023

Michael Morris

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1
2
3 THERESA SWEET, *et. al.*,
4 *Plaintiffs,*

Case No.: 19-cv-03674-WHA

5 v.

DECLARATION OF Kyle Noland

6 MIGUEL CARDONA, in his official capacity as
7 Secretary of the United States Department of
8 Education, and THE UNITED STATES
9 DEPARTMENT OF EDUCATION,
10 *Defendants.*

11 1. My name is Kyle Noland. I submit this declaration in opposition to the Motion for Stay
12 filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the
13 information in this declaration.

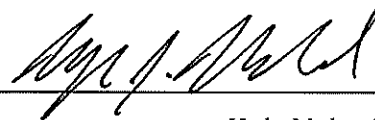
14 2. I attended The Art Institute of Ohio—Cincinnati and submitted a borrower defense
15 application on or before June 22, 2022.

16 3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

17 I, like many others, am struggling both financially as well as psychologically from the
18 sheer uncertainty behind all this. Do we trust to hope? I certainly have. I need this wrong righted
19 to prove that morality still has a place in our society. I desperately need this relief from this debt,
20 which feels like a hand around my throat, putting so many of my big decisions in my life on
21 hold. Do I never get married because the debt would be too much to expect to unload onto
22 anyone else? Will I ever get to own a place I can call truly home? Will I ever be free from being
taken advantage of by a for-profit college targeting a poor, gay 18-year-old kid and giving him a
false sense of hope that this would be the thing that would change his traumatic life for the
better. A delay would affect me, simply put, by forcing me to put my best future on hold, yet
again, after so many years already with little more than hope to hold to.

23 Signed under the penalty of perjury.

24
25 January 24, 2023



26 Kyle Noland

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28 Declaration of Kyle Noland

Case No.: 19-cv-03674-WHA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Laura Oliver

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Laura Oliver. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Art Institute - Santa Monica and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

This puts me back at risk of having to start paying back student loans that I can't afford. For the last almost a year I have been the only one working to support my family. I work two jobs 7 days a week to make ends meet. I applied for borrower defense in 2019 because I felt like after 15 years at the time (graduated in 2004) after paying and paying and paying for a degree that did nothing I was reaching my breaking point. My original loan was around \$35k and I've paid over \$30k and today have a balance of around \$65k. I went to the Art Institute because the only thing I ever wanted to be for as long as I can remeber was an artist. This was my dream. I never had the option to go to a school like a UC or anything like that. And the Art Institite enrolled me no questions asked and ignorant me didn't know any better. I was a kid living on my own since I left my parents house two weeks after I turned 18 (that's a whole nother mess) and I wanted so badly to get an education I jumped on it. I worked two jobs 7 days a week and went to school from 6-10pm 4 nights a week because I thought this was my future. Once I finished and got my degree I communicated with the people that are supposed to help you get a job and it was crickets. I even tried to find work myself and nothing. I eventually just gave up. And now 19 years later all I have is debt. I don't know how I can put money aside for my kids college when I can't even afford to pay for my own.

Signed under the penalty of perjury.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
Plaintiffs,

v.

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
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Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Victoria Patterson

1. My name is Victoria Patterson. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended The Art Institute of Houston and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I have been waiting over 3 years for a final decision. I am a single mother of 3 I am unable to purchase a home. I am in default and even though they are not supposed to be reporting this to my credit it is being reported that I am not paying my loans I call the default people and I'm told to call the borrower defense department. Where they inform me to call my servicer and it's a never ending cycle. My loans are from 2013. They shouldn't be showing on my credit at all however they updated the date to 2019 and only some of them show. I'm forced to rent because of my credit I am unable to make payments and my children are the ones that suffer the most. I am not even a student for one of the schools appealing. The dream center held my loans and should have been discharged several years ago during a different settlement however I was unaware. I have never been able to use my degree and it won't transfer I can not get ahead in life because of this. It does not harm these schools in anyway to let this settlement continue. However they are trying to stop it for millions of people and we have waited long enough.

Signed under the penalty of perjury.

January 24, 2023

Victoria Patterson

Victoria Patterson

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 THERESA SWEET, et. al,
4 *Plaintiffs,*

5 v.

6 MIGUEL CARDONA, in his official capacity as
7 Secretary of the United States Department of
8 Education, and THE UNITED STATES
9 DEPARTMENT OF EDUCATION,
Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Katie Payne

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11 1. My name is Katie Payne. I submit this declaration in opposition to the Motion for Stay filed
12 by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information
13 in this declaration.

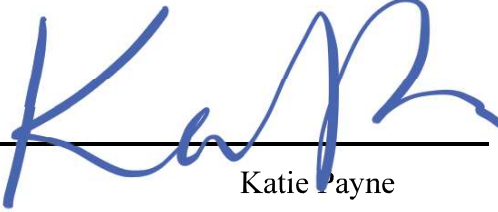
14 2. I attended Art Institute and submitted a borrower defense application on or before June 22,
15 2022.

16 3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

17 My fiance and I have been waiting for this for what seems like forever. We are trying to
18 get married and start a family but these loans are greatly in our way. My so called degree does
19 nothing for our family and hasn't been able to help me aquire a good job in the specific field of
20 study. Living paycheck to paycheck is no way to live and there's no way to save money until this
21 all get resolved.

22 Signed under the penalty of perjury.

23 January 23, 2023

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25 _____
26 Katie Payne

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

THERESA SWEET, *et. al*,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Victoria Peace

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Victoria Peace. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.


2. I attended ITT Technical Institute, University of Phoenix and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

This will delay buying a home. I am 40 and so close to owning a home but these loans are hurting my credit score tremendously. I feel terrible because all I wanted was an education but I got the short end of the stick instead. I just want to have a home, something to possibly leave my children when it's my time to go. As of right now, I'll just leave them debt.

Signed under the penalty of perjury.

January 23, 2023


Victoria Peace

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1
2
3 THERESA SWEET, *et. al*,
4 *Plaintiffs*,

Case No.: 19-cv-03674-WHA

5 v.

DECLARATION OF Jaime Perez

6 MIGUEL CARDONA, in his official capacity as
7 Secretary of the United States Department of
8 Education, and THE UNITED STATES
9 DEPARTMENT OF EDUCATION,
10 *Defendants*.

11 1. My name is Jaime Perez. I submit this declaration in opposition to the Motion for Stay
12 filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the
13 information in this declaration.

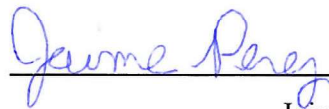
14 2. I attended Chubb Institute/Anthem Institute and submitted a borrower defense application
15 on or before June 22, 2022.

16 3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

17 I've been waiting over a year and half to get a response to the application I submitted. I
18 could really use the refund/discharge of my loans to help pay for my current bills that keep piling
19 up. Inflation is really hurting my paycheck and I'm tired of living from paycheck to paycheck.
20 This loan, which failed to give me the proper degree and job opportunities it promised me, has
21 haunted me for almost 20 years. I would like to one stop logging in daily to the student aid
22 website and move on with my life.

23 Signed under the penalty of perjury.

24 January 24, 2023



Jaime Perez

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Danielle Picard

1. My name is Danielle Picard. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

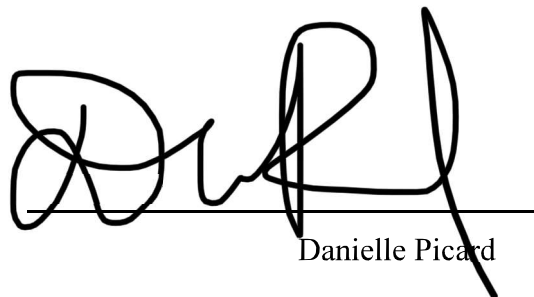
2. I attended Keller graduate school and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I have 280k loans impacting my credit every day after being frauded years ago. I pay high interest rates I cannot get a car loan. People have been waiting 6,7,8 years with no relief in limbo. The parties involved agreed to a settlement The delay is impacting 200k people lives..the ability to buy a house or plan for retirement.

Signed under the penalty of perjury.

January 24, 2023



Danielle Picard

UNITED STATES DISTRICT COURT
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Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Ashley Pizzuti

1. My name is Ashley Pizzuti. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Brooks Institute and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I would be devastated. I filed for BDTR back in early 2016. I have an absolute solid case with hundreds of pages of evidence. My husband and I desperately need to move out of our neighborhood, but we are stuck with these loans on our credit. I attended Brooks 20 years ago this past September. These predatory loans have ruined my life. The government has failed me and my right to fair due process. We have waited long enough.

Signed under the penalty of perjury.

January 24, 2023



Ashley Pizzuti

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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v.

MIGUEL CARDONA, in his official capacity as
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DEPARTMENT OF EDUCATION,
Defendants.

Case No.: 19-cv-03674-WHA

DECLARATION OF Nicole Porter

1. My name is Nicole Porter. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Brooks Institute and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

My husband and I are currently working with a non-profit agency that helps people "on the cusp" find a path to homeownership. Our target is to buy our first home, and then start a family in 12-15 months. Our ability to do this HINGES on being otherwise debt free (my student loans from Brooks is the only debt we have). I am also hoping that reimbursement funds can be added to our down payment, or assist with home repairs. Im about to turn 36. If I'm able to get pregnant in 18 months, I will be 38 by the time the child is born. I litterally do not have another year, or 18 months to delay these plans if I ever want this to happen. Any delay in moving forward with with the settlement will mean never having a child of my own.

Signed under the penalty of perjury.

January 24, 2023

Nicole Porter

Nicole Porter

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Melissa Raney

1. My name is Melissa Raney. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended The Art Institute of CA and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I have commercially held ffp loans. They are accumulating interest even though they are in forbearance. What this means is my balance continues to increase causing me a ton of anxiety, with mental health challenges. It is detrimental to my well being to not continue to wait. My health is important as I take care of my son who is disabled and has autism. My pending loan status financially affects not only myself, but him as well knowing he is incapable of ever taking care of himself. I would like to be able to provide for him through his life and with these loans already doubling in size, financially we are broken. I have already paid for the last 22 years on these loans with no relief and double the amount owed. Please do not approve a stay. Our health and wellness depends on it. Thank you.

Signed under the penalty of perjury.

January 24, 2023


Melissa Raney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Meghan Ratte

1. My name is Meghan Ratte. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended DeVry University/Keller Graduate School and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I lost my home and everything I owned to a house fire in April 2022. This debt even affected me trying to replace and rebuild mine and my daughter's lives - my car was destroyed, and my credit was barely good enough to get a replacement; I had to rely heavily on my credit cards, which are nearly maxed out, instead of being able to get a personal loan to fund the purchase of clothing, shoes, food, and work equipment for my job and small business. A loan would have had lower interest rates, and saved me money over time. I had intentions of building a home this year, after experiencing such a devastating loss, and finally owning something - something I have wanted to do for 15 years. But without the settlement being put into action, I cannot move forward. I am trapped in limbo. I can't move on with life, I can't get out from under the weight of the depression and hopelessness it puts me in, and I cannot feel financially stable.

Signed under the penalty of perjury.

January 23, 2023


Meghan Ratte

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, et al,
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

DECLARATION OF Jennifer Roberts

1. My name is Jennifer Roberts. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Ross University School of Veterinary Medicine and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

This would be absolutely devastating to me. By May 2023, my forbearance will end and I will be forced to make massive payments toward my loan used toward my school that continues to refuse to issue me credentials that I earned. This means I never received a degree, and I am being forced to pay \$353,000.00. NO DEGREE. At this school, I earned the equivalent of a Masters Degree, but it was never awarded, despite my requests via telephone and email. I had been placed in my clinical year placement, but the school refused to provide me with my placement, despite passing ALL CLASSES for my 7th semester (and all preclinical coursework). This was because the school made false promises that clinic seats would be available to all students, but in fact this was not the case. In fact, they purposely and illegally changed my transcript from a C to an F in a course to force me to repeat the semester and pay over \$20,000 in course expenses and other fees that I did not have the money for. At this point, I am struggling to find steady work with the credentials I earned outside of DeVry owned Ross University School of Veterinary Medicine. My interest on my loan is over \$50,000 for a degree that I never received. I have no idea what I am going to do.

Signed under the penalty of perjury.

January 23, 2023

Declaration of Jennifer Roberts

Supp. A.324

Case No.: 19-cv-03674-WHA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Whitney Robertson

1. My name is Whitney Robertson. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended The Art Institute and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

This is a true mental roller coaster. All of us were defrauded. We are stressed. These debts are not valid and we are tired of living with this burden. If payments were to start again, there's no way I would be able to afford them. I'm already paying money for private loans for a fraudulent school that I can barely afford.

Signed under the penalty of perjury.

January 23, 2023


Whitney Robertson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Teliamarie Robinson

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Teliamarie Robinson. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Stanford brown (le Cordon Bleu) and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

Currently I am unable to get financial aid to further my education because of the balance I still have due to financial aid from attending the school above the balance is also affecting my credit score and my debt to income ratio was has caused my a higher interest rate on my home

Signed under the penalty of perjury.

January 23, 2023



Teliamarie Robinson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, et. al,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Echo Rodriguez

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Echo Rodriguez. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

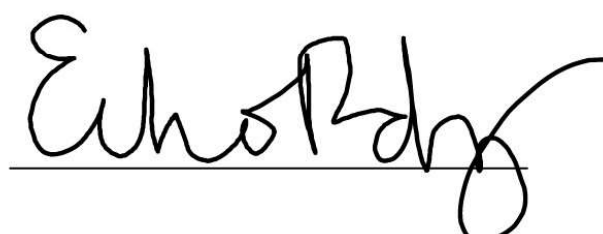
2. I attended DeVry University and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

If the District Court or the Ninth Circuit issued a stay and delayed the delivery of settlement relief until the intervenors' appeal is resolved, this will affect my life in many ways. I filed Borrower's Defense in 2017, roughly 5 years ago. It has affected my life before I filed & will continue to drag this whole situation out for me even longer. My credit is one of the main things affected & will still be affected for even longer as well. Another way I'd be affected is if I want to go back to school, I have to take into consideration that I have this debt & I would need it to be separate from the new debt (which I don't have the confidence or trust that the DOE could successfully do this). This also affects me by taking my time & attention away from my family & other priorities. We've already had to deal with the issues of fraudulent activity by the schools, then had to deal (still having to deal) with the unacceptable time frame that it's taking for the Borrower's Defense to even be looked at, now to having to painfully wait through this all to see where a decision lies & many little things in between. This will affect me in not just in many ways, but will affect everyone else in many ways as well. We deserve to be able to move on & continue on with our lives without having to deal with the pain & trauma all of this has caused.

Signed under the penalty of perjury.

January 23, 2023



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Roger Ruggles

1. My name is Roger Ruggles. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended The International Academy of Design and Technology (Sanford Brown) and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

This would be devastating, the school I attended lied and has even settled lawsuits for that same lie. To be forced to continue payments would be a blow to my family financially. We can't let these schools continue to delay what is right for hundreds of thousands of defrauded people. We are expecting a child this month on the 29th, my wife and I would not have been able to achieve this if I was paying my loans. The monthly payment for which is equal to the mortgage on our small house. The Department of Education failed to process our applications in an appropriate time frame, people waited 5 years for a response. The whole time these colleges said and did nothing, they had over 5 years to go through due process but did not think they had a reason too; now they decide to claim they have a right to due process? How is that fair, how is that justice?

Signed under the penalty of perjury.

January 23, 2023


Roger Ruggles

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 THERESA SWEET, *et. al*,
4 *Plaintiffs*,

Case No.: 19-cv-03674-WHA

5 v.

DECLARATION OF Joe Russell

6 MIGUEL CARDONA, in his official capacity as
7 Secretary of the United States Department of
8 Education, and THE UNITED STATES
9 DEPARTMENT OF EDUCATION,
Defendants.

10
11 1. My name is Joe Russell. I submit this declaration in opposition to the Motion for Stay filed
12 by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information
13 in this declaration.

14 2. I attended University of Phoenix and submitted a borrower defense application on or before
15 June 22, 2022.

16 3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

17 It continues to hinder my debt/income ratio along with credit making it harder to obtain
18 loans and lines of credit to better mine and my family’s living situation. My wife has had to put
19 our home and vehicles in her name bc of continued credit issues. I have an extremely rare heart
20 condition with medical debt from Mayo Clinic and the relief is of great need to pay towards that.
21 I’ve already had to file bankruptcy once in 2012 to clear other debt and allow me to pay towards
the loans that obviously couldn’t be lumped in. I’ve never held a job for any length of time, def
never a “career” and def not in my field of study. I just need all of this behind me. Part of my heart
condition includes an aortic aneurysm and stress is a huge contributor to a possible eruption.

22 Signed under the penalty of perjury.

23
24 January 24, 2023



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Joe Russell

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, et. al,
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

DECLARATION OF Jessica Ryan

1. My name is Jessica Ryan. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended The Art Institute of Colorado and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I am unable to qualify for approval of a home loan as I cannot accurately determine my debt. I have been in this holding pattern since 2017 when I submitted my application for defense to repayment due to fraudulent recruitment by the school. It's been over five years. I am suffering due this decision being continually held up.

Signed under the penalty of perjury.

January 23, 2023

Jessica L.
Ryan

Digitally signed by Jessica
L. Ryan
Date: 2023.01.24 00:44:55
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Jessica Ryan

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 THERESA SWEET, *et. al*,
4 *Plaintiffs*,

Case No.: 19-cv-03674-WHA

5 v.

6 **DECLARATION OF Taylor Sampson**

7 MIGUEL CARDONA, in his official capacity as
8 Secretary of the United States Department of
9 Education, and THE UNITED STATES
10 DEPARTMENT OF EDUCATION,
11 *Defendants*.

12 1. My name is Taylor Sampson. I submit this declaration in opposition to the Motion for Stay
13 filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the
14 information in this declaration.

15 2. I attended The Art Institute of Michigan and submitted a borrower defense application on
16 or before June 22, 2022.

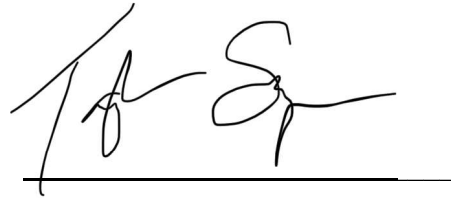
17 3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

18 It would continue to be a setback for me financially. I don't think anyone would have
19 attended these schools if we knew they were going to haunt us all these years. My loans, on top of
20 everything else you need to pay for as an adult, have made me take a longer track to doing
21 adulthood things such as buying a vehicle, renting/buying a house, having children, etc. I have
22 been fighting to get my loans forgiven (for a school that has now been closed) for many years.
23 These schools prey upon young people who legally can't do many things, but somehow are told
24 it's completely ok to take out \$40k+ in loans for only a year and a half of schooling for an
25 accelerated associates program. The school also got my parents involved when I couldn't pay, and
26 they still have thousands in debt to pay back. These schools know a parent isn't going to allow
27 their child to fail and will talk them into taking out loans for their child's supposed "education". I
28 say "education" because I ended up wasting so much time and money on classes, books, supplies,
required technology, etc that ultimately was hardly ever touched or referenced again when it came
to my actual schooling. The Art Institutes big claim was industry connections to help you get into
the field after school. They did nothing to support that claim. When I asked if they had any
references or leads for me when I was graduating, they told me the local mall was hiring part-time
staff. These were jobs I was already working prior to ever signing a contract with the school. I did
not need them to walk into a store and become a cashier. They did not contribute to any of my
future positions at the places I have ended up working at throughout my life. Most places never
have even asked about my degree, let alone seen it as a point of having extra skills for the industry.
At the end of the day, I feel as if I wasted those 18 months of my life, but never would I imagine I
would still be trying to pay back loans on a worthless degree that I "earned" over a decade ago.

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Signed under the penalty of perjury.

January 24, 2023

A handwritten signature in black ink, appearing to read 'TS', is written above a solid horizontal line.

Taylor Sampson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Kelly Sax

1. My name is Kelly Sax. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Minnesota School of Business and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I am currently affected having to pay for college out of pocket to obtain a worthwhile degree to help people. I was taken for a lot of money for credits that don't transfer and for a subpar education in a field that underpaid. I was also not informed about what was being borrowed and that my credits wouldn't transfer. Paying out of pocket with a family of 4 is putting us in debt.

Signed under the penalty of perjury.

January 23, 2023



Kelly Sax

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Ami Schneider

1. My name is Ami Schneider. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. My child attended The Illinois Institute of Art Schaumburg and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I graduated almost 13 years ago from a predatory for-profit college and have spent years fighting for justice. I filed my Borrower Defense to Repayment in AUGUST of 2015!! So much of my life and so much of my mothers life has been put on hold because of the delay in adjudication of my/our claim(s) against the school. I have never found employment in my field of study, yet I hold tens of thousands in debt for a fraudulent education. My mother has been putting off her retirement as we wait in limbo for these loans to be cancelled. Another delay would be a smack in the face from a predatory industry that has already caused so much irreparable damage. The cancellation has always been the bare minimum. We cannot get back our time. We cannot undo the years of anguish and desperation. I can't go back to school to pursue a meaningful career track because it is nearly 13 years now since I graduated. I am no longer young or in a position where I can devote myself to an education. Delaying this process again will add to my anxiety and depression. I am tired of fighting for justice when justice could have been served time and time again. This settlement is something we have collectively fought so hard for.

Signed under the penalty of perjury.



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
Plaintiffs,

Case No.: 19-cv-03674-WHA

v.

DECLARATION OF Lindsay Schuh

MIGUEL CARDONA, in his official capacity as
Secretary of the United States Department of
Education, and THE UNITED STATES
DEPARTMENT OF EDUCATION,
Defendants.

1. My name is Lindsay Schuh. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Minnesota School of Business and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I have been waiting since 2016 for my borrower defense application to be approved. They were found to have defrauded their criminal justice students by the MN Attorney General. I was one of those students. A lot can and did happen in the 8 years that I've been waiting. I had a baby, one of my kids was diagnosed with autism, COVID, and I was diagnosed with an autoimmune disorder along with a bunch of other diagnoses that made it impossible for me to work 2 years after the diagnosis. I have since filed for disability and as we know the government doesn't make speedy decisions and I have been waiting since August 2022 with no decision yet. All of this happened while I dutifully paid my student loan payments. I have the opportunity to get back the \$12k that I already paid in during a time where it would be the most helpful. It's not right to make everybody wait for a few schools who dislike the outcome. My case has nothing to do with the schools appealing. I think me and the other class members have waited long enough for an outcome and any longer of a wait would be an injustice.

Signed under the penalty of perjury.

January 24, 2023



Lindsay Schuh

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Colleen Sherlock

1. My name is Colleen Sherlock. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended University of Phoenix and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I would be impacted by a delay in the delivery of settlement relief because I am a mentally disabled, singled mother who is responsible for the care of my elderly mother and my disabled now adult daughter. The University of Phoenix took advantage of my vulnerability in 2008 and preyed upon the fact that I did not understand what I was getting into. This settlement relief is crucial to my family in finally rectifying my credit and helping to give us a safer future.

Signed under the penalty of perjury.

January 24, 2023

Colleen Sherlock

Colleen Sherlock

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Lisa Simpson

1. My name is Lisa Simpson. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

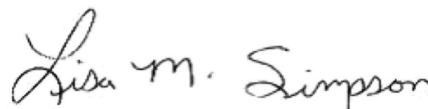
2. I attended Arizona Summit and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I am currently 58 years old and there is no chances of ever retiring until there is resolution. Since just about every penny I made went toward trying to pay off my student loans at an interest rate that was nothing short of highway robbery, it did not leave much to put aside for any hopes of a future retirement.

Signed under the penalty of perjury.

January 24, 2023



Lisa Simpson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Tammy Sjarrpm

1. My name is Tammy Sjarrpm. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended Westwood, Brown Mackey and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I have been waiting since 2019 for some type of resolution. Not only was I defrauded by Westwood but I am being charged over \$75,000 for a Associates degree that isn't worth the paper it was printed on. This constant worry over whether or not I am going to die with this debt not only affects me but also my family. I am unable to make \$900.00 a month payments on this which makes no sense because I only make \$2800.00 dollars a month. They have included my husbands income in this repayment plan which isn't fair because he didn't incur the debt yet he must pay for it. For how long must we wait on relief? They have scammed us in so many ways; they should now be held accountable.

Signed under the penalty of perjury.

January 24, 2023



Tammy Sjarrpm

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Duane Smith

1. My name is Duane Smith. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. My child attended DeVry University and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I filed a Borrower Defense claim against this institution 5 years ago, long before this settlement relief action. Despite the school acknowledging their wrongdoings several times over the years in other actions taken against them, my claim is "Being reviewed" all of this time. I am a parent with Parent Plus loans and am 65 years old now. Additionally, I had been making payments during the no interest period to save some money but stopped doing so a few months ago because I thought this settlement relief was finally a done deal. I am truly weary of all of this. 12 years of payments to an institution that scammed my son and I. 5 years of waiting for an answer to the Borrower Defense claim. 5 years of phone calls only to be told it's "Being reviewed". Now this...

Signed under the penalty of perjury.

Duane Smith

Duane Smith

January 24, 2023

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

3 **THERESA SWEET, et. al,**
4 ***Plaintiffs,***

5 **v.**

6 **MIGUEL CARDONA, in his official capacity as**
7 **Secretary of the United States Department of**
8 **Education, and THE UNITED STATES**
9 **DEPARTMENT OF EDUCATION,**
10 ***Defendants.***

Case No.: 19-cv-03674-WHA

DECLARATION OF Richard Stapleton

11 1. My name is Richard Stapleton. I submit this declaration in opposition to the Motion for Stay
12 filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the
13 information in this declaration.

14 2. I attended University of Phoenix and Argosy and submitted a borrower defense application
15 on or before June 22, 2022.

16 3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

17 With \$116,000 in student loans, a stay and delayed delivery of the settlement relief will
18 impact many areas of my life and the life of my family. At this point in time, one month's payment
19 on a 20-year plan is \$1000 per month. Yes, I could do an income-contingent repayment plan;
20 however, I am trying to save for college for my daughter, so she doesn't have to experience
21 something like this when she goes to college. My wife and I were also hoping for another child,
22 but at this point in time, we can't afford it because of my student debt. I've been waiting for debt
23 relief through the borrower's defense since 2016. One of my schools, the University of Phoenix
24 admitted to their predatory practices in a letter to me, which I submitted to the DOE as evidence.
25 Neither the University of Phenix nor Argosy are a part of the group of intervenors, and for those
26 of us who didn't attend the schools the intervenors represent, it is unfair that we have to wait any
27 longer. I've waited since 2016. I've waited long enough. This isn't about the schools at this point.
28 This is about the DOE not doing their job by processing our claims. Where was my due process?
Seven years is long enough. I struggle to get a home loan. I struggle with getting car loans. I have
an 810 credit score, but when creditors see my student loan debt, they say "no". I understand the
intervenor's are concerned about their reputations. However, what about my reputation? This isn't
about them. This is about the DOE not processing claims and following the rules that were set. I
am angry, I am disheartened and I should have to wait several more months to a few years for an
appeal. There should be separate lawsuits to remove them from the list if they feel this impacts
them negatively. It shouldn't be a part of this which impacts thousands of people like myself that
didn't even attend the schools the intervenors' represents.

Declaration of Richard Stapleton

Case No.: 19-cv-03674-WHA

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Signed under the penalty of perjury.

January 24, 2023



Richard Stapleton

Declaration of Richard Stapleton

Case No.: 19-cv-03674-WHA

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 THERESA SWEET, *et. al*,
4 *Plaintiffs*,

Case No.: 19-cv-03674-WHA

5 v.

6 **DECLARATION OF Jenifer N Starr**

7 MIGUEL CARDONA, in his official capacity as
8 Secretary of the United States Department of
9 Education, and THE UNITED STATES
10 DEPARTMENT OF EDUCATION,
11 *Defendants*.

12 1. My name is Jenifer N Starr. I submit this declaration in opposition to the Motion for Stay
13 filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the
14 information in this declaration.

15 2. I attended Art Institute of Pittsburg Online Division and submitted a borrower defense
16 application on or before June 22, 2022.

17 3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

18 This debt hanging over my head has prevented my from purchasing a house and has kept
19 my debt to income ratio well over what it should be. I have been paying on this debt; however, due
20 to my income based repayment being lower than even the interest on the loans monthly, they keep
21 going up. Sure after 20 years they will be forgiven BUT, I will owe the IRS \$25k in taxes that year
22 when they forgive \$99k in loans, when my original amount borrowed was closer to \$50k after
23 paying on them for 20 years. Not only did the school lie to me and call me every night until I
24 enrolled convincing me, this is what I needed to do, to make a better life for my daughter, but they
25 pressured me to max out my loans every semester to pay for equipment, books and current bills to
26 help me live easier while in school. Then after graduation, they counted me keeping my current
27 job as 100% job placement and provided no help in trying to find a job in the my field I studied
28 with them since I already had a job. They said since I used some basic info from my degree in my
current job that was 100% job placement and I didn't need help finding a new career. This has gone
on too long. The shame we carry surrounding being defrauded, and the length of time we have
waited for the DOE to do something about it and stand up and follow through on the Borrower
Defense program has been long enough. Please do not let this drag out any longer. My daughter is
in 11th grade and I'm finding it really hard to push her towards "higher education" at this point due
to everything I went through. Make things right for these borrowers and move on.

Signed under the penalty of perjury.

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January 24, 2023

Jenifer Starr

Jenifer N Starr

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Jason Stepanek

1. My name is Jason Stepanek. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. I attended ITT and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

I am a refund candidate. Even though loans were paid off I sacrificed much during the repayment. I sold my home and had to use the equity to pay off the remainder of my student loans.

Signed under the penalty of perjury.

January 23, 2023



Jason Stepanek

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERESA SWEET, *et. al*,
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

DECLARATION OF Steven C Sullwold

1. My name is Steven C Sullwold. I submit this declaration in opposition to the Motion for Stay filed by Intervenor Schools. If called upon to do so, I am willing and able to testify to the information in this declaration.

2. My child attended Al Collins College for Graphic Design and submitted a borrower defense application on or before June 22, 2022.

3. If the Court stays the Settlement Agreement, I will be affected in the following manner:

The deception dates to 2003/04 when the ED cited the then Career Education Corporation for 18 "serious" Title IV violations - neither entity disclosed to loan holders preventing me an 'informed decision'. All loans were satisfied by 2016 - \$92,000.00 worth and Borrower Defense filed in 2016. I have lost significant dollar value while neither party has - nor the State of Arizona who intervened for private loan holders in a judgment against Career Education Center. My retirement years remain tenuous absent this legitimate reimbursement. Our son attended this so called college and his parents paid for the time he attended. I have been dismissed and disregarded by those in authority and it is beyond time this wrong be righted. Thank you.

Signed under the penalty of perjury.



Steven C Sullwold

January 24, 2023