

Nos. 15-2044, 15-2082 and 15-2109

In the United States Court of Appeals for the Seventh Circuit

ALPHONSE D. OWENS,
Plaintiff-Appellant,

v.

LVNV FUNDING, LLC,
Defendant-Appellee.

On Appeal from the United States District Court for the Southern District of
Indiana in No. 1:14-cv-02083-JMS-TAB, Hon. Jane E. Magnus-Stinson, District
Judge

TIA ROBINSON, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,
Plaintiff-Appellant,

v.

ECAST SETTLEMENT CORPORATION, A DELAWARE CORPORATION, ET AL.,
Defendants-Appellees.

On Appeal from the United States District Court for the Northern District of Illinois
in No. 1:14-cv-08277, Hon. Manish S. Shah, District Judge

JOSHUA BIRTCHMAN,
Plaintiff-Appellant,

v.

LVNV FUNDING, LLC, ET AL.,
Defendants-Appellees.

On Appeal from the United States District Court for the Southern District of
Indiana in No. 1:14-cv-00713-JMS-TAB, Hon. Jane E. Magnus-Stinson, District
Judge

**AMICUS BRIEF IN SUPPORT OF PLAINTIFFS-APPELLANTS
ARGUING FOR REVERSAL IN ALL THREE CASES**

David S. Yen
Daniel P. Lindsey
LAF (Legal Assistance Foundation)
120 S. LaSalle Street, Suite 900
Chicago, IL 60603
312-347-8372 (Yen)
312-347-8365 (Lindsey)

National Assoc. Of Consumer
Bankruptcy Attorneys
By its attorney Tara Twomey, Esq.
National Consumer Bankruptcy
Rights Center
1501 The Alameda
San Jose, CA 95126
831-229-0256

APPEARANCE & CIRCUIT RULE 26.1 DISCLOSURE STATEMENT

Appellate Court No: 15--2044

Short Caption: Owens v. LVNV Funding, LLC (consolidated with 15-2082 & 15-2109)

To enable the judges to determine whether recusal is necessary or appropriate, an attorney for a non-governmental party or amicus curiae, or a private attorney representing a government party, must furnish a disclosure statement providing the following information in compliance with Circuit Rule 26.1 and Fed. R. App. P. 26.1.

The Court prefers that the disclosure statement be filed immediately following docketing; but, the disclosure statement must be filed within 21 days of docketing or upon the filing of a motion, response, petition, or answer in this court, whichever occurs first. Attorneys are required to file an amended statement to reflect any material changes in the required information. The text of the statement must also be included in front of the table of contents of the party's main brief. **Counsel is required to complete the entire statement and to use N/A for any information that is not applicable if this form is used.**

[] PLEASE CHECK HERE IF ANY INFORMATION ON THIS FORM IS NEW OR REVISED AND INDICATE WHICH INFORMATION IS NEW OR REVISED.

(1) The full name of every party that the attorney represents in the case (if the party is a corporation, you must provide the corporate disclosure information required by Fed. R. App. P 26.1 by completing item #3):

N/A (amicus supporting appellants)

Amici are two non profit corporations. (1) National Association of Consumer Bankruptcy Attorneys; (2) LAF

(2) The names of all law firms whose partners or associates have appeared for the party in the case (including proceedings in the district court or before an administrative agency) or are expected to appear for the party in this court:

LAF

(3) If the party or amicus is a corporation:

i) Identify all its parent corporations, if any; and

N/A

ii) list any publicly held company that owns 10% or more of the party's or amicus' stock:

N/A

Attorney's Signature: s/ David S. Yen Date: 12/18/2015

Attorney's Printed Name: David S. Yen

Please indicate if you are *Counsel of Record* for the above listed parties pursuant to Circuit Rule 3(d). Yes No

Address: 120 S. LaSalle St, Suite 900
Chicago IL 60603

Phone Number: 312-347-8372 Fax Number: 312-612-1472

E-Mail Address: dyen@lafchicago.org

APPEARANCE & CIRCUIT RULE 26.1 DISCLOSURE STATEMENT

Appellate Court No: 15--2044

Short Caption: Owens v. LVNV Funding, LLC (consolidated with 15-2082 & 15-2109)

To enable the judges to determine whether recusal is necessary or appropriate, an attorney for a non-governmental party or amicus curiae, or a private attorney representing a government party, must furnish a disclosure statement providing the following information in compliance with Circuit Rule 26.1 and Fed. R. App. P. 26.1.

The Court prefers that the disclosure statement be filed immediately following docketing; but, the disclosure statement must be filed within 21 days of docketing or upon the filing of a motion, response, petition, or answer in this court, whichever occurs first. Attorneys are required to file an amended statement to reflect any material changes in the required information. The text of the statement must also be included in front of the table of contents of the party's main brief. **Counsel is required to complete the entire statement and to use N/A for any information that is not applicable if this form is used.**

[] PLEASE CHECK HERE IF ANY INFORMATION ON THIS FORM IS NEW OR REVISED AND INDICATE WHICH INFORMATION IS NEW OR REVISED.

(1) The full name of every party that the attorney represents in the case (if the party is a corporation, you must provide the corporate disclosure information required by Fed. R. App. P 26.1 by completing item #3):

N/A (amicus supporting appellants)

Amici are two non profit corporations. (1) National Association of Consumer Bankruptcy Attorneys; (2) LAF

(2) The names of all law firms whose partners or associates have appeared for the party in the case (including proceedings in the district court or before an administrative agency) or are expected to appear for the party in this court:

LAF

(3) If the party or amicus is a corporation:

i) Identify all its parent corporations, if any; and

N/A

ii) list any publicly held company that owns 10% or more of the party's or amicus' stock:

N/A

Attorney's Signature: s/ Daniel P. Lindsey Date: 12/18/2015

Attorney's Printed Name: Daniel P. Lindsey

Please indicate if you are *Counsel of Record* for the above listed parties pursuant to Circuit Rule 3(d). Yes No

Address: 120 S. LaSalle St, Suite 900
Chicago IL 60603

Phone Number: 312-347-8365 Fax Number: 312-612-1465

E-Mail Address: dlindsey@lafchicago.org

APPEARANCE & CIRCUIT RULE 26.1 DISCLOSURE STATEMENT

Appellate Court No: 15--2044

Short Caption: Owens v. LVNV Funding, LLC (consolidated with 15-2082 & 15-2109)

To enable the judges to determine whether recusal is necessary or appropriate, an attorney for a non-governmental party or amicus curiae, or a private attorney representing a government party, must furnish a disclosure statement providing the following information in compliance with Circuit Rule 26.1 and Fed. R. App. P. 26.1.

The Court prefers that the disclosure statement be filed immediately following docketing; but, the disclosure statement must be filed within 21 days of docketing or upon the filing of a motion, response, petition, or answer in this court, whichever occurs first. Attorneys are required to file an amended statement to reflect any material changes in the required information. The text of the statement must also be included in front of the table of contents of the party's main brief. Counsel is required to complete the entire statement and to use N/A for any information that is not applicable if this form is used.

[] PLEASE CHECK HERE IF ANY INFORMATION ON THIS FORM IS NEW OR REVISED AND INDICATE WHICH INFORMATION IS NEW OR REVISED.

(1) The full name of every party that the attorney represents in the case (if the party is a corporation, you must provide the corporate disclosure information required by Fed. R. App. P 26.1 by completing item #3):

N/A (amicus supporting appellants)

Amici are two non profit corporations. (1) National Association of Consumer Bankruptcy Attorneys; (2) LAF

(2) The names of all law firms whose partners or associates have appeared for the party in the case (including proceedings in the district court or before an administrative agency) or are expected to appear for the party in this court:

N/A

(3) If the party or amicus is a corporation:

i) Identify all its parent corporations, if any; and

N/A

ii) list any publicly held company that owns 10% or more of the party's or amicus' stock:

N/A

Attorney's Signature: s/ Tara Twomey Date: 12/18/2015

Attorney's Printed Name: Tara Twomey

Please indicate if you are Counsel of Record for the above listed parties pursuant to Circuit Rule 3(d). Yes No X

Address: 1501 The Alameda San Jose, CA 9512

Phone Number: Direct: (831) 229-0256 Fax Number:

E-Mail Address: ttwomey@me.com

TABLE OF CONTENTS

CIRCUIT RULE 26.1 DISCLOSURE STATEMENTS..... i

TABLE OF CONTENTS..... iv

TABLE OF AUTHORITIES v

STATEMENT OF IDENTITY AND INTEREST OF *AMICI CURIAE* 1

STATEMENT OF AUTHORSHIP AND FUNDING OF *AMICUS* BRIEF 3

SUMMARY OF THE ARGUMENT 4

ARGUMENT 5 4

I. Debt Collectors Will Continue to Inundate the Bankruptcy Courts With
Frivolous Claims Unless They Are Found Liable Under the FDCPA 5

A. The economic factors of the claims allowance process are heavily
tilted in favor of debt collectors 6

B. Since buyers of stale debts acquire them at a substantial discount,
the safeguards of the bankruptcy system alone are insufficient to
hold back the tide of frivolous claims..... 13

CONCLUSION..... 15

RULE 32(A)(7) CERTIFICATION 16

CERTIFICATE OF SERVICE 17

ADDENDUM

Banko datasheet Add 1

In re Pritchett, Case no 2015 B 00287 (Bankr. N.D. Ill.)

Petition Add 2

Proof of claim # 1 Add 5

Certificate of service Add 10

TABLE OF AUTHORITIES

Cases:

<i>Clark, Matter of</i> , 738 F.2d 869 (7th Cir. 1984)	6
<i>Edwards v. LVNV Funding, LLC</i> , 539 B.R. 360, 365 (Bankr. N.D. Ill. 2015)	10, 12
<i>LaMont, In re</i> , 740 F. 3d 397 (7th Cir. 2014).....	6
<i>McMahon v. LVNV Funding, LLC</i> , 744 F.3d 1010 (7th Cir. 2014)	5, 6
<i>Pajian, In re</i> , 785 F.3d 1161, 1164 (7th Cir. 2015)	10
<i>Phillips v. Asset Acceptance</i> 736 F.3d 1076 (7th Cir. 2013)	5, 6
<i>Randolph v. IMBS, Inc.</i> 368 F.3d 726 (7th Cir. 2004);.....	5
<i>Schwab v. Reilly</i> , 560 U.S. 770 (2010)	1
<i>Thompson v. General Motors Acceptance Corp., LLC</i> , 566 F. 3d 699 (7th Cir. 2009).....	6
<i>United States Aid Funds, Inc. v. Espinosa</i> , 559 U.S. 260 (2010).....	1

Statutes and Rules:

Statutes

11 U.S.C. § 341(a)	9
11 U.S.C. § 727(a)(8)	6
11 U.S.C. § 1325(b)(1)(B)	14
11 U.S.C. § 1328(f)(1).....	7
Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692-1692p.....	4, <i>passim</i>

Rules

Fed. R. App. P. 29(c)(5) 2

Fed. R. App. P. 29(d) 16

Fed. R. App. P. 32(a)(5)..... 16

Fed. R. App. P. 32(a)(6)..... 16

Fed. R. App. P. 32(a)(7)(B)..... 16

Fed. R. Bankr. P. 3004..... 10

Fed. R. Bankr. P. 3007..... 11

Fed. R. Bankr. P. 7004..... 11

Fed. R. Bankr. P. 9014(b) 11

Seventh Circuit Rule 32(b) 16

Other materials:

Federal Trade Commission, *The Structure and Practices of the Debt Buying Industry* (January 2013)..... 4, 13

Jake Halpern, *Bad Paper: Chasing Debt from Wall Street to the Underworld* (Farrar, Straus and Giroux 2014) 13

STATEMENT OF IDENTITY AND INTEREST OF *AMICI CURIAE*

The National Association of Consumer Bankruptcy Attorneys, or NACBA, is a non-profit organization of more than 3,000 consumer bankruptcy attorneys practicing throughout the country. Incorporated in 1992, NACBA is the only nationwide association of attorneys organized specifically to protect the rights of consumer bankruptcy debtors. NACBA works to educate the bankruptcy bar and the community at large on the uses and misuses of the consumer bankruptcy process. NACBA also advocates for consumer debtors on issues that cannot be addressed adequately by individual member attorneys. NACBA has filed numerous amicus briefs in cases involving the rights of consumer debtors. *See, e.g., Schwab v. Reilly*, 560 U.S. 770 (2010); *United States Aid Funds, Inc. v. Espinosa*, 559 U.S. 260 (2010).

If debt collectors cannot be deterred from filing frivolous proofs of claims in Chapter 13 bankruptcy cases, tens of thousands of NACBA members' clients potentially will be harmed because they will need to pay more in order to successfully complete their Chapter 13 cases. These frivolous claims also decrease the efficiency and fairness of the bankruptcy system. Efficiency will be reduced because the only way to prevent payment on these claims is for debtors to file objections to each frivolous claim. Ruling on these objections will tax limited judicial resources unnecessarily. Fairness will be reduced whenever a debt collector receives payments on a frivolous claim, because those payments are diverted from creditors with legitimate claims.

LAF is a not-for-profit organization that provides free legal representation and counsel in civil cases to disadvantaged people and communities throughout Cook County. Each year LAF's advocates represent thousands of clients who are living in poverty, or otherwise vulnerable, in a wide range of civil legal matters. LAF's areas of practice include bankruptcy, child custody, parentage, child welfare, orders of protection, education, employment, foreclosure defense, housing, immigration, and public benefits.

LAF practices extensively in the bankruptcy area, but it can only represent a minority of its prospective clients who could benefit from a bankruptcy. LAF is currently representing approximately ten clients in lawsuits brought under the Fair Debt Collection Practices Act ("FDCPA") against debt collectors who have filed proofs of claim for legally unenforceable debts in Chapter 13 cases.

Since 2007, LAF has operated a program where a combination of LAF attorneys and volunteer attorneys provide limited services to clients who have filed or are thinking of filing bankruptcy without an attorney. This *pro se* assistance program can see only a fraction of the people who seek advice from the program. Every fraction of an hour that a staff or volunteer attorney has to take to meet with a client about a frivolous claim, every hour that an attorney spends in court before an objection to the frivolous claim can be sustained, is time that cannot be spent more productively to provide legal assistance to another client.

Both NACBA and LAF thus submit this brief to support the position of the plaintiff-appellants that filing proofs of claim on debts that are legally unenforceable violates the Fair Debt Collection Practices Act.

STATEMENT OF AUTHORSHIP AND FUNDING OF *AMICUS* BRIEF

Pursuant to Fed. R. App. P. 29(c)(5), no counsel for a party authored this brief in whole or in part, and no person or entity other than NACBA, its members, and its counsel made any monetary contribution toward the preparation or submission of this brief.

CONSENT

This brief is being filed with the consent of the parties.

SUMMARY OF THE ARGUMENT

The sale and resale of delinquent debt is a multibillion-dollar industry. As debts become older the price paid for each dollar of debt decreases. Debt that is beyond the statute of limitations (“time-barred debt”), and therefore legally unenforceable nevertheless has some value to a debt collector and is regularly sold in the distressed debt market.

A Federal Trade Commission (“FTC”) study published in January 2013 found that 6 of the largest debt buyers in the nation paid an average of 4.0 cents for each dollar of debt. Fed. Trade Comm’n, *The Structure and Practices of the Debt Buying Industry*, ii and 23 (January 2013).¹ Older debt sells for a significantly lower price. *Id.*

Once a debtor files bankruptcy, the additional tasks for a debt collector to file a proof of claim are cheap and simple. Because of the low purchase price of time-barred debt and the low cost of collecting once a bankruptcy petition has been filed, debt collectors will not be deterred from buying and filing proofs of claim on time-barred debt unless there is a price to be paid.

Lawsuits against debt collectors under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §§ 1692 to 1692p, are a Congressionally authorized remedy that will be effective in curbing the abusive practice of using the bankruptcy system to collect on legally unenforceable debt.

¹ Available at available at <https://www.ftc.gov/sites/default/files/documents/reports/structure-and-practices-debt-buying-industry/debtbuyingreport.pdf>, last visited December 17, 2015.

ARGUMENT

The District Courts' refusal to find that filing a proof of claim based on a legally unenforceable debt in a Chapter 13 case is a violation of the FDCPA cannot be justified by reference to the text of either the Bankruptcy Code or the FDCPA, and goes against this Court's decisions in *Randolph*, *Phillips* and *McMahon*.²

Appellants' Opening Brief, passim.

I. Debt Collectors Will Continue to Inundate the Bankruptcy Courts With Frivolous Claims Unless They Are Found Liable Under the FDCPA

The District Courts erred in part because they did not have a full appreciation of how the claims allowance process is meant to work and how the defendants' actions make that process less efficient, and by failing to recognize that the most effective way to reduce the burdens on the federal court system caused by the flood of legally unenforceable claims is to apply the FDCPA in a straightforward way when consumers file FDCPA lawsuits. If this is done there will be a period of increased FDCPA litigation in the District Courts and their adjuncts, the Bankruptcy Courts. But this will be a temporary phenomenon, because the debt collectors who are now consciously and systematically filing frivolous claims *en masse* will stop that practice once it is clear that they have to pay for their abusive practices. The alternative – ignoring violations of the FDCPA – may appear to be a way to reduce the burden on the judicial system, but it will not have that effect. Debtors will file objections to these claims by the thousands in the bankruptcy courts, and they will

² *Randolph v. IMBS, Inc.* 368 F.3d 726 (7th Cir. 2004); *Phillips v. Asset Acceptance* 736 F.3d 1076 (7th Cir. 2013); *McMahon v. LVNV Funding, LLC*, 744 F.3d 1010 (7th Cir. 2014)

continue to do so for years to come. Even if, at some point, Chapter 13 trustees start to object to frivolous claims, the debt collectors would not stop because they would still be able to make a handsome profit even if ninety percent or more of their claims are disallowed.

A. The economic factors of the claims allowance process are heavily tilted in favor of debt collectors.

Outside of bankruptcy, debt collectors who acquire debt that is legally unenforceable because of the statute of limitations have a limited set of tools to collect such debts. They cannot file a lawsuit in state court to collect the debt.

Phillips v. Asset Acceptance, 736 F.3d 1076 (7th Cir. 2013). They cannot threaten to sue, or make settlement offers that are misleading because they fail to inform the debtor that he has an ironclad defense to the debt. *McMahon v. LVNV Funding, LLC*, 744 F.3d 1010 (7th Cir. 2014).

If debt collectors are complying with the law, a friendly reminder from a debt collector that there is an unpaid but legally unenforceable debt will not drive the consumer to file a Chapter 13 bankruptcy. Debtors overwhelmingly file under Chapter 13 of the Code for substantial reasons, such as saving homes from foreclosures or tax sales, recovering vehicles that have been repossessed, or because they cannot obtain a full discharge of their debts if they file under Chapter 7. *See, e.g., Matter of Clark*, 738 F.2d 869 (7th Cir. 1984)(mortgage foreclosure); *In re LaMont*, 740 F. 3d 397 (7th Cir. 2014)(tax sales); *Thompson v. General Motors Acceptance Corp., LLC*, 566 F. 3d 699 (7th Cir. 2009)(repossessed vehicles); *compare*, 11 U.S.C. § 727(a)(8) (8 year waiting period between Chapter 7 petitions),

with 11 U.S.C. § 1328(f)(1)(discharge available after 4 years). Debtors do not seek debt adjustment under Chapter 13 to satisfy “moral obligations” to pay debts that are legally unenforceable. That would be financial insanity.

Once the terrain shifts to bankruptcy court the debt collectors have several advantages that they did not have before. To legally enforce a debt outside of bankruptcy, the creditor must pay a filing fee to the state court, and there are additional costs to serve the complaint on the defendant. If filing a lawsuit is not an option, cajoling a debtor into paying a time-barred debt because of a “moral obligation” requires time, skill, and out-of-pocket costs.

Once the debt enters the bankruptcy system, all the debt collector has to do to put its debt into a position to be paid is to file a proof of claim, which costs the creditor nothing. There has never been a fee to file a proof of claim. Due to advent of electronic case filing (“ECF”), which is now ubiquitous in the bankruptcy courts, creditors can file a proof of claim without incurring even the cost of postage or paper. Furthermore, there is no requirement that creditors buy a stamp to serve a copy of the proof of claim on the debtor or the trustee. Notice to parties comes from the court’s ECF system, which sends an email notice to the Chapter 13 trustee and the debtor’s attorney, if the debtor is represented. The recipients then have one “free look” each, which allows them to view and download the proof of claim. The court does not notify the debtor that a proof of claim has been filed, even if the debtor is *pro se*, because only attorneys are eligible to register for the full range of ECF notices. *Pro se* debtors have recently been given the option of requesting email

notification of notices generated by the court and of court orders, but documents filed by other parties are not included in this service.³ And there is no requirement that the creditor send a notice that the proof of claim has been filed to the debtor, much less that the creditor send a paper or electronic copy of the proof of claim.

The initial filing by the debtor must include, at a minimum, a Voluntary Petition (Official Form 1), a statement of the debtor's social security number (Official Form 21) and either a Schedule of Debts (Official Forms 6D, 6E and 6F) or a list of creditors.⁴ If not filed with the Petition, the Schedules are due 14 days later. The debtor must include all debts that a debtor knows of, even if the debtor believes that he or she has a defense to the debt. This is required by the Official Forms and by the requirement that the debtor proceed in good faith.

Once these documents are filed with the bankruptcy court, they are a public record. Commercial services such as Banko (currently offered by LexisNexis) and AACER™ (Automated Access to Court Electronic Records) will notify their customers (creditors and debt collectors) of bankruptcy filings that match accounts that their customers have provided to these services. A summary of the services offered through the "Banko Connector," taken from its web site is attached as page 1 of the Addendum. http://www.akcelerant.com/wp-content/uploads/2013/11/Datasheet_Banko.pdf (last visited Dec. 17, 2015). *Add.1.*

³ For a description of this service as offered by one bankruptcy court, see <http://www.ilnb.uscourts.gov/overview-debn> (last visited December 16, 2015).

⁴ The Official Bankruptcy Forms were revised and renumbered effective December 1, 2015. All citations in this brief are to the old versions of the forms. The new numbers of these forms are Forms 101, 121, 106D and 106E/F.

It is therefore possible for creditors who subscribe to such services to file a proof of claim before they are sent any notice of the bankruptcy filing by the debtor or the bankruptcy court. For example, an LAF attorney filed a Chapter 13 petition for a client on January 6, 2015, at 4:52 p.m. *In re Brandi Pritchett*, Case No .15-B-00287 (Bankr. N.D. Ill.). *Add.2-4*. A proof of claim was filed by a debt collector who was not listed on debtor's schedules, for a debt originally owed to a creditor that was listed, one day later, on January 7, 2015. *Add. 5-9*.

Soon after a petition is filed, the Bankruptcy Noticing Center ("BNC") sends notice to all creditors. Some creditors, who have signed up for this in advance, receive notice by electronic means. Others receive notice by U.S. Mail. In the *Pritchett* case electronic notices were sent on January 8, 2015, and paper notices were mailed on January 9, 2015. A copy of the certificate of service filed by the BNC is included in the Addendum. *Add. 10*.

The debtor must prepare a Chapter 13 Plan for repaying debts. Depending on local practice, either the BNC or the debtor's attorney sends the Plan to all creditors. Then the meeting of creditors held pursuant to 11 U.S.C. § 341(a). This meeting is conducted by the local Chapter 13 trustee. Creditors may attend this meeting, and because it is part of the bankruptcy case, they do not violate the bankruptcy automatic stay or the FDCPA by participating.

Before the confirmation hearing the Chapter 13 trustee reviews the Plan for compliance with the Bankruptcy Code, good faith and feasibility. Until a plan is confirmed, only the debtor can propose a plan. The trustee, a secured or unsecured

creditor, or any other party in interest, can object to the debtor's Plan. There is no requirement that a creditor file a proof of claim in order to have standing to object to a plan. If a creditor does not file a timely proof of claim, it will not receive any payments from the Chapter 13 trustee, unless the debtor files a timely proof of claim for the creditor. *In re Pajian*, 785 F.3d 1161, 1164 (7th Cir. 2015)(all creditors, even secured creditors, must file a timely proof of claim in order to receive payments under a Chapter 13 Plan); Fed. R. Bankr. P. 3004 (debtor may file a proof of claim for a creditor).

An unsecured creditor can file a proof of claim, which becomes prima facie evidence of the debt, for no out-of-pocket cost and with a minimum amount of employee time. Once a proof of claim is filed, inertia is on the creditor's side. If nothing is done, and the Plan is confirmed, eventually the creditor will receive some payment on its claim. The creditor does not have to hire an attorney to prove up its debt, as it would in a state court collection case. Because the debtor is voluntarily making payments to the Chapter 13 trustee, the creditor does not have to find income that can be garnished or non-exempt assets that can be levied upon. Often the debtor is making payments from income that is exempt from garnishment, such as pensions or veterans benefits. The bankruptcy claims process thus has some distinct advantages over state court litigation when it comes to actually receiving money. *Edwards v. LVNV Funding, LLC*, 539 B.R. 360, 365 (Bankr. N.D. Ill. 2015).

For the debtor, the process for preventing the Chapter 13 trustee from paying money on a time-barred debt requires much more effort. First the debtor's attorney

must review the proof of claim to see if there are grounds to object. If there appears to be a basis for objecting, the attorney tries to contact the debtor, then at some point has a conversation to confirm that the debt is barred by the statute of limitations. Because the debt likely has been bought and sold several times, the debt collector filing the proof of claim usually is an entity that has never had direct dealings with the debtor. If that is the case it will take debtor and debtor's counsel's additional time to determine whether the underlying debt is for a credit card (5 year statute of limitations in Illinois), goods sold (4 years), or services provided pursuant to a written contract (10 years), before proceeding further.

The attorney then has to obtain a sworn statement from the debtor that supports the statute of limitations defense. While more and more debtors can exchange documents by fax or email, for many others this is either done by mail or a trip to the attorney's office.

At this stage, can the debtor block payment to the creditor simply by filing the debtor's sworn statement with the court or the Chapter 13 trustee? No. The debtor must file an objection to the claim. Fed. R. Bankr. P. 3007. The debtor must give at least 30 days notice, and the objection must be served on the creditor in the same manner as a summons in an adversary proceeding. Fed. R. Bankr. P. 3007(a), 9014(b) and 7004. Only when the bankruptcy court enters an order sustaining the objection is the claim disallowed, and, finally, the trustee will discontinue payments on account of the disallowed claim.

For a consumer bankruptcy attorney, after the first successful objection, this sort of motion practice is among the simplest motions that he or she encounters. But this is not so for *pro se* debtors. In *Edwards*, Judge Doyle observed that she could not recall a single *pro se* debtor who had successfully objected to a claim in her 16 years on the bench. *Edwards*, 539 B.R. at 366.

LAF's records of help desk visits shows that in one 12 month period there were consultations with 12 different *pro se* debtors who had managed to have their plans confirmed without an attorney. LAF reviewed the claims registers in those debtors' cases, and in 6 of those cases there were a total of 12 claims that appeared on their face to be for stale debts. In none of those cases had the debtors filed objections to the claims. Because more than 2,000 unique clients are assisted at the *pro se* help desk every year, LAF cannot say for certain that the *pro se* help desk has *never* assisted a debtor with a successful objection to a claim. Tellingly, however, in the library of forms and templates for *pro se* debtors that LAF staff and volunteer attorneys have created over the past 8 years for the most common motions that *pro se* debtors file, there is no template for objections to claims.

As discussed *supra* at 7, there is no rule that requires that the proof of claim be served on the debtor. The *pro se* debtor may never see a copy of the proof of claim. Even if a creditor stated in the proof of claim that the debt was not legally enforceable, and would be withdrawn if the debtor did not want to have the debt paid (a fanciful conceit, to be sure), this could be done without taking a significant risk that the *pro se* debtor would ever see this statement.

- B. Since buyers of stale debts acquire them at a substantial discount, the safeguards of the bankruptcy system alone are insufficient to hold back the tide of frivolous claims

The FTC study of the debt buying industry found that on average debt buyers paid 4 cents on the dollar for distressed debt. *Structure and Practices of the Debt Buying Industry*, ii and 23, *supra* n.1. Older debt sold for significantly less. *Id.* In the book *Bad Paper*, the author recounts a transaction where one of the protagonists brokers a deal where he purchases time-barred debt for one tenth of a cent on the dollar. Jake Halpern, *Bad Paper: Chasing Debt from Wall Street to the Underworld* (Farrar, Straus and Giroux 2014), at 104-105.

At these prices debt buyers can make a profit even if the vast majority of time-barred claims that they file are knocked out. That is, the system only needs to fail a small percentage of the time for debt collectors to continue to make money.

Excusing the filing of a stale proof of claim because the Chapter 13 trustee has a duty to object simply fails to come to grips with the problem. It is equivalent to saying that a store owner in a mall has no cause of action against a shoplifter because the lone mall security guard (i.e., the Chapter 13 trustee) could stop the shoplifter and make the thief return the merchandise to the store. However, even though the shoplifter has been caught, neither the security guard nor the store owner can call the police and have the shoplifter arrested. Under such a regime, shoplifting would be rife. Similarly, if defendants' actions do not result in FDCA damages, the diversion of funds from debtors and legitimate creditors will continue.

To continue the analogy, the argument that the appropriate corrective action to deal with the problem of claims filed on time-barred debts is for Chapter 13 trustees to hire more staff, so that they could thoroughly scrutinize claims, is equivalent to saying that shoplifting can continue until the shopping mall can hire more security guards – who still cannot have the shoplifters arrested. That is not the way to rein in unlawful, abusive practices.

The idea that filing a proof of claim on a stale debt is not unfair because the debtor usually has an attorney who can object to the claim is equally flawed. A Chapter 13 debtor's budget does not typically include a line item for a litigation fund; except in a small number of cases, the debtor is required to pay *all* of his or her disposable income each month to the Chapter 13 trustee. *See*, 11 U.S.C. § 1325(b)(1)(B). If the debtor must pay an attorney \$250 to file an objection to a proof claim, there is no money in the debtor's budget for this expense. The debtor may have to sell exempt property to pay the attorney, with no prospect of recovering this fee from the creditor, or else do nothing – which is what the debt buyers are counting on.

If a debtor's attorney is working on a flat fee basis that covers all matters that could arise during the 3 to 5 years of a plan, that particular debtor may be able to have the claim disallowed at no additional cost. However, eventually the market will adjust; either attorneys will ask for higher flat fees, or they will start charging fees on an hourly basis. While NACBA does advocate for the economic interests of its members, it also has a goal of making bankruptcy relief widely available by

keeping the fees for competent legal services at an affordable level. Adding unnecessary tasks to the duties of the consumer debtor's attorney frustrates that goal. As attorney's fees increase, some debtors will forego any bankruptcy relief. Others will file *pro se*, which burdens the court system and increases the frequency at which cases fail for curable procedural defaults.

There are a few situations where there will be no additional cost to the debtor, such as when the debtor is receiving free representation from a legal aid agency such as LAF. This merely shifts the cost of the debt collectors' misconduct to the potential legal aid clients with meritorious cases, who will not be represented because the legal aid attorneys have to spend more time on their existing cases.

CONCLUSION

For all of the above reasons, this Court should reverse the decisions of the District Courts dismissing each of the consolidated cases.

Respectfully submitted,

/s/ David S. Yen _____

David S. Yen
Daniel P. Lindsey
LAF (Legal Assistance Foundation)
120 S. LaSalle Street, Suite 900
Chicago, IL 60603
312-347-8372 (Yen)
312-347-8365 (Lindsey)

National Assoc. Of Consumer
Bankruptcy Attorneys
By its attorney Tara Twomey, Esq.
National Consumer Bankruptcy
Rights Center
1501 The Alameda
San Jose, CA 95126
831-229-0256

RULE 32(A)(7) CERTIFICATION

I hereby certify that:

1. This brief complies with the type-volume limitation of Federal Rule of Appellate Procedure 32(a)(7)(B) and 29(d) because this brief contains 4199 words, excluding the parts of the brief exempted by Federal Rule of Appellate Procedure 32(A)(7)(B)(iii).

2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5), as modified by Circuit Rule 32(b), and the type style requirements of Fed. R. App. P. 32(a)(6) because:

This brief has been prepared in a proportionally spaced typeface with serifs using Microsoft Word 201.

The type size is 12 points

The type style is Century Schoolbook

/s/ David S. Yen

David S. Yen

CERTIFICATE OF SERVICE WHEN ALL CASE PARTICIPANTS ARE CM/ECF PARTICIPANTS

I hereby certify that on this the 18th day of December, 2015, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Seventh Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/ David S. Yen .
David S. Yen

ADDENDUM

Banko datasheet Add. 1

In re Pritchett, Case no 2015 B 00287 (Bankr. N.D. Ill.)

Petition Add. 2

Proof of claim # 1 Add. 5

Certificate of service Add. 10

Access Bankruptcy Information with the Banko Connector

The Lexis Nexis Banko connector provides institutions with an automated process for monitoring accounts for bankruptcy filings, dismissals, and conversions through the Akcelerant Framework.

Key Features

These key features of the Banko connector allow for automatic account monitoring and two-way communication between the institution and Banko.

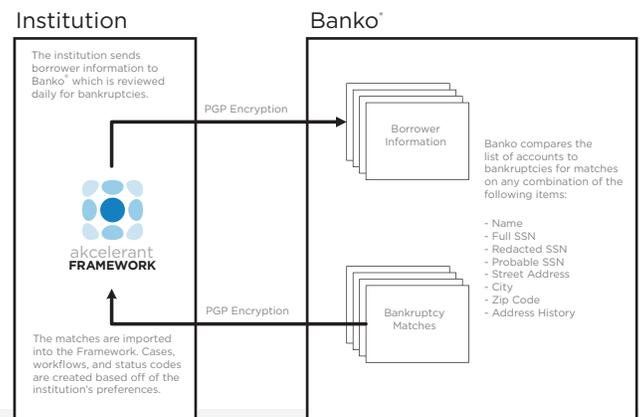
- **Automatic Account Monitoring**
Accounts sent to Banko are automatically monitored for filings. Any matches are recorded and transmitted back to the institution.
- **Easily Add and Remove Accounts**
Any new accounts can be flagged and sent to Banko the next day. Users also have the ability to remove accounts from the Banko database if necessary.
- **Customize Match Criteria**
All match criteria can be customized to meet the individual needs of the institution.
- **Review and Discard Invalid Matches**
Users have the ability to discard any matches that are not valid and keep those that are. Information that is retained as valid is stored in the Account Detail area along with the match date.

Benefits

Institutions benefit from the convenience of automatic bankruptcy monitoring through the Banko connector.

- **Reduce Data Entry Requirements**
When matches are found, they are sent to the Framework and 54 standard notification fields are automatically populated.
- **Eliminate the Need for Multiple Programs**
Eliminate time spent toggling between more than one screen or program. All tools used to flag and send accounts for monitoring are built directly into the Framework.
- **Information Validation**
Before accounts are sent to Banko, the Framework validates the SSN to ensure it is valid. If an issue is discovered, the account will appear on a separate report for review, referenced directly within the Framework.

Account information is sent to Banko daily to be checked for bankruptcies. Any matches are then returned to the institution for review.



System Requirements

Framework Release 8.04 or higher must be running and CyptOCX must be installed by an Akcelerant Customer Care Specialist in order to use the Banko connector.

More Information

For more information about the Banko connector contact your Akcelerant Account Manager.

Provider Highlight



Receivables Management Solutions from LexisNexis delivers a powerful suite of tools that help collections organizations increase

right-party contact, improve operational efficiency, minimize risk, and maximize recovery. With over 30 years of experience in data management, LexisNexis has the relevant, current debtor information and the broadest and deepest debtor insight in the industry. Call 866.528.0780 or visit <http://www.lexisnexis.com/risk/receivables-management.aspx> for more information.

Add.. 1

B1 (Official Form 1)(04/13)

**United States Bankruptcy Court
Northern District of Illinois**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Pritchett, Brandi Sheri	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) XXX-XX-7259	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): 14708 S Dante Dolton, IL <div style="text-align: right; font-size: small;">ZIP Code 60419</div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; font-size: small;">ZIP Code</div>
County of Residence or of the Principal Place of Business: Cook	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>

Location of Principal Assets of Business Debtor (if different from street address above):

<p>Type of Debtor (Form of Organization) (Check one box)</p> <p><input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i></p> <p><input type="checkbox"/> Corporation (includes LLC and LLP)</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)</p>	<p>Nature of Business (Check one box)</p> <p><input type="checkbox"/> Health Care Business</p> <p><input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B)</p> <p><input type="checkbox"/> Railroad</p> <p><input type="checkbox"/> Stockbroker</p> <p><input type="checkbox"/> Commodity Broker</p> <p><input type="checkbox"/> Clearing Bank</p> <p><input type="checkbox"/> Other</p>	<p>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</p> <p><input type="checkbox"/> Chapter 7</p> <p><input type="checkbox"/> Chapter 9</p> <p><input type="checkbox"/> Chapter 11</p> <p><input type="checkbox"/> Chapter 12</p> <p><input checked="" type="checkbox"/> Chapter 13</p> <p><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding</p> <p><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding</p>
<p>Chapter 15 Debtors</p> <p>Country of debtor's center of main interests:</p> <p>Each country in which a foreign proceeding by, regarding, or against debtor is pending:</p>	<p>Tax-Exempt Entity (Check box, if applicable)</p> <p><input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).</p>	<p>Nature of Debts (Check one box)</p> <p><input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."</p> <p><input type="checkbox"/> Debts are primarily business debts.</p>

<p>Filing Fee (Check one box)</p> <p><input type="checkbox"/> Full Filing Fee attached</p> <p><input checked="" type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.</p> <p><input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</p>	<p>Chapter 11 Debtors</p> <p>Check one box:</p> <p><input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).</p> <p><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).</p> <p>Check if:</p> <p><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter).</p> <p>Check all applicable boxes:</p> <p><input type="checkbox"/> A plan is being filed with this petition.</p> <p><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).</p>
---	---

Statistical/Administrative Information

Debtor estimates that funds will be available for distribution to unsecured creditors.

Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors									
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	OVER 100,000
Estimated Assets									
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion
Estimated Liabilities									
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

Add.. 2

<p>Voluntary Petition</p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): Pritchett, Brandi Sheri</p>
--	---

All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)

Location Where Filed: - None -	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor: - None -	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;">Exhibit A</p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><input checked="" type="checkbox"/> <u>/s/ Ainat Margalit</u> <u>January 6, 2015</u> Signature of Attorney for Debtor(s) (Date) Ainat Margalit</p>
---	---

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.
 No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Add.. 3

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):
Pritchett, Brandi Sheri

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Brandi Sheri Pritchett
Signature of Debtor Brandi Sheri Pritchett

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

January 6, 2015
Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

X _____

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

Signature of Attorney*

X /s/ Ainat Margalit
Signature of Attorney for Debtor(s)

Ainat Margalit ARDC No. 6281966
Printed Name of Attorney for Debtor(s)

LAF
Firm Name

120 S. LaSalle, Suite 900
Chicago, IL 60603-3425

Address

312-341-1070 Fax: 312-341-1041
Telephone Number

January 6, 2015
Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

B10 (Official Form 10) (04/13)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS		PROOF OF CLAIM
Name of Debtor: <h2 style="margin: 0;">Brandi Pritchett</h2>	Case Number: <h2 style="margin: 0;">1500287</h2>	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Cavalry Investments, LLC as assignee of AT&T		COURT USE ONLY
Name and address where notices should be sent: Cavalry Investments, LLC 500 Summit Lake Drive, Ste 400 Valhalla, NY 10595 Telephone number: (800) 501-0909 <small>email: x53450</small>		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where payment should be sent (if different from above): Cavalry Investments, LLC P.O. Box 27288 Tempe, AZ 85282 Telephone number: _____ <small>email: _____</small>		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ <u>\$291.08</u>		
If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input checked="" type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>TELEPHONE SERVICE</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: <h3 style="margin: 0;">6 8 7 0</h3>	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): <h3 style="margin: 0;">C P S C A V 1 5 0 0 2 8 7 I L N 7 2 5 9 6 8 7 0</h3> (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:		Basis for perfection: _____
Value of Property: \$ _____		Amount of Secured Claim: \$ _____
Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	Amount entitled to priority: \$ _____
<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	
		<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).
		<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)(____).
*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		<h2 style="margin: 0;">Add.. 5</h2>

B10 (Official Form 10) (04/13)

2

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. *(See instruction #7, and the definition of "redacted".)*

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

- I am the creditor. I am the creditor's authorized agent. I am the trustee, or the debtor, or their authorized agent. I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)
(See Bankruptcy Rule 3004.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Eric Weiss
Title: Bankruptcy Specialist
Company: Cavalry Portfolio Services, LLC
Address and telephone number (if different from notice address above): _____

/s/ Eric Weiss
(Signature)

1/7/2015
(Date)

Telephone number: _____ email: _____

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

Add.. 6

DEFINITIONS

INFORMATION

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity to whom debtor owes a debt that was incurred before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

Claim

A claim is the creditor's right to receive payment for a debt owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. § 506 (a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien.

A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. § 507 (a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim.

However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.



Statement Of Account

Brandi Pritchett 14708 DANTE AVE DOLTON, IL 604192413

Bankruptcy Rule 3001(c)(2)(A) Statement

Principal Due \$291.08

Interest Due \$0.00

All Other Charges \$0.00

Filing Amount \$291.08

Bankruptcy Rule 3001(c)(3)(A) Statement

Name of the entity from whom the creditor purchased the account At&T

Name of the entity to whom the debt was owed at the time of the account holder's last transaction on the account

Last Transaction Date

Last Payment Date

Account Charge Off Date 02/26/2003

Exhibit A
BILL OF SALE AND ASSIGNMENT AGREEMENT

THIS BILL OF SALE AND ASSIGNMENT AGREEMENT is effective this 31st day of March, 2006 between AT&T Corp., a New York corporation, with offices located at One AT&T Way, Bedminster, NJ 07921-0752 (the "Seller") and Cavalry SPV I, LLC, a Delaware limited liability company with offices located at 7 Skyline Drive, Hawthorne, NY 10532 (the "Buyer").

For value received and subject to the terms and conditions of the Purchase and Sale Agreement, Agreement No. 20060220.1 C, with an effective date of March 24, 2006 by and between Buyer and the Seller (the "Purchase Agreement"), the Seller does hereby transfer, sell, assign, convey, grant, bargain, set over and deliver to Buyer, and to Buyer's successors and assigns, all of Seller's right, title and interest in and to each of the Accounts described in Paragraph 1.4 of the Purchase Agreement and the accompanying Account Portfolio File

This Bill of Sale and Assignment and Agreement is executed without recourse and without representations or warranties, except as stated in the Purchase Agreement.

Accepted for Cavalry SPV I, LLC

By:

(Signature)

Name: Michael S. Godner
Title: Chief Financial Officer
Date: March 31, 2006

State of New York)

County of Westchester)

Sworn and subscribed before me on this 31st day of March, 2006.

WITNESS my hand and seal:

Christian Parker
NOTARY

CHRISTIAN PARKER
Notary Public, State of New York
No. 02PA6108099
Qualified in New York County
Commission Expires April 12, 2008

Accepted for AT&T Corp.

By:

(Signature)

Name: William K. Froehlich
Title: Group Manager
Date: March 31, 2006

State of NJ)

County of Warren)

Sworn and subscribed before me on this 31st day of March, 2006.

WITNESS my hand and seal:

Karin E. Taylor
NOTARY

KARIN E. TAYLOR
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 13, 2011

UNITED STATES BANKRUPTCY COURT
Northern District of Illinois

Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines

The debtor(s) listed below filed a chapter 13 bankruptcy case on 1/6/15.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors -- Do not file this notice in connection with any proof of claim you submit to the court.
See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Brandi Sheri Pritchett
14708 S Dante
Dolton, IL 60419

Case Number: 15-00287
Office Code: 1

Social Security / Individual Taxpayer ID / Employer Tax ID / Other nos:
xxx-xx-7259

Attorney for Debtor(s) (name and address):

Ainat Margalit
LAF
120 S. LaSalle
Chicago, IL 60603
Telephone number: (312) - 2296382 Ext.

Bankruptcy Trustee (name and address):

Marilyn O Marshall
224 South Michigan Ste 800
Chicago, IL 60604
Telephone number: 312-431-1300

Meeting of Creditors:

Date: **February 5, 2015**

Time: **02:00 PM**

Location: **224 South Michigan, Suite 800, Chicago, IL 60604**

All debtors are required to attend and bring a picture ID and proof of their Social Security Number to the 341 meeting.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): **5/6/15**

For a governmental unit (except as otherwise provided in Fed. R. Bankr. P. 3002(c)(1)): **7/6/15**

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Filing of Plan, Hearing on Confirmation of Plan and Attorney Fees

The debtor has not filed a plan as of this date. You will receive notice of the plan at a later date. The hearing on confirmation and to consider a request by debtor's counsel for payment of legal fees will be held:

Date: **4/15/15**, Time: **10:30 AM**, Location: **219 South Dearborn, Courtroom 644, Chicago, IL 60604**.

The Disclosure of Compensation has not been filed at this time.

If there are no objections, the Court may confirm the plan and allow fees requested by debtor's counsel to be paid through the plan.

Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 4/6/15

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

Eastern Division
219 S Dearborn
7th Floor
Chicago, IL 60604
Telephone number: 1-866-222-8029

For the Court:

Clerk of the Bankruptcy Court:
Jeffrey P. Allstead

Hours Open: Monday - Friday 8:30 AM - 4:30 PM

Date: January 7, 2015

EXPLANATIONS

B9I (Official Form 9I) (12/12)

<p>Filing of Chapter 13 Bankruptcy Case</p>	<p>A bankruptcy case under chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on the front of this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.</p>
<p>Legal Advice</p>	<p>The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.</p>
<p>Creditors Generally May Not Take Certain Actions</p>	<p>Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1301. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.</p>
<p>Meeting of Creditors</p>	<p>A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.</p>
<p>Claims</p>	<p>A Proof of Claim is a signed statement describing a creditor's claim. A Proof of Claim form ("Official Form B 10") can be obtained at the United States Courts Web site: (http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx) or at any bankruptcy clerk's office. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. If you do not file a Proof of Claim by the "Deadline to file a Proof of Claim" listed on the front side, you might not be paid any money on your claim from other assets in the bankruptcy case. To be paid, you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Filing Deadline for a Creditor with a Foreign Address: The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i></p>
<p>Discharge of Debts</p>	<p>The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to a discharge under Bankruptcy Code § 1328(f), you must file a motion objecting to discharge in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523 (a)(2) or (4), you must file a complaint in the bankruptcy clerk's office by the same deadline. The bankruptcy clerk's office must receive the motion or the complaint and any required filing fee by that deadline.</p>
<p>Exempt Property</p>	<p>The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.</p>
<p>Bankruptcy Clerk's Office</p>	<p>Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office.</p>
<p>Creditor with a Foreign Address</p>	<p>Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.</p>
<p>— Refer to Other Side for Important Deadlines and Notices —</p>	

Certificate of Notice Page 3 of 4
 United States Bankruptcy Court
 Northern District of Illinois

In re:
 Brandi Sheri Pritchett
 Debtor

Case No. 15-00287-PSH
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0752-1

User: ajauregui
 Form ID: b9i

Page 1 of 2
 Total Noticed: 42

Date Rcvd: Jan 07, 2015

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 09, 2015.

db
 22796138 +Brandi Sheri Pritchett, 14708 S Dante, Dolton, IL 60419-2413
 22796139 +ATG Credit, 1700 W. Corland St., Ste. 201, Chicago, IL 60622-1166
 22796141 +Bank Financial, 48 Orland Square, Orland Park, IL 60462-6539
 22796150 +CBE Group, Inc., 1309 Technology Pkwy, Cedar Falls, IA 50613-6976
 +CT Corporation System, Agent for: Vonage, 208 S. LaSalle St., Suite 814,
 Chicago, IL 60604-1101
 22796149 +CT Corporation System, Agent for: Wal-Mart Stores, Inc., 208 S. LaSalle St., Suite 814,
 Chicago, IL 60604-1101
 22796143 +Charter One, DDA Recovery RJW245, One Citizens Drive, Riverside, RI 02915-3019
 22796144 +Citizens Bank, 328 S. Saginaw St., Flint, MI 48502-1926
 22796145 +City of Chicago - Parking Tickets, Department of Revenue- Bankruptcy,
 121 N LaSalle Street, Room 107A, Chicago, IL 60602-1232
 22796146 +City of Country Club Hills, 4200 Main Street, Country Club Hills, IL 60478-5338
 22796152 +Fedloan Servicing, POB 60610, Harrisburg, PA 17106-0610
 22796154 +Illinois Corporation Service C, agent for, 801 Adlai Stevenson Drive,
 Springfield, IL 62703-4261
 22796155 Mercantile Adjustment Bureau, LLC., P.O. Box 9016, Williamsville, NY 14231-9016
 22796156 +Monika R. Danko, 10909 S. Neenah Ave., Worth, IL 60482-1633
 22796157 +Municipal Collection Services, Inc., PO BOX 327, Palos Heights, IL 60463-0327
 22796160 +Penn Credit Corporation, 916 S 14th St, Harrisburg, PA 17104-3425
 22796163 +Public Storage, 17208 Halsted St., Hazel Crest, IL 60429-1964
 22796166 +South Suburban College LRC, 15800 S State Street, South Holland, IL 60473-1270
 22796167 +Speedy Cash, 848 E. Sibley, Dolton, IL 60419-2136
 22796169 +Stellar Recovery Inc., 4500 Salisbury Rd, Ste 105, Jacksonville, FL 32216-8035
 22796172 +Village of Lansing, 18200 Chicago Avenue, Lansing, IL 60438-3012
 22796173 +Village of Riverdale, 157 West 144th Street, Riverdale, IL 60827-2707

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty E-mail/Text: amargalit@lafchicago.org Jan 08 2015 01:30:48 Ainat Margalit, LAF,
 120 S. LaSalle, Chicago, IL 60603
 tr +E-mail/Text: courtnotices@chil3.com Jan 08 2015 01:31:42 Marilyn O Marshall,
 224 South Michigan Ste 800, Chicago, IL 60604-2503
 ust +E-mail/Text: USTPREGION11.ES.ECF@USDOJ.GOV Jan 08 2015 01:31:55 Patrick S Layng,
 Office of the U.S. Trustee, Region 11, 219 S Dearborn St, Room 873,
 Chicago, IL 60604-2027
 22796134 +EDI: AFNIRECOVERY.COM Jan 08 2015 01:03:00 AFNI, PO Box 3097,
 Bloomington, IL 61702-3097
 22796137 +EDI: ATTWIREBK.COM Jan 08 2015 01:03:00 AT&T U-Verse, PO BOX 5014,
 Carol Stream, IL 60197-5014
 22796136 +EDI: AMERCASH.COM Jan 08 2015 01:03:00 Americash, 1726 Jefferson Blvd,
 Joliet, IL 60435-6741
 22796140 EDI: CAPITALONE.COM Jan 08 2015 01:03:00 Capital One, P.O. Box 30253,
 Salt Lake City, UT 84130-0253
 22796716 +E-mail/Text: bankruptcy@caavps.com Jan 08 2015 01:32:29 Cavalry Investments, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 22796148 E-mail/Text: legalcollections@comed.com Jan 08 2015 01:33:06 ComEd, 3 Lincoln Center,
 attn: Bankruptcy Section, Oakbrook Terrace, IL 60181-4204
 22796147 +E-mail/Text: ned_fre-bankruptcies@cable.comcast.com Jan 08 2015 01:32:48 Comcast,
 1701 John F. Kennedy Blvd., Philadelphia, PA 19103-2899
 22796151 EDI: DIRECTV.COM Jan 08 2015 01:03:00 DIRECTV, Customer Service Attn: Bankruptcy,
 PO Box 6550, Greenwood Village, CO 80155-6550
 22796153 +EDI: AMINFOFP.COM Jan 08 2015 00:58:00 First Premier Bank, 601 S Minnesota Avenue,
 Sioux Falls, SD 57104-4868
 22796159 +E-mail/Text: bankrup@aglresources.com Jan 08 2015 01:30:53 Nicor, PO Box 2020,
 Aurora, IL 60507-2020
 22796161 EDI: PRA.COM Jan 08 2015 01:03:00 Portfolio RC, P.O. Box 12914, Norfolk, VA 23541
 22796162 EDI: PRA.COM Jan 08 2015 01:03:00 Portfolio Recovery Associates LLC, PO Box12914,
 Norfolk, VA 23541-1067
 22796168 EDI: NEXTEL.COM Jan 08 2015 00:58:00 Sprint Nextel Correspondence, Attn: Bankruptcy Dept,
 PO Box 7949, Overland Park, KS 66207-0949
 22796164 E-mail/Text: bankruptcy@sagetelecom.net Jan 08 2015 01:33:03 Sage Telecom Inc.,
 3300 E. Renner Road, Suite 350, Richardson, TX 75082-2800
 22796171 +EDI: USCELLULAR.COM Jan 08 2015 00:58:00 US Cellular, Bankruptcy Dept,
 5117 W. Terrace Dr., Madison, WI 53718-8360
 22796170 +E-mail/Text: bankruptcy@carhop.com Jan 08 2015 01:32:42 Universal Acceptance Corp,
 10801 Red Circle Drive, Hopkins, MN 55343-9135
 22796135 +EDI: AFNIRECOVERY.COM Jan 08 2015 01:03:00 afni, 1310 Martin Luther King Driv,
 PO Box 3517, Bloomington, IL 61702-3517

TOTAL: 20

District/off: 0752-1

User: ajauregui
Form ID: b9i

Page 2 of 2
Total Noticed: 42

Date Rcvd: Jan 07, 2015

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

22796165 Sears
22796142* +CBE Group, Inc., 1309 Technology Pkwy, Cedar Falls, IA 50613-6976
22796158* Municipal Collection Services, Inc., PO BOX 327, Palos Heights, IL 60463-0327
22796174* +Village of Riverdale, 157 West 144th Street, Riverdale, IL 60827-2707

TOTALS: 1, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 09, 2015

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 7, 2015 at the address(es) listed below:
Ainat Margalit on behalf of Debtor Brandi Sheri Pritchett amargalit@lafchicago.org,
lafbknotices@gmail.com
Marilyn O Marshall courtdocs@chil3.com
Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov

TOTAL: 3