IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

CONSUMER FINANCIAL PROTECTION BUREAU,	)	
Plaintiff,	)	
v.	)	C.A. No. 17-1323-MN
THE NATIONAL COLLEGIATE MASTER STUDENT LOAN TRUST, *et al*.,	)	
Defendants.	)	

JOINT STATUS REPORT AND PROPOSED BRIEFING SCHEDULE FOR THE THRESHOLD ISSUES

Plaintiff Consumer Financial Protection Bureau and the Intervenors[1] file this Joint Status Report and Proposed Briefing Schedule for the Threshold Issues, in accordance with the Court's Order dated September 13, 2019 (D.I. 186).

On April 1, 2019, the Court held in abeyance all existing discovery deadlines, pending resolution of certain discovery disputes. (D.I. 137). Those disputes were resolved at a hearing on April 4, 2019 (D.I. 160) and through a subsequent Memorandum Order dated May 17, 2019. (D.I. 181). Since that time, outstanding discovery issues have been resolved and documents produced consistent with the May 17 Memorandum Order. However, another discovery dispute involving non-party Chaitman LLP ("Chaitman"), which was mentioned during the April 4 hearing, was subsequently transferred to this Court, where a motion to compel Chaitman to produce documents is currently pending. *See CFPB v. Nat'l Collegiate Master Student Loan Trust, et al.*, No. 19-mc-

[1] The Intervenors are Ambac Assurance Corporation (Ambac), Transworld Systems Inc. (TSI), the Objecting Noteholders, Pennsylvania Higher Education Assistance Agency (PHEAA), GSS Data Services (GSS), Wilmington Trust Company, and U.S. Bank National Association (U.S. Bank), separately, in its capacities as Successor Special Servicer and as Indenture Trustee.

00108 (D. Del.). Chaitman has not produced any documents to Intervenors to date, and the parties have not conducted depositions on the Threshold Issues with Chaitman's production still pending.

Due to the pending motion to compel, the parties propose the following schedule for the remainder of discovery and briefing in this case.

1. Depositions and all other Phase 1 discovery will be completed by November 15, 2019.
2. Intervenors' Answering Briefs to the Motion to Approve the Proposed Consent Judgment (D.I. 3) will be due by December 20, 2019.
3. Plaintiff's Reply Brief in Support of the Motion to Approve the Proposed Consent Judgment will be due by January 31, 2020.

All parties reserve their rights to request a future modification of the proposed schedule for good cause.

Respectfully submitted,

Dated: September 27, 2019

CARA PETERSEN
Acting Enforcement Director

DEBORAH MORRIS
Deputy Enforcement Director

ALUSHEYI WHEELER
Assistant Litigation Deputy

/s/ Stephen Jacques
Stephen Jacques
stephen.jacques@cfpb.gov
202-435-7368
Gabriel Hopkins
gabriel.hopkins@cfpb.gov
202-435-7842
Jane Peterson
jane.peterson@cfpb.gov

202-435-9740
Enforcement Attorneys
Consumer Financial Protection Bureau
1700 G Street NW
Washington, DC 20552

Attorneys for Plaintiff
Consumer Financial Protection Bureau

Dated: September 27, 2019

/s/ Melissa N. Donimirski

Kurt M. Heyman (No. 3054)
Melissa N. Donimirski (No. 4701)
HEYMAN ENERIO GATTUSO & HIRZEL LLP
300 Delaware Avenue, Suite 200
Wilmington, DE 19801
(302) 472-7300
kheyman@hegh.law
mdonimirski@hegh.law

OF COUNSEL:
Erik Haas
Peter W. Tomlinson
George A. LoBiondo
Joshua Kipnees
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036

Attorneys for Ambac Assurance Corporation

Dated: September 27, 2019

/s/ Catherine A. Gaul

Catherine A. Gaul (No. 4310)
ASHBY & GEDDES
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
(302) 654-1888
CGaul@ashby-geddes.com

OF COUNSEL:
Michael A. Hanin
Uri Itkin
Henry Brownstein
KASOWITZ BENSON TORRES LLP
1633 Broadway
New York, NY 10019

Attorneys for Objecting Noteholders

Dated: September 27, 2019

/s/ Rebecca L. Butcher

Rebecca L. Butcher (No. 3816)
LANDIS RATH & COBB LLP
919 Market Street, Suite 1800
Wilmington, DE 19801
(302) 467-4400
butcher@lrclaw.com

OF COUNSEL:
John P. Doherty
William Hao
ALSTON & BIRD LLP
90 Park Avenue
New York, NY 10016

Attorneys for GSS Data Services, Inc.

Dated: September 27, 2019

/s/ Stacey A. Scrivani

Stacey A. Scrivani (No. 6129)
STEVENS & LEE, P.C.
919 Market Street, Suite 1300
Wilmington, DE 19801
(302) 425-3006
sasc@stevenslee.com

Nicholas H. Pennington
STEVENS & LEE, P.C.
620 Freedom Business Center, Suite 200
King of Prussia, PA 19406
(610) 205-6352
nhp@stevenslee.com

Attorneys for Pennsylvania Higher Education Assistance Agency d/b/a American Education Services.

Dated: September 27, 2019

/s/ Allyson B. Baker

Allyson B. Baker
Meredith L. Boylan
Sameer P. Sheikh
Katherine M. Wright
Tiffany C. Williams
VENABLE LLP
600 Massachusetts Ave., NW
Washington, DC 20001
(202) 344-4000
ABBaker@venable.com
MLBoylan@venable.com
SPSheikh@venable.com
KMWright@venable.com
TCWilliams@venable.com

Attorneys for Transworld Systems, Inc.

Dated: September 27, 2019

/s/ Stephen B. Brauerman

Stephen B. Brauerman (No. 4952)
Elizabeth A. Powers (No. 5522)
BAYARD, P.A.
600 N. King Street, Suite 400
Wilmington, DE 19899
(302) 655-5000
sbrauerman@bayardlaw.com
EPowers@bayardlaw.com

Attorneys for Wilmington Trust Company

Dated: September 27, 2019

/s/ David M. Fry

John W. Shaw (No. 3362)
David M. Fry (No. 5486)
I.M. Pei Building
1105 North Market Street, 12th Floor
Wilmington, DE 19801
(302) 298-0700
jshaw@shawkeller.com
dfry@shawkeller.com

Attorneys for U.S. Bank National Association

OF COUNSEL:
Stephen H. Meyer
SULLIVAN & CROMWELL LLP
1700 New York Avenue, N.W.
Suite 700
Washington, DC 20006
(202) 956-7605
meyerst@sullcrom.com

Matthew A. Martel
Joseph B. Sconyers
Keith M. Kollmeyer
JONES DAY
100 High Street
Boston, MA 02110-1781
(617) 960-3939
mmartel@jonesday.com
jsconyers@jonesday.com
kkollmeyer@jonesday.com