

**FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:

**ROBERT HALE and MERCEDI
HALE,
Debtors.**

Case No. 12-31771-sgj

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**ROBERT HALE and MERCEDI
HALE,
Plaintiffs,**

Adv. No. 12-03126-sgj

v.

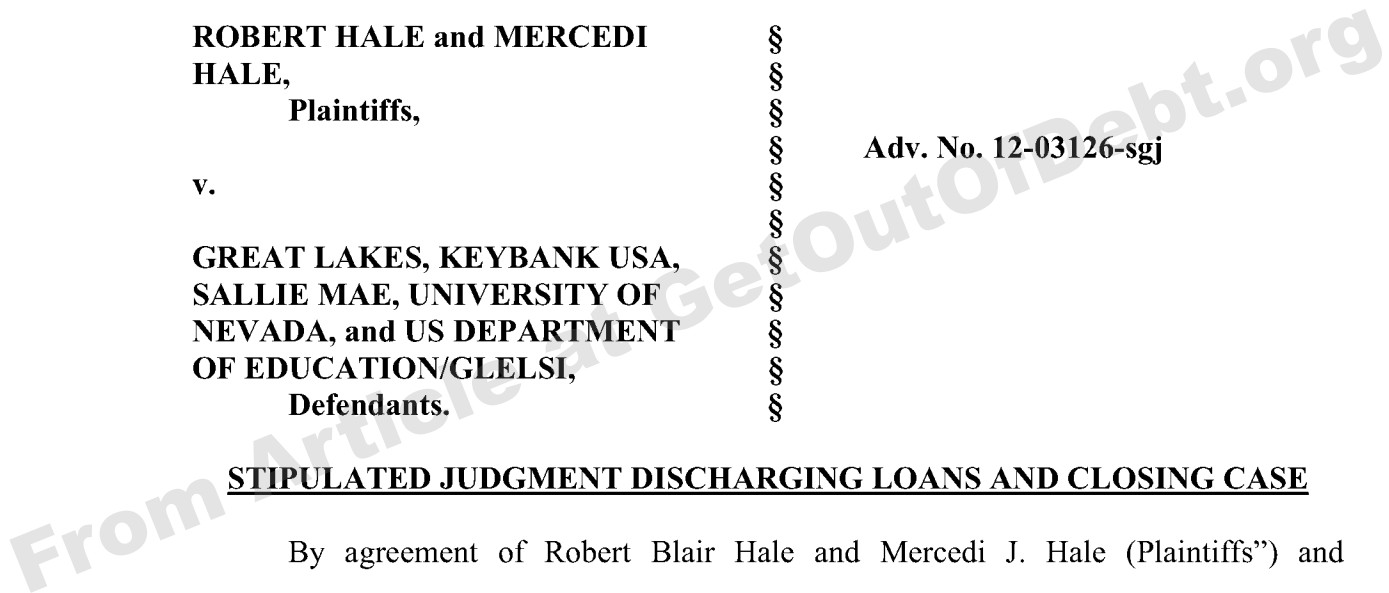
**GREAT LAKES, KEYBANK USA,
SALLIE MAE, UNIVERSITY OF
NEVADA, and US DEPARTMENT
OF EDUCATION/GLELSI,
Defendants.**

STIPULATED JUDGMENT DISCHARGING LOANS AND CLOSING CASE

By agreement of Robert Blair Hale and Mercedi J. Hale (Plaintiffs”) and Educational Credit Management Corporation (“ECMC”), and the United States of America, in behalf of the Department of Education (“DOE”), and the Court being otherwise sufficiently advised, the Court hereby makes the following findings of fact and enters the following judgment:

1. Plaintiff executed an educational promissory note (the “Note”) for a federal consolidation loan. The loan was disbursed on August 4, 2006, in the amount of \$47,033.00. The loan was assigned to ECMC by the guarantor, United Student Aid Funds, Inc., on or about August 29, 2012.

2. The Note assigned to ECMC evidences a student loan made to Plaintiff under a program funded in whole or in part by a governmental unit within the meaning of 11 U.S.C. § 523(a)(8). The program, referred to as the Federal Family Educational Loan



Program (“FFELP”), formerly known as the Guaranteed Student Loan Program), was established by the Higher Education Act of 1965, as codified at 20 U.S.C. § 1071 *et seq.*

3. ECMC is a private, nonprofit corporation and a guaranty agency under the FFELP. ECMC is a Minnesota corporation with its principal place of business located at 1 Imation Place, Building 2, Oakdale, MN 55128.

4. ECMC currently holds all right, title and interest in the Note.

5. Plaintiff Robert Hale is a 32 year-old individual with two dependents.

6. Plaintiffs allege that repayment of the student loan obligations would cause an undue hardship on Plaintiff Robert Hale. Plaintiff Robert Hale has produced medical records demonstrating that he has multiple disabling conditions.

7. The unpaid balance of the Note held by ECMC is \$60,340.25, as of January 3, 2012.

8. Plaintiff and ECMC stipulate that requiring Plaintiff Robert Hale to repay his Note would impose an undue hardship on the Plaintiff Robert Hale based on his multiple disabling conditions and the Note is therefore dischargeable under 11 U.S.C. § 523(a)(8).

9. Defendant United States of America, on behalf of the Department of Education (“DOE”), is owed student loan debt by Robert Hale based on Master Promissory Notes for a Federal Stafford Loan, for Federal Direct Loans, and for Federal Plus Loans totaling \$254,408.10, which were reinsured by the DOE under loan guaranty programs (“DOE-Loans”). As of December 20, 2011, the unpaid balance on the loans was \$308,568.08, consisting of principal in the amount of \$254,408.10 and interest in the

amount of \$54,487.08. The loans held by the DOE were being serviced by Great Lakes Higher Education Corporation.

10. Plaintiff and DOE stipulate that requiring Plaintiff Robert Hale to repay his DOE-Loans would impose an undue hardship on the Plaintiff Robert Hale based on his multiple disabling conditions and the DOE-Loans are therefore dischargeable under 11 U.S.C. § 523(a)(8).

11. Each party hereto agrees to bear their own costs, expenses and attorneys' fees in connection with the aforementioned lawsuit and claims.

12. The parties to this Agreed Judgment certify that they have read and fully understand its terms.

THEREFORE, JUDGMENT IS ENTERED AS FOLLOWS:

1. Plaintiff Robert Hale's obligations under the Note and under the DOE-Loans are hereby discharged.
2. This case is hereby closed.

AGREED TO:

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AMERICA, ON BEHALF OF THE
DEPARTMENT OF EDUCATION