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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

**NOTICE OF DEPOSITION**

**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**

On June 14, 2016, Stephanie Jane Henry-Porter (debtor) provided United States Department of Education (creditor) a proposed notice of deposition containing specific matters for examination so creditor could have as much time as possible to nominate and prepare deponents most knowledgeable to testify on its behalf.

If creditor fails to prepare its deponents to provide debtor all information known or reasonable available to creditor as to each specific matter below during its FRCP 30(b)(6) deposition, debtor intends to file a motion compelling creditor to produce the information and to pay debtor's expenses incurred in making the motion.

## **TIME AND PLACE OF DEPOSITION**

Under FRBP 7030 by reference to FRCP 30(b)(6), debtor will take creditor's deposition at:

**1000 SW Third Avenue, Suite 600  
Portland, Oregon 97204  
August 10, 2016  
10 AM local time, until complete**

before an officer authorized by law to administer oaths. The deposition transcript will be officially stenographically recorded and preserved by a court reporter officer designated under FRCP 28. The deposition may also be officially recorded by a professional videographer. The deposition

testimony will be available for public access unless a protective order is entered prior to the examination.

### **MATTERS FOR EXAMINATION**

Creditor must designate one or more persons to testify on its behalf as to its knowledge of each of the following matters:

1.

Non-privileged information relevant to creditor's efforts to designate deponents to testify as to the 10 separate matters for examination in this notice of deposition.

2.

Creditor's efforts to produce documents and permit inspection pursuant to debtor's 37 separate requests for production of documents served June 14, 2016.

3.

Creditor's written responses to debtor's requests for production of documents.

4.

The information contained in the documents produced by creditor responsive to debtor's requests for production of documents.

5.

Electronically stored information produced or maintained by creditor responsive to debtor's requests for production of documents.

6.

Creditor's responses to debtor's 61 separate requests for admission served June 14, 2016.

7.

Documents and information produced or filed by debtor in this adversary proceeding.

8.

Debtor's eligibility for income based repayment plans before, during, and after bankruptcy.

9.

The factual allegations in debtor's adversary proceeding complaint.

10.

The factual allegations in creditor's answer to debtor's adversary proceeding complaint.

## **NOTICE OF DUTY TO DESIGNATE**

Creditor must designate one or more persons to testify on its behalf at a deposition as to its knowledge of each of the specific matters listed above. Creditor should come to the deposition with its documents responsive to debtor's discovery requests.

For each person designated to testify, creditor should provide their name, address, phone number, curriculum vitae and business card, and the specific matters to which each person will testify, at least a week before the deposition.

If creditor does not intend to testify as to any specific matter contained in this notice, creditor should make its objection in writing to debtor's counsel at least three weeks before the deposition so the Court may have time to entertain a motion to compel.

The persons so designated should come to the deposition having reviewed this notice of deposition, debtor's discovery requests, creditor's written discovery responses, creditor's documents responsive to debtor's discovery requests, debtor's filed complaint, and creditor's filed answer.

Debtor reserve her right to supplement this notice with additional matters for examination as information is learned through discovery.

June 14, 2016

**RESPECTFULLY SERVED,**

/s/ Michael Fuller

**Michael Fuller, OSB No. 09357**

Pro Bono Attorney for Debtor

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Portland, Oregon 97204

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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**  
Pro Bono Attorney for Plaintiff  
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