

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

IN RE:

ITT EDUCATIONAL SERVICES, INC.,
Debtor.

Chapter 7
Case No. 16-07207-JMC-7A

Jointly Administered

JORGE VILLALBA, JAMES ERIC
BREWER, JOSHUA CAHILL, JUAN
HINCAPIE, CHERYL HOUSE, on their own
behalf and on behalf of all other persons
similarly situated,

Plaintiffs,

v.

ITT EDUCATIONAL SERVICES, INC. et al.,

Defendants.

Adv. Pro. No. 17- _____

DECLARATION OF EILEEN CONNOR

I, Eileen Connor, make this affidavit in support of the foregoing Class Complaint against ITT Educational Services, Inc. et al.

1. I am an attorney at the Legal Services Center of Harvard Law School, where I am the Director of Litigation of the Project on Predatory Student Lending.
2. I submit this affidavit to place before the court testimony from ITT students.
3. This testimony was collected by an organization called the Debt Collective. Debt Collective is a membership organization that leverages the collective power of debtors to change the conditions of debt and the conditions that create indebtedness. It has coordinated collective action by debtors trapped by for-profit colleges. Upon information and belief, it is an unincorporated non-profit organization with Sustainable Markets as its fiscal sponsor.

4. Debt Collective helps borrowers defrauded by their schools apply to have their federal student loans forgiven by the U.S. Department of Education using its “Defense to Repayment App,” available at <https://debt-is.herokuapp.com/defense-to-repayment>.

5. To apply, debtors fill out an online form including their name and address, social security number, their phone number and email, their employment information, and some information about their student loan debt.

6. Applicants also self-report the name of the school they attended, their dates of attendance, the name of the program(s) they attended, and the address of the school.

7. In addition to collecting this information, the app guides students through a series of questions about the basis for their claim that they were defrauded by their school. If applicable, students indicate that they were exposed to misrepresentations about their employment prospects, the type of career services the school would provide, the nature of the program and school facilities, the cost of their attendance and manner of financing that cost. Students are directed to explain each basis.

8. The app also prompts students with questions about the nature of injury, if any, that they experience as a result of the school’s actions.

9. To submit the application, users must provide an electronic signature indicating their assent to the following terms:

I have read and understand all of the information in this form.

I agree to provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfaction of the Department of Education or its designee that I meet the qualifications for borrower defense to repayment loan discharge.

All of the information I provided is true and complete to the best of my knowledge and I agree, if asked, to provide information reasonably available to me to the Department of Education that will verify the accuracy of my completed attestation.

I understand that the Department of Education has the authority to verify information reported on this application with other federal or state agencies or other entities. I

authorize the Department of Education, along with its agents and contractors, to contact me regarding this request at the phone number above using automated dialing equipment or artificial or prerecorded voice or text messages.

I understand that if I purposely provided false or misleading information on this application, I may be subject to the penalties specified in 18 U.S. Code § 1001.

I certify that, if my defense is successful, upon request I will provide assistance and cooperation to the U.S. Department of Education (the Department) in any proceedings or enforcement actions against the school related to my defense or the conduct asserted herein

10. After an application is submitted, the app generates a document collating the information supplied by the applicant.

11. Each application generated by the Defense to Repayment App is assigned a unique identification number. Some people fill out the application more than once and are therefore assigned more than one identification number.

12. Upon information and belief, Debt Collective automatically submits each application to the U.S. Department of Education via email.

13. Debt Collective informs student loan borrowers applying for Defense to Repayment using its app that the information they provide in filling it out will only be shared with the Department of Education, organizers of the Debt Collective, and lawyers working to “erase illegitimate debts.”

14. Since the launch of its Defense to Repayment App in March 2015, approximately 2,255 individual applications have been submitted by borrowers who attended ITT.

15. To create the exhibits attached to this declaration, I identified excerpts from the Defense to Repayment applications created on the Debt Collective app. I organized excerpts from these applications according to topics, as described below.

16. To populate the identifying information that precedes each student’s testimony, I used:

- a. Each student’s self-reported name;

- b. Each student’s unique ID number or numbers assigned by Debt Collective when the application was submitted;
- c. Each student’s self-reported program and dates of attendance; and
- d. Each student’s campus. Applicants self-report the address of the campus they attended. I used a list of ITT campuses from its accreditor, ACICS, and matched each self-reported campus address to a school location. In the instances when I could not match the address provided to an ITT location, or an address was not provided, no campus location is included in the entry. Some students entered a campus address in Indiana. These students are listed as attending in Indiana but may have attended online programs while residing in another state.

17. I did not edit or alter the text of students’ applications except to standardize typographical format. Where required, I:

- a. Capitalized the beginning of entries and sentences;
- b. Added periods to the ends of sentences;
- c. Capitalized ITT;
- d. Converted applications submitted in all capital letters to sentence case.

18. Along with other lawyers working under my supervision, I also omitted irrelevant portions of applications, marking internal elisions with brackets.

19. For the purpose of this submission, I have redacted borrowers’ names. I can provide unredacted exhibits once an appropriate protective order is in place.

20. Attached to this declaration are true and correct copies of application excerpts in which ITT students address the following topics:

Ex.	Description
1	Attestations from former ITT students that their credential from ITT is not recognized or valued by employers
2	Attestations from former ITT students that ITT representatives quoted inflated job placement statistics and expected earnings of graduates during the recruitment process.

3	Attestations from former ITT students describing promises ITT representatives made to them regarding the job placement services that ITT provides to students.
4	Attestations from former ITT students that ITT representatives guaranteed them employment or employment in a particular field or of a particular caliber.
5	Attestations from former ITT students describing ITT representatives' misrepresentations that ITT courses would prepare students for, or result in students obtaining, industry-preferred certifications, and misrepresentations that the ITT course was an adequate substitute for such certifications.
6	Attestations from former ITT students that they were misled about the qualifications of ITT instructors, the hands-on training they would receive, and the relevance of the curriculum and facilities to industry standards.
7	Attestations from former ITT students that ITT engaged in falsification of student attendance and grades.
8	Attestations from former ITT students that ITT representatives engaged in illegal behavior towards regulators, and concealed the extent of their illegal behavior to students.
9	Attestations from former ITT students that ITT engaged in bait and switch tactics that left students with cancelled programs, in different programs than they intended to enroll in, and taking online courses rather than live instruction.
10	Attestations from former ITT students misrepresented the transferability of ITT credits to other schools.
11	Attestations from former ITT students that ITT representatives misrepresented the total cost of their degree program.
12	Attestations from former ITT students about ITT misleading them about the nature and terms of the "temporary credit" and private loans.
13	Attestations from former ITT students that ITT financial aid representatives obfuscated the distinctions between federal student loans, private student loans, and grants.

14	Attestations from former ITT students that ITT took out an unnecessarily high number of distinct loans on their behalf without their knowledge.
15	Attestations from former ITT students that ITT representatives downplayed and minimized the true nature of their debt burden and their ability to manage and repay their debt.
16	Attestations from former ITT students that ITT failed to disburse financial aid money owed to the student.
17	Attestations from former ITT students describing unilateral changes to their program cost and/or surprise fees levied by ITT at the end of their program.
18	Attestations from former ITT students describing the pressure tactics used by ITT representatives to get them to sign loan obligations without adequate opportunity to ask questions.
19	Attestations from former ITT students about ITT financial aid representatives signing or “e-signing” loan documents without the student’s knowledge or consent.
20	Attestations from former ITT students about the loss or misuse of student aid specifically for veterans.
21	Attestations from former ITT students about the injury to their credit from unmanageable ITT debt.
22	Attestations from former ITT students describing harassing debt collection experiences resulting from unmanageable ITT debt.
23	Attestations from former ITT students describing involuntary collection through Treasury offset and/or wage garnishment in service of unmanageable ITT debt.
24	Attestations from former ITT students describing negative impact of unmanageable ITT debt on their emotional and physical well-being.
25	Attestations s from former ITT students that attending ITT has ruined their life.
26	Attestations from former ITT students describing the negative impact that attending ITT has

	had on their family members.
27	Attestations from former ITT students that attending ITT has wasted their time and precluded them from pursuing necessary further education.
28	Attestations from former ITT students who have struggled with homelessness due to their unmanageable ITT debt.
29	Attestations from former ITT students describing the shame and embarrassment they feel for having been swindled by ITT.

Signed under the pains and penalties of perjury in Boston, Massachusetts this 20th day of December, 2016.



A handwritten signature in cursive script, appearing to read 'Eileen', is written over a horizontal line.

Eileen Connor

