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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  
ADMISSION**

**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 7036 and LBR 9013-1(d)(2), United States Department of Education (creditor) shall admit or deny the following requests and provide its responses to Stephanie Jane Henry-Porter (debtor) by July 18, 2016.

## **REQUESTS FOR ADMISSION**

1.

Creditor has no documents evidencing that debtor can maintain a minimal standard of living if required to repay her student loan debt to creditor.

2.

Creditor has no documents evidencing that debtor has any disposable income left over each month to repay her student loan debt to creditor.

3.

Creditor has no documents evidencing that debtor will ever be able to fully amortize her student loan debts with all of her creditors before she dies.

4.

Creditor has no documents that suggest debtor's employment will not terminate in the near future due to health issues.

5.

Creditor has no documents evidencing any failure on debtor's part to maximize her income prior to filing bankruptcy.

6.

Creditor has no documents evidencing any failure on debtor's part to maximize her income during her bankruptcy case.

7.

Creditor has no documents that tend to prove debtor is not working the highest paid job she can find.

8.

Creditor has no documents evidencing that debtor is not working as many hours as her health permits her to.

9.

Creditor has no documents evidencing that debtor qualifies for any no-cost job training programs.

10.

Creditor has no documents evidencing that debtor does not live in modest Section 8 housing with her five children.

11.

Creditor has no documents that tend to prove debtor can take on roommates in her three-bedroom apartment for additional income.

12.

Creditor has no documents that tend to prove debtor could find higher paying jobs in other geographical locations that would result in higher disposable income.

13.

Creditor has no documents evidencing that debtor has not searched geographical locations outside Portland for higher paying jobs.

14.

Creditor has no documents evidencing that debtor could decrease her monthly expense budget in any reasonable way.

15.

Creditor has no documents evidencing that debtor contributes any money to retirement.

16.

Creditor has no documents evidencing that debtor does not drive a modest 1997 Honda Civic as her commuter car and a 2004 Chevy Venture minivan to transport her five children.

17.

Creditor has no documents that tend to contradict debtor's allegation that her 2004 Chevy Venture minivan is having mechanical issues and will soon need to be replaced with a more reliable vehicle.

18.

Creditor has no documents evidencing that debtor can afford a car payment and full-coverage car insurance based on her current income.

19.

Creditor has no documents evidencing that debtor spends money on gambling, alcohol, or drugs, tanning salons, gyms, new clothes, hair-dressers, cable TV, or any other frivolous expenses.

20.

Creditor has no documents evidencing debtor's mobile phone plan is not one of the cheapest plans offered by her carrier.

21.

Creditor has no documents that suggest debtor does not suffer from anxiety or depression disorder or ADD or spinal stenosis or fibromyalgia.

22.

Creditor has no documents that tend to contradict debtor's allegation that three of her children require special education which result in additional educational expenses associated with summer home-schooling.

23.

Creditor has no documents that tend to prove debtor's current state of financial affairs is likely to improve in the future.

24.

Creditor has no documents evidencing that debtor qualifies for additional student loans to complete a degree.

25.

Creditor has no documents evidencing that debtor is expecting any inheritance or gifts in the future that might allow her to repay her student loan debt to creditor.

26.

Creditor has no documents evidencing that debtor has any assets she could sell to repay her student loans.

27.

Creditor has no documents evidencing any dishonestly on debtor's part.

28.

Debtor cannot maintain a minimal standard of living if required to repay her student loan debt to creditor.

29.

Debtor has no disposable income left over each month to repay her student loan debt to creditor.

30.

Debtor will never be able to fully amortize her student loan debts with all of her creditors before she dies.

31.

Debtor's employment will terminate in the near future due to health issues.

32.

Debtor attempted to maximize her income prior to filing bankruptcy.

33.

Debtor attempted to maximize her income during her bankruptcy case.

34.

Debtor is working the highest paid job she can find.

35.

Debtor is working as many hours as her health permits her to.

36.

Debtor does not qualify for any no-cost job training programs.

37.

Debtor lives in modest Section 8 housing with her five children.

38.

Debtor cannot take on roommates in her three-bedroom apartment for additional income.

39.

Debtor cannot find higher paying jobs in other geographical locations that would result in higher disposable income.

40.

Debtor has searched geographical locations outside Portland for higher paying jobs to no avail.

41.

Debtor cannot decrease her monthly expense budget in any reasonable way.

42.

Debtor contributes no money to retirement.

43.

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

44.

Debtor's 2004 Chevy Venture minivan is having mechanical issues and will soon need to be replaced with a more reliable vehicle.

45.

Debtor cannot afford a car payment or full-coverage car insurance based on her current income.



46.

Debtor does not spend money on gambling, alcohol, or drugs, tanning salons, gyms, new clothes, hairdressers, cable TV, or any other frivolous expenses.

47.

Debtor's mobile phone plan is one of the cheapest plans offered by her carrier.

48.

Debtor suffers from anxiety.

49.

Debtor suffers from depression disorder.

50.

Debtor suffers from ADD.

51.

Debtor suffers from spinal stenosis.

52.

Debtor suffers from fibromyalgia.

53.

Three of debtor's children require special education which results in additional educational expenses associated with summer homeschooling.

54.

Debtor's current state of financial affairs is not likely to improve in the future.

55.

Debtor does not qualify for additional student loans to complete a degree.

56.

Debtor is not expecting any inheritance or gifts in the future that might allow her to repay her student loan debt to creditor.

57.

Debtor has no assets she could sell to repay her student loans.

58.

Debtor has made reasonable efforts to repay her student loan debt to creditor.

59.

Debtor has made at least one payment on her student loan debt with creditor.

60.

Debtor has requested a repayment plan on her student loan debt with creditor.

61.

Debtor has not repaid other debts instead of her student loan debt to creditor.

June 14, 2016

**RESPECTFULLY SERVED,**

/s/ Michael Fuller

**Michael Fuller, OSB No. 09357**

Pro Bono Attorney for Debtor

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## 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  
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