

1 Below is a Judgment of the Court. If the judgment is for
2 money, the applicable judgment interest rate is: as provided
3 below.

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7 ELIZABETH PERRIS
8 U.S. Bankruptcy Judge

9
10 UNITED STATES BANKRUPTCY COURT
11 FOR THE DISTRICT OF OREGON

12 In re)
13 Jessica Ann Givens,)
14 Debtor.)

Case No. 12-34644-elp7

15 _____)
16 JESSICA ANN GIVENS,)
17 Plaintiff,)

Adversary Case No. 12-03220-elp

18 v.)

**STIPULATED JUDGMENT OF
NONDISCHARGEABILITY AND
MONEY OWED TO NATIONAL
COLLEGIATE TRUST BY JESSICA
ANN GIVENS**

19 NATIONAL COLLEGIATE TRUST;
20 AMERICAN EDUCATION SERVICES;
U.S. DEPARTMENT OF EDUCATION;
SALLIE MAE LOAN SERVICING,

21 Defendants.)
22 _____)

23 COMES NOW Defendant National Collegiate Trust ("NCT") by and through its attorney,
24 Thomas K. Hooper, and Jessica Ann Givens ("Plaintiff"), individually and by and through her
25 attorney, Jonathan G. Basham, and stipulate and agree as follows:

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1 1. The debt due and owing by Plaintiff to NCT is nondischargeable pursuant to
2 11 U.S.C. §523(a)(8) of the United States Bankruptcy Code in the amount of \$50,000, together
3 with interest at the statutory rate of 5% per annum from the date judgment is entered by the
4 Court.

5 2. Judgment is entered against Plaintiff in the amount of \$50,000, plus 5% interest
6 per annum from the date of judgment.

7 3. Plaintiff agrees to pay the principal sum of \$30,000 together with interest at 0%
8 per annum at \$100.00 per month for 300 months. The first payment is due on June 15, 2014, and
9 then payments are due on or before the 15th day of each month thereafter, until such time as
10 \$30,000 has been paid.

11 4. Execution on the judgment shall be stayed provided Plaintiff pays the sum of
12 \$100.00 per month for 300 months, until such time as \$30,000 has been paid. As long as timely
13 and full payments are made, the payments shall apply to the sum of \$30,000 and all interest plus
14 the remaining principal of the judgment shall be waived.

15 5. All payments should **include the WWR #9852967** and be made payable to and
16 forwarded to:

17 National Collegiate Trust
18 c/o Weltman, Weinberg & Reis Co., LPA
19 P.O. Box 93596
20 Cleveland, OH 44101-5596

21 6. Should Plaintiff default in any provision of this Agreement or default in the
22 repayment of the debt at any time, then the full amount of the nondischargeable balance with
23 credit for payments made shall become immediately due and owing, with interest accrued from

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1 the date of judgment, and NCT shall be free to exercise its rights in accordance with state law.
2 Any payments credited to the judgment shall be applied first to accrued interest and then to
3 principal.

4 **SO AGREED:**

5 HOOPER, ENGLUND & WEIL LLP

6
7 By: /s/ Thomas K. Hooper
8 Thomas K. Hooper, OSB #772244

/s/ Jonathan G. Basham
Jonathan G. Basham, OSB #900381

9 Date: 07/08/13

Date: 07/02/13

10 /s/ Jessica Ann Givens
11 Jessica Ann Givens

12 Date: 06/28/13

13 Submitted By:

14 /s/ Thomas K. Hooper
15 Thomas K. Hooper, OSB #772244
16 Of Attorneys for National Collegiate Trust

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CERTIFICATE OF SERVICE

On July 8, 2013, the foregoing STIPULATED JUDGMENT OF NONDISCHARGEABILITY AND MONEY OWED TO NATIONAL COLLEGIATE TRUST BY JESSICA ANN GIVENS was served by mail on the following parties:

US Attorney for the District of Oregon Attn: S Amanda Marshall 1000 SW Third Ave. Ste 600 Portland, OR 97204	US Dept of Education Eric Holder, US Atty General US Dept of Justice 950 Pennsylvania Ave NW Washington, DC 20503-0001
US Dept of Education Arne Duncan, Secretary of Education Dept of Education Building 400 Maryland Ave SW Washington, DC 20202	

and electronically served on the following parties:

Jonathan G. Basham	jgbasham100@bendbroadband.com
Sean E. Martin	sean.martin@usdoj.gov, jan.sands@usdoj.gov

The following parties are to receive any notices or documents from the court:

Thomas K. Hooper	bmail@hooplaw.com
Jonathan G. Basham	jgbasham100@bendbroadband.com
Sean E. Martin	sean.martin@usdoj.gov, jan.sands@usdoj.gov

/s/ Thomas K. Hooper

Thomas K. Hooper, OSB #772244