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UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

**Stephanie Jane Henry-
Porter aka Stephanie
Henry,**

Debtor.

**Stephanie Jane Henry-
Porter,**

Plaintiff,

v.

**United States Department of
Education et al.,**

Defendants.

Case No. 16-31098-pcm7

Adv. Proc. No. 16-03048-pcm

**REQUESTS FOR
PRODUCTION**

**To: United States Department of Education
c/o attorney Kathleen Bickers
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204
kathleen.bickers@usdoj.gov**

INTRODUCTION

Under FRBP 7034 and LBR 9013-1(d)(2), United States Department of Education (creditor) shall follow the instructions below and respond to Stephanie Jane Henry-Porter (debtor) by July 18, 2016.

Upon request and for good cause, debtor agrees to grant creditor a short extension of the deadline above, provided that creditor turns over all the responsive documents in its litigation file at the time the extension is requested. No extension will be granted for objections and objections will be considered waived if not timely asserted by July 18, 2016.

If creditor fails to timely provide debtor documents or information responsive to a request below, debtor intends to file a motion in limine requesting an order prohibiting creditor from later introducing such responsive documents or information into evidence at trial.

INSTRUCTIONS

If any objection is made to any of the following discovery requests, creditor shall make any such objection and state the relevant legal basis for such objection. If any objection is made based upon a claim of privilege as to any response, creditor shall state the legal basis for the privilege it is invoking and provide a detailed privilege log to support the invocation of such privilege.

Each and every discovery request herein is deemed continuing in nature pursuant to the FRBP and LBR, and creditor is obligated to seasonably amend and provide any updated information that renders the responses to one or more of these discovery requests incomplete or inaccurate, and serve those amended responses upon the undersigned debtor's counsel.

As used in these discovery requests, the term "document" or "documents" means every writing or recorded material of every type and description, of any kind, that is in the possession, control or custody of creditor, which it has knowledge, whether originals, copies or facsimiles. Such writings or recordings include, but are not limited to, collection notes, electronic computer collection records, printouts of collection records, sample collection letters, Metro-data tapes, diskettes, computer hard drives, tape backups, Zip-type disks, magnetic media of any kind, CD-ROM, DVD, correspondence, memoranda, stenographic notes, handwritten notes, contracts, documents, rough drafts, inter-office memoranda, memoranda for the files, letters, research materials, logs, forms, bank statements, tax returns, card files, books of account, journals, ledgers, invoices, diagrams, minutes, manuals, studies, publications, pamphlets, pictures, films, voice recordings, reports, surveys, statistical compilations, data processing cards, computer records, tapes, print-outs, agreements, communications, state and federal governmental hearings,

reports, correspondence, telegrams, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, diaries, graphs, notebooks, note charts, charts, plans, drawings, sketches, maps, summaries or records of meetings or conferences, summaries or reports of investigations or negotiations, opinions or reports of consultants, photographs, video tape, motion picture film, digital photographs, brochures, advertisements, circular, press releases, drafts, any marginal comments appearing on any document, all other writings, books of all nature and kind whether handwritten, typed, printed, mimeographed, photocopied or otherwise reproduced, all tape recordings (whether for computer, audio, or visual replay) and all other written, printed, and recorded matter or tangible things upon which words, phrases, symbols or information of any kind are recorded, encrypted or otherwise stored.

Debtor requests that the documents be made available for this inspection at the offices of counsel for debtor at US Bancorp Tower, 111 SW 5th Ave, Suite 3150, Portland, Oregon 97204, or at such office of creditor as may be the location of any of the documents requested, during normal business hours, and with the least possible disruption to the ordinary course of creditor's business.

Debtor further requests that this inspection be permitted by creditor immediately after its response to this request has been served, and

that debtor's attorneys be permitted to remove from creditor's custody such documents as they may desire to copy, on the understanding that debtor's attorneys will be responsible for such documents so long as they are in their possession, that copying will be done at debtor's expense, and that the documents will be promptly returned after copying has been completed.

Documents and information produced responsive to these requests are public and not confidential unless subject to an existing protective order. These discovery requests are intended to cover all documents in creditor's possession, or subject to its custody and control, regardless of location. If there are no such documents, please so state. If there are such documents, please list and mark appended documents responsive to each request.

REQUESTS FOR DOCUMENTS

Debtor requests creditor produce in PDF, or make available for inspection, the following documents. For each response to a request below, creditor should identify each document by bates number that is responsive to the request:

1.

Documents evidencing whether debtor can maintain a minimal standard of living if required to repay her student loan debt to creditor.

2.

Documents evidencing whether debtor has any disposable income left over each month to repay her student loan debt to creditor.

3.

Documents evidencing whether debtor will ever be able to fully amortize her student loan debts with all of her creditors before she dies.

4.

Documents that tend to prove or disprove whether debtor's employment may terminate in the near future due to health issues.

5.

Documents evidencing any failure on debtor's part to maximize her income prior to filing bankruptcy.

6.

Documents evidencing any failure on debtor's part to maximize her income during her bankruptcy case.

7.

Documents that tend to prove or disprove whether debtor is working the highest paid job she can find.

8.

Documents that tend to prove or disprove whether debtor is working as many hours as her health permits her to.

9.

Documents evidencing whether debtor qualifies for any no-cost job training programs.

10.

Documents that tend to prove or disprove whether debtor lives in modest Section 8 housing with her five children.

11.

Documents that tend to prove or disprove whether debtor can take on roommates in her three-bedroom apartment for additional income.

12.

Documents that tend to prove or disprove whether debtor could find higher paying jobs in other geographical locations that would result in higher disposable income.

13.

Documents that tend to prove or disprove whether debtor has searched geographical locations outside Portland for higher paying jobs.

14.

Documents that evidence whether debtor could decrease her monthly expense budget in any reasonable way.

15.

Documents that evidence whether debtor contributes any money to retirement.

16.

Documents evidencing whether debtor drives a modest 1997 Honda Civic as her commuter car and a 2004 Chevy Venture minivan to transport her five children.

17.

Documents that tend to prove or disprove whether debtor's 2004 Chevy Venture minivan is having mechanical issues and will soon need to be replaced with a more reliable vehicle.

18.

Documents that evidence whether debtor can afford a car payment and full-coverage car insurance based on her current income.

19.

Documents that tend to prove or disprove whether debtor spends money on gambling, alcohol, or drugs, tanning salons, gyms, new clothes, hairdressers, cable TV, or any other frivolous expenses.

20.

Documents that evidence whether debtor's mobile phone plan is one of the cheapest plans offered by her carrier.

21.

Documents that tend to prove or disprove whether debtor's current state of financial affairs is likely to improve in the future.

22.

Documents that prove or disprove whether debtor suffers from anxiety or depression disorder or ADD or spinal stenosis or fibromyalgia.

23.

Documents that evidence whether three of debtor's children require special education which result in additional educational expenses associated with summer home-schooling.

24.

Documents evidencing whether or not debtor qualifies for additional student loans to complete a degree.

25.

Documents that tend to prove or disprove whether debtor is expecting any inheritance or gifts in the future that might allow her to repay her student loan debt to creditor.

26.

Documents evidencing whether debtor has any assets she could sell to repay her student loans.

27.

Documents evidencing any efforts by debtor to repay her student loan debt to creditor.

28.

An accounting of any payments made by debtor on her student loan debt with creditor.

29.

Documents evidencing any attempts by debtor to negotiate or request a repayment plan on her student loan debt with creditor.

30.

Documents evidencing whether or not debtor has repaid other debts instead of her student loan debt to creditor.

31.

Documents that tend to prove or disprove the factual allegations in the adversary proceeding complaint debtor filed on April 25, 2016.

32.

Documents (if any exist) evidencing any dishonesty on debtor's part.

33.

Documents in creditor's file from debtor's bankruptcy case number 16-31098-pcm7 and adversary proceeding case number 16-03048-pcm.

34.

Documents, including notices, internal emails, call logs, collection letters, correspondence, computer screen prints, or notes, in creditor's possession, custody, or control, that contain debtor's name.

35.

Documents, including notices, internal emails, call logs, collection letters, correspondence, computer screen prints, or notes, in creditor's possession, custody, or control, that contain debtor's student loan number.

36.

Recordings of or about debtor.

REQUESTS FOR ELECTRONICALLY STORED INFORMATION

Debtor request creditor produce or make available for inspection the following electronically stored information in its native file formats:

37.

Electronically stored information relevant to the 36 categories of documents requested above.

June 14, 2016

RESPECTFULLY SERVED,

/s/ Michael Fuller

Michael Fuller, OSB No. 09357

Pro Bono Attorney for Debtor

Olsen Daines PC

US Bancorp Tower

111 SW 5th Ave., Suite 3150

Portland, Oregon 97204

michael@underdoglawyer.com

Direct 503-201-4570

CERTIFICATE OF SERVICE

I certify that on the date below, I caused this document and all attachments to be served on creditor at the address below by U.S. Mail, first class regular and certified mail, postage pre-paid, return receipt requested:

**United States Department of Education
c/o attorney Kathleen Bickers
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204
kathleen.bickers@usdoj.gov**

June 14, 2016

/s/ Michael Fuller
Michael Fuller, OSB No. 09357
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