

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

In Re: Jacqueline Webb \* Case No.: 12-15413-RGM \* Chapter 7

Debtor \*

\*\*\*\*\*

Jacqueline Webb \*

\*  
\*

Plaintiff \*

v. \* Adversary No. 12-01568-RGM

\*

Sallie Mae, Inc. \*

\*

United States Department of Education

\*

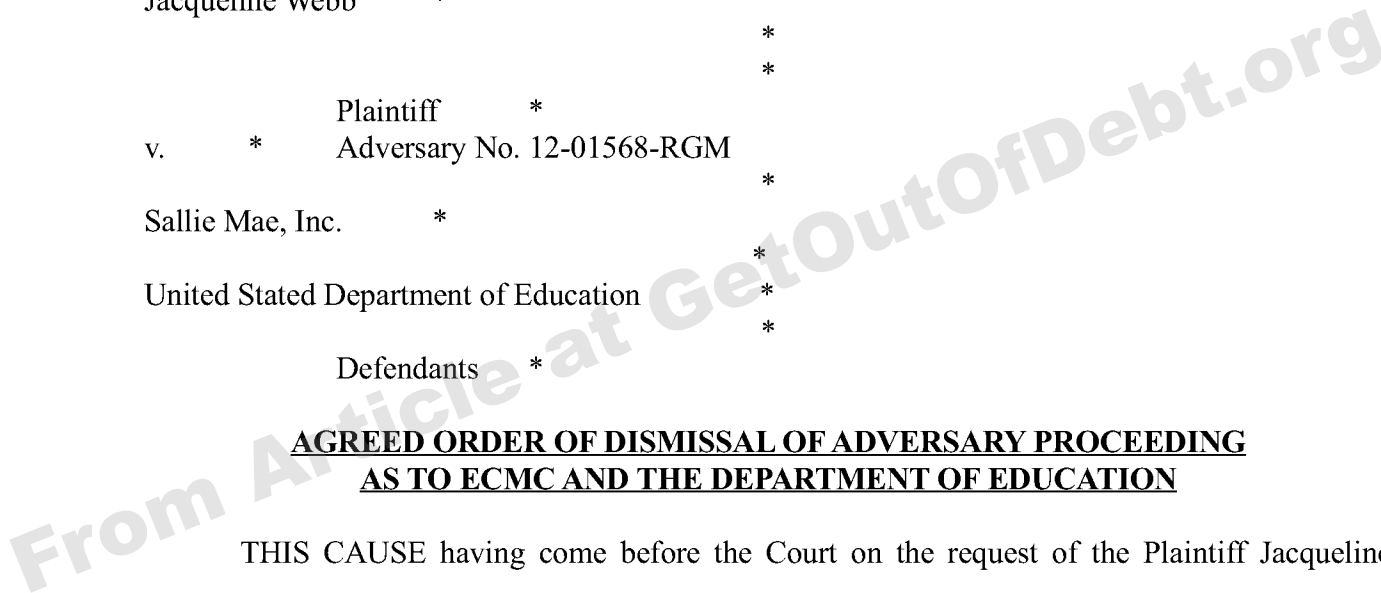
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Defendants \*

**AGREED ORDER OF DISMISSAL OF ADVERSARY PROCEEDING  
AS TO ECMC AND THE DEPARTMENT OF EDUCATION**

THIS CAUSE having come before the Court on the request of the Plaintiff Jacqueline Webb (“Plaintiff”) and Defendants Educational Credit Management Corporation (“ECMC”), and the Department of Education (“DOE”) and the Court having been advised that the Plaintiff desires to repay her debt owed to ECMC and DOE under the Income-Based Repayment (IBR) for which she is eligible in her current loan program or through consolidation of her current loans in the William D. Ford Direct Loan Consolidation Program (Ford Program). Pursuant to federal regulations, Plaintiff cannot submit an application for the IBR with her lender or a consolidation application with Ford until her loans have been repurchased by the original lenders, and that repurchase cannot proceed if there is active litigation on the subject debt.

The Court is further advised that, in the event that the Plaintiff loans are repurchased and in the IBR, no trial in this adversary proceeding will be required as to ECMC or DOE, and being further advised that both the Plaintiff and ECMC and DOE have agreed to the dismissal of this



adversary proceeding as to ECMC and DOE only so that Plaintiff may proceed with the application process, good cause appearing, and being otherwise duly advised in the premises, it is hereby

**ORDERED and ADJUDGED** as follows:

1. This adversary proceeding is dismissed without prejudice as to ECMC and DOE to allow Plaintiff's loans to be repurchased so that she can apply for the IBR with her lender or in the Ford Program.

2. If the Plaintiff is unable to obtain the IBR payment option, after making her best effort and through no fault of her own, then this Order shall be vacated, and this matter will be reset for a pretrial conference. In addition, as agreed to by the parties, the Plaintiff shall not be required to file or re-file another complaint, and the matter will continue forward on the existing record and pleadings.

**DONE AND ORDERED** in the Eastern District of Virginia on this 27<sup>th</sup> day of March, 2013.

Date: \_\_\_\_\_

\_\_\_\_\_  
U.S. Bankruptcy Judge

Entered on Docket: \_\_\_\_\_

I ask for this:

/s/Rand L. Gelber  
Rand L. Gelber, Esquire  
One Church Street, Suite 802  
Rockville, MD 20850  
Virginia State Bar No. 23991  
301-251-0202 x 16  
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Seen and Agreed to:

/s/ Jacqueline Webb (by Rand L. Gelber based upon written permission from Jacqueline Webb

Jacqueline Webb

1626 W. Abingdon Drive, #101

Alexandria, VA 22314

*Debtor Pro Se*

Seen and Agreed:

/s/ Robert Coulter, Esquire (by Rand L. Gelber based upon verbal permission from Robert Coulter)

Robert Coulter, Esquire

Assistant United States Attorney

U.S. Department of Justice, Eastern District of Virginia

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*Counsel for United States of America*

Seen and Agreed:

/s/ Robert L. Deichmeister (by Rand L. Gelber with permission via e-mail from Robert L.

Deichmeister)

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703-591-3100

*Counsel for Sallie Mae, Inc*

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to

Local Rule 9022-1(C).

/s/Rand L. Gelber.

Rand L. Gelber

From Article at [GetOutOfDebt.org](http://GetOutOfDebt.org)

**PARTIES TO RECEIVE COPIES**

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