

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:	:	
	:	
Kevin A. Cotter	:	
	:	
	:	Case No. 12-52497
	:	
Debtor.	:	Chapter 13
	:	
	:	Judge Hoffman
_____	:	
Kevin A. Cotter	:	
8565 Smith Calhoun Rd., Lot 180	:	
Plain City, OH 43064	:	
Plaintiff,	:	
	:	
	:	
	:	
	:	
vs.	:	Adv. Pro. No.
	:	
Navient Solutions Inc.	:	
Sallie Mae PC Trust	:	
c/o Sallie Mae Inc.	:	
220 Lasley Ave	:	
Wilkes-Barre, PA 18706	:	
	:	
Defendant	:	

COMPLAINT

1) Now comes Kevin A. Cotter, Plaintiff, by an through his attorney, who states that he filed a Chapter 13 voluntary petition on March 26, 2012, in the United States Bankruptcy Court for the Southern District of Ohio, Eastern Division, Case No. 12-52497.

- 2) This adversary proceeding is being brought in connection with Plaintiff's Chapter 13 voluntary petition. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. Sections 157, 1334, and 11 U.S.C. Section 523.
- 3) Plaintiff, Kevin A. Cotter,, has incurred student loan debt with the Defendant, Navient Solutions Inc. fka Sallie Mae Inc.
- 4) The total amount due and owing on said student loan according to the Defendant is approximately \$29,997.00. The Plaintiff disputes that amount as he has paid significant sums to the Defendant prior to and during his Chapter 13 case.
- 5) The Plaintiff has in good faith attempted to pay these student loan debts.
- 6) The Plaintiff will be unable to ever pay back this student loan debt in full in his lifetime.
- 7) Plaintiff incurred this student loan attending a school named ComputerTraining.com. The campus was located at 550 Polaris Parkway Westerville Ohio 43082. The Plaintiff started classes at said school on November 16, 2007 and was able to finish however the education he received was substandard, outdated and useless to him. Furthermore the school promised lifetime job placement assistance along with assistance with interviewing and resumes. The school he attended closed soon after he finished. The school in question is currently part of a class action lawsuit for fraud.
- 8) Plaintiff suffers from bipolar disorder and severe depression. Furthermore the plaintiff has severe arthritis in his knees, wrist and spine and has been adjudged totally disabled by the Social Security Administration. The Plaintiff is totally disabled and will not be able to work in the future.

- 9) Plaintiff's financial situation shows a "certainty of hopelessness".
- 10) Plaintiff has maximized his income and minimized his expenses but still cannot make a full payment per month on this student loan debt..
- 11) Excepting the above described student loan debt from discharge will impose an undue hardship on the Plaintiff and the Plaintiff's dependents.

Wherefore, Plaintiff, Kevin A. Cotter, respectfully requests this Court for an order declaring this student loan debt due and owing to Defendant, Navient Solutions Inc. fka Sallie Mae Inc., be found to be dischargeable pursuant to 11 U.S.C. Section 523(a)(8).

Respectfully submitted,

/s/ Matthew J. Thompson
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