

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

In re:)	
)	
TAMARA SARA PARVIZI,)	Chapter 7
)	Case No. 18-30578-EDK
Debtor)	
)	
TAMARA SARA PARVIZI,)	Adversary Proceeding
)	No. 19-3003
Plaintiff)	
v.)	
)	
UNITED STATES DEPARTMENT OF)	
EDUCATION, GREAT LAKES)	
BORROWER SERVICES,)	
Defendants)	
)	

ORDER

Before the Court is a Motion to Alter or Amend Judgment (the “Motion to Amend”) filed by the United States Department of Education (the “DOE”), through which the DOE asks the Court to amend the Court’s May 13, 2021 Amended Judgment (the “Judgment”) to remove the portion of the Judgment that provides that “pursuant to 11 U.S.C. § 105(a), any of the Debtor’s student loan debt currently held by the DOE that remains outstanding upon the Debtor’s completion of payments under the REPAYE program or any similar income-based repayment program is deemed discharged pursuant to 11 U.S.C. § 523(a)(8).” The deadline for the plaintiff-Debtor, Tamara S. Parvizi (the “Debtor”), to file a response to the Motion to Amend was set for July 6, 2021. No response to the Motion to Amend has been filed.

The Motion to Amend the Judgment is hereby GRANTED inasmuch as the Court’s ruling

that any student loan debt held by the DOE after the completion of payments under an income-based repayment plan would be discharged was beyond the scope of the arguments raised and evidence presented by the Debtor. The Court has found that the Debtor failed to meet the Debtor's burden to prove that the repayment of the student loans held by the DOE would constitute an undue hardship under 11 U.S.C. § 528(a)(8), especially in light of the apparent ability of the Debtor to participate in the REPAYE program or similar income-based repayment plan, *see Parvizi v. United States Department of Education (In re Parvizi)*, Case No. 18-30578, AP No. 19-3003, 2021 WL 1921121 (Bankr. D. Mass. May 13, 2021). Accordingly, the Court will enter an amended judgment in favor of the DOE which removes the provision that any remaining student loan debt owed to the DOE after the completion of the REPAYE or similar program is deemed excepted from the Debtor's discharge pursuant to 11 U.S.C. § 523(a)(8). A separate form of judgment will enter forthwith.

DATED: July 28, 2021

By the Court,

A handwritten signature in black ink, appearing to read "Elizabeth D. Katz", written over a horizontal line.

Elizabeth D. Katz
United States Bankruptcy Judge