

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)
)
ITT EDUCATIONAL SERVICES, INC., *et al.*¹) Case No. 16-07207-JMC-7A
)
Debtors.) Jointly Administered

**NOTICE TO POTENTIALLY AFFECTED INDIVIDUALS
REGARDING TRUSTEE’S DISCLOSURE OF PROTECTED INFORMATION**

Deborah J. Caruso, the trustee (the “Trustee”) appointed in the chapter 7 cases of ITT Education Services, Inc. (“ITT”), *et al.* (together with ITT, the “Debtors”), is providing this notice to potentially affected individuals in connection with ITT’s pending bankruptcy case.

Background

Subsequent to ITT’s bankruptcy, various persons and entities including certain State Attorney General’s offices and representatives of a class of former students of the Debtors have indicated their desire to obtain access to documents collected by the Trustee, including student records and business records of the Debtors. Upon information and belief, they have requested such documents for purposes of any actions or administrative proceedings commenced or pursued by any of the Debtors’ former students for purposes of student claims or defenses to repayment of federal and private loans, and any actions, investigations, or exercise of regulatory authority by any governmental agencies, subject to applicable law, regulations and state and federal recordkeeping and information sharing requirements. Such information would also likely need to be shared with the respective parties’ insurers and reinsurers.

The Proposed Protective Order

In order to allow such persons and entities to access such documents and information, the Trustee is seeking to have a protective order entered by the Bankruptcy Court (the “Protective Order”).

Under various laws, rules and regulations regarding the use and disclosure of protected information, including education records and records containing personally identifiable information, such materials cannot be disclosed without the permission of the person to whom the information concerns, except, among other things, in compliance with a judicial order, such as the Protective Order.

The purpose of this notice is to inform you that the Protective Order would permit the Trustee to produce protected information to the requesting parties, which may contain some of

¹ The debtors in these cases, along with the last four digits of their respective federal tax identification numbers are ITT Educational Services, Inc. [1311]; ESI Service Corp. [2117]; and Daniel Webster College, Inc. [5980].

your educational and financial records and related information and personally identifiable information, and to use those records and information for purposes of any actions or administrative proceedings commenced or pursued by any of the Debtors' former students for purposes of student claims or defenses to repayment of federal and private loans, and any actions, investigations, or exercise of regulatory authority by any governmental agencies, subject to applicable law, regulations and state and federal recordkeeping and information sharing requirements, and other actions relating to the Debtors' bankruptcy proceeding.

Under the Protective Order any receiving party must appropriately redact personally identifying information from those records prior to using them in a public action. Accordingly, any Protected Information shared by the Trustee with any receiving party will not be used or disclosed in any public filing or forum unless such information is redacted, thereby protecting the information from public disclosure.

The Bankruptcy Court Order

The United States Bankruptcy Court for the Southern District of Indiana (the "Bankruptcy Court") has entered an order (the "Bankruptcy Court Order") authorizing the Trustee to (a) publish this notice on the Debtors' case management site maintained by Rust Omni, available at <http://omnimgt.com/itt/>, and (b) serve this notice on (i) the Legal Services Center of Harvard Law School and Jenner & Block LLP, as class counsel for all individuals who were at any time enrolled in any of the programs offered by the Debtors between January 1, 2006 and the Petition Date, and (ii) Outten & Golden LLP, as interim class counsel for the WARN Act claimants. The Bankruptcy Court has determined the foregoing efforts constitute a reasonable effort to notify potentially affected individuals of the limited nature of the sharing of Protected Information.

Upon the expiration of thirty (30) days after publication of this notice, unless an objection is received by the Trustee, at the address set forth below, pursuant to the Bankruptcy Court Order, the (a) Court shall enter the proposed Protective Order requested by the Trustee, (b) the Trustee will be deemed to have complied with her and the estates' obligations under all applicable laws, rules and regulations regarding the disclosure and production of Protected Information, and (c) the Trustee and the Debtors' estates shall not be liable for any improper use or disclosure of any Protected Information by any receiving party or any other person or entity to whom such information is disclosed by a receiving party.

If an objection is received by the Trustee, at the address set forth below, the Trustee will notify the Court, and the Court will hold a further hearing to determine the Trustee's authorization to agree to the proposed Protective Order on August 15, 2018 at 1:30 p.m. (prevailing Eastern time).

Questions and Objections

Questions concerning this notice or the matters described herein, and objections, if any and in writing, should be directed to the Trustee (and not the Bankruptcy Court) at:

Deborah J. Caruso
Office of Deborah J. Caruso
135 N. Pennsylvania St
Suite 1400
Indianapolis, IN 46204
Tel.: (317) 634-0300

so as to be received by **no later than August 12, 2018.**

Dated: July 12, 2018
Indianapolis, Indiana

/s/ Jeff J. Marwil

Jeff J. Marwil
Peter J. Young
Jeremy D. Webb
PROSKAUER ROSE LLP
70 West Madison, Suite 3800
Chicago, Illinois 60602-4342
Telephone: (312) 962-3550
Facsimile: (312) 962-3551

–and–

Timothy Q. Karcher
Michael T. Mervis
Jared D. Zajac
Russell T. Gorkin
PROSKAUER ROSE LLP
Eleven Times Square
New York, New York 10036
Telephone: (212) 969-3000
Facsimile: (212) 969-2900

Co-counsel to the Trustee

/s/ Deborah J. Caruso

Deborah J. Caruso (Atty. No. 4273-49)
John C. Hoard (Atty. No. 8024-49)
James E. Rossow Jr. (Atty. No. 21063-29)
Meredith R. Theisen (Atty. No. 28804-49)
RUBIN & LEVIN, P.C.
135 N. Pennsylvania Street, Suite 1400
Indianapolis, Indiana 46204
Telephone: (317) 634-0300
Facsimile: (317) 263-9411

Co-counsel to the Trustee

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2018, a copy of the foregoing *Notice to Potentially Affected Individuals Regarding Trustee's Disclosure of Protected Information* was filed electronically. Pursuant to Section IV.C.3(a) of the *Notice, Case Management and Administrative Procedures* (the "Case Management Procedures"), notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

John Joseph Allman jallman@hbkfirm.com, dadams@hbkfirm.com
Richard Allyn rallyn@robinskaplan.com
Robert N Amkraut ramkraut@foxrothschild.com
Scott S. Anders scott.anders@jordanramis.com, litparalegal@jordanramis.com
Manuel German Arreaza manuel.arreaza@cfpb.gov
Todd Allan Atkinson tatkinson@ulmer.com
Darren Azman dazman@mwe.com
Kay Dee Baird kbaird@kdlegal.com, rhobdy@kdlegal.com;crbpgpleadings@kdlegal.com
Michael I. Baird baird.michael@pbgc.gov, efile@pbgc.gov
Christopher E. Baker cbaker@hbkfirm.com, thignight@hbkfirm.com
James David Ballinger jim@kentuckytrial.com, jennifer@kentuckytrial.com
Joseph E. Bant jebant@lewisricekc.com
William J. Barrett william.barrett@bfkn.com, mark.mackowiak@bfkn.com
Ashley Flynn Bartram ashley.bartram@oag.texas.gov, elizabeth.martin@oag.texas.gov
Alex M Beeman alex@beemanlawoffice.com, alexbeemanECF@protonmail.com
Thomas M Beeman tom@beemanlawoffice.com
Richard James Bernard rbernard@foley.com
Thomas Berndt tberndt@robinskaplan.com, jgerboth@robinskaplan.com
John J Berry john.berry@dinsmore.com, Christina.Lee@DINSMORE.COM
Brandon Craig Bickle bbickle@gablelaw.com
Robert A. Breidenbach rab@goldsteinpressman.com
Wendy D Brewer wbrewer@fmdlegal.com, cbellner@fmdlegal.com
Kayla D. Britton kayla.britton@faegrebd.com, noticeFRindy@faegrebd.com
Jason R Burke jburke@bbrlawpc.com, kellis@bbrlawpc.com
Erin Busch ebusch@nebraska.edu
Kevin M. Capuzzi kcapuzzi@beneschlaw.com,
lmolinaro@beneschlaw.com;docket@beneschlaw.com
James E. Carlberg jcarlberg@boselaw.com,
mwakefield@boselaw.com;rmurphy@boselaw.com
Steven Dean Carpenter scarpenter1@dor.in.gov
Deborah Caruso dcaruso@rubin-levin.net, dwright@rubin-levin.net;jkrichbaum@rubin-
levin.net;atty_dcaruso@bluestylus.com
Deborah J. Caruso trustecaruso@rubin-levin.net, DJC@trustesolutions.net
Joshua W. Casselman jcasselman@rubin-levin.net, angie@rubin-
levin.net;atty_jcasselman@bluestylus.com
Ben T. Caughey ben.caughey@merchocaughey.com
Sonia A. Chae chaes@sec.gov
John Andrew Chanin jchanin@lindquist.com, srummery@lindquist.com

Eboney Delane Cobb ecobb@pbfcm.com
Michael Edward Collins mcollins@manierherod.com
Michael Anthony Collyard mcollyard@robinskaplan.com, rhoule@robinskaplan.com
Eileen Connor econnor@law.harvard.edu
Lawrence D. Coppel lcoppel@gfrlaw.com
Heather M. Crockett Heather.Crockett@atg.in.gov, darlene.greenley@atg.in.gov
J Russell Cunningham rcunningham@dnlc.net, reaster@dnlc.net
David H DeCelles david.h.decelles@usdoj.gov
Dustin R. DeNeal dustin.deneal@faegrebd.com, noticeFRindy@faegrebd.com
Laura A DuVall Laura.Duvall@usdoj.gov, Catherine.henderson@usdoj.gov
Abby Engen aengen@nmag.gov, eheltman@nmag.gov
Annette England annette.english@btlaw.com
Charles Anthony Ercole cercole@klehr.com, acollazo@klehr.com
Carolyn Meredith Fast carolyn.fast@ag.ny.gov
Elaine Victoria Fenna elaine.fenna@morganlewis.com
Andrew W Ferich awf@chimicles.com
John David Folds dfolds@bakerdonelson.com, sparson@bakerdonelson.com
Jennifer N Fountain jfountain@iislaw.com, sfilippini@iislaw.com
Lydia Eve French lydia.french@state.ma.us
Carlos Galliani carlos@thelidjifirm.com
Jonathan William Garlough jgarlough@foley.com, mstockl@foley.com;mdlee@foley.com
Douglas Gooding dgooding@choate.com
John Andrew Goodridge jagoodridge@jaglo.com, angray@jaglo.com;dwhiggs@jaglo.com
Michael Wayne Grant michael.w.grant@doj.state.or.us
Richard Grayson Grant rgrant@rgglaw.com, grantecf@gmail.com
Alan Mark Grochal agrochal@tydingslaw.com
Gregory Forrest Hahn ghahn@boselaw.com, jmcneeley@boselaw.com
Julian Ari Hammond Jhammond@hammondnlawpc.com, ppecherskaya@hammondnlawpc.com
Wallace M Handler whandler@swappc.com, kkloock@swappc.com
Adam Craig Harris adam.harris@srz.com
Brian Hauck bhauck@jenner.com
Jeffrey M. Hawkinson jhawkinson@pcslegal.com, danderson@pcslegal.com
Amanda Marie Hendren amanda@indianalawgroup.com
Claude Michael Higgins Michael.Higgins@ag.ny.gov
Michael W. Hile mhile@jacobsonhile.com, assistant@jacobsonhile.com
Sean M Hirschten shirschten@psrb.com
Robert M. Hirsh robert.hirsh@arentfox.com
John C. Hoard johnh@rubin-levin.net, jkrichbaum@rubin-levin.net;atty_jch@trustesolutions.com
Andrew E. Houha bkecfnotices@johnsonblumberg.com
James C Jacobsen jjacobsen@nmag.gov, eheltman@nmag.gov
Christine K. Jacobson cjacobson@jacobsonhile.com, assistant@jacobsonhile.com
Jay Jaffe jay.jaffe@faegrebd.com, noticeFRindy@faegrebd.com
Benjamin F Johns bfj@chimicles.com, klw@chimicles.com
Russell Ray Johnson russj4478@aol.com
Kenneth C. Jones kcjones@lewisricekc.com

Anthony R. Jost tjost@rbelaw.com, baldous@rbelaw.com
Timothy Q. Karcher tkarcher@proskauer.com
Carly Kessler ckessler@robinskaplan.com
John M. Ketcham jketcham@psrb.com, scox@psrb.com
Taejin Kim tae.kim@srz.com
Edward M King tking@fbtlaw.com, lsugg@fbtlaw.com;tking@ecf.inforuptcy.com
Roy F. Kiplinger bankruptcy@kiplingerlaw.com, bankruptcy@kiplingerlaw.com
James A. Knauer jak@kgrlaw.com, tjf@kgrlaw.com
Kevin Dale Koons kkoons@kgrlaw.com, ncarson@kgrlaw.com
Harris J. Koroglu hkoroglu@shutts.com, fsantelices@shutts.com
Lawrence Joel Kotler ljkotler@duanemorris.com
Robert R Kracht rrk@mccarthylebit.com
Andrew L. Kraemer akraemer@johnsonblumberg.com, akraemerlawoffice@att.net
David R. Krebs dkrebs@hbkfirm.com, dadams@hbkfirm.com
Jerrold Scott Kulback jkulback@archerlaw.com
Jay R LaBarge jlabarge@stroblpc.com
Vilda Samuel Laurin slaurin@boselaw.com
Jordan A Lavinsky jlavinsky@hansonbridgett.com
Todd Evan Leatherman todd.leatherman@ky.gov
David S Lefere dlefer@mikameyers.com, jfortney@mikameyers.com
Martha R. Lehman mlehman@salawus.com,
marthalehman87@gmail.com;pdidandeh@salawus.com;lengle@salawus.com
Gary H Leibowitz gleibowitz@coleschotz.com,
blansinger@coleschotz.com;pratkowiak@coleschotz.com
Donald D Levenhagen dlevenhagen@landmanbeatty.com
Elizabeth Marie Little elizabeth.little@faegrebd.com
Melinda Hoover MacAnally Melinda.MacAnally@atg.in.gov,
Carrie.Spann@atg.in.gov;Kenyatta.Peerman@atg.in.gov
Christopher John Madaio Cmadaio@oag.state.md.us
John A. Majors jam@morganandpottinger.com, majormajors44@yahoo.com
Steven A. Malcoun dsmith@mayallaw.com
Jonathan Marshall jmarshall@choate.com
Thomas Marvin Martin tmmartin@lewisricekc.com
Jeff J. Marwil jmarwil@proskauer.com,
npetrov@proskauer.com;pyoung@proskauer.com;jwebb@proskauer.com
Richard J Mason rmason@mcguirewoods.com
Ann Wilkinson Matthews amatthews@ncdoj.gov
Rachel Jaffe Mauceri rachel.mauceri@morganlewis.com
Michael K. McCrory mmccrory@btlaw.com, bankruptcyindy@btlaw.com
Maureen Elin McOwen molly.mcowen@cfpb.gov
Harley K Means hkm@kgrlaw.com,
kwhigham@kgrlaw.com;cjs@kgrlaw.com;tjf@kgrlaw.com
Toby Merrill tomerrill@law.harvard.edu, ppsl@law.harvard.edu
Robert W. Miller rmiller@manierherod.com
Thomas E Mixdorf thomas.mixdorf@icemiller.com, susan.cogdill@icemiller.com
Evgeny Grigori Mogilevsky eugene@egmlegal.com, jolynn@egmlegal.com

James P Moloy jmoloy@boselaw.com,
dlingenfelter@boselaw.com;mwakefield@boselaw.com
Ronald J. Moore Ronald.Moore@usdoj.gov
Hal F Morris hal.morris@oag.texas.gov
Michael David Morris michael.morris@ago.mo.gov
Kevin Alonzo Morrissey kmorrissey@lewis-kappes.com, soliver@lewis-
kappes.com;leckert@lewis-kappes.com;kwilliams@lewis-kappes.com
Whitney L Mosby wmosby@bgdlegal.com, floyd@bgdlegal.com
C Daniel Motsinger cmotsinger@kdlegal.com,
cmotsinger@kdlegal.com;crbpgpleadings@kdlegal.com;shammersley@kdlegal.com
Lee Duck Moylan lmoylan@klehr.com, acollazo@klehr.com
Abraham Murphy murphy@abrahammurphy.com
Justin Scott Murray jmurray@atg.state.il.us
Alissa M. Nann anann@foley.com, DHeffer@foley.com
Henry Seiji Newman hsnewman@dglaw.com
Kevin M. Newman knewman@menterlaw.com, kmnbk@menterlaw.com
Cassandra A. Nielsen cnielsen@rubin-levin.net,
atty_cnielsen@bluestylus.com,mralph@rubin-levin.net;lking@rubin-levin.net
Ryan Charles Nixon rcnixon@lamarcalawgroup.com
Kathryn Elizabeth Olivier kathryn.olivier@usdoj.gov,
denise.woody@usdoj.gov;kristie.baker@usdoj.gov
Gregory Ostendorf gostendorf@scopelitis.com, agregory@scopelitis.com
Pamela A. Paige ppaige@plunkettcooney.com, amiller@plunkettcooney.com
Danielle Ann Pham danielle.pham@usdoj.gov
Jack A Raisner jar@outtengolden.com,
kdeleon@outtengolden.com;jquinonez@outtengolden.com
Jonathan Hjalmer Reischl jonathan.reischl@cfpb.gov
James Leigh Richmond James.Richmond@fldoe.org
Mai Lan Gabrielle Rodgers Rodgers.MaiLan@pbgc.gov, efile@pbgc.gov
Melissa M. Root mroot@jenner.com
David A. Rosenthal darlaw@nlci.com
James E Rossow jim@rubin-levin.net, ATTY_JER@trustesolutions.com;robin@rubin-
levin.net;lisa@rubin-levin.net
Rene Sara Roupinian rsr@outtengolden.com,
jxh@outtengolden.com;kdeleon@outtengolden.com;rfisher@outtengolden.com;gl@outtengolde
n.com;jquinonez@outtengolden.com
Victoria Fay Roytenberg vroytenberg@law.harvard.edu, jjimenez@law.harvard.edu
Steven Eric Runyan ser@kgrlaw.com
Craig Damon Rust craig.rust@doj.ca.gov, Lindsay.Bensen@doj.ca.gov
Karl T Ryan kryan@ryanesq.com, lindsey@ryanesq.com
Joseph Michael Sanders jsanders@atg.state.il.us
Thomas C Scherer tscherer@bgdlegal.com, floyd@bgdlegal.com
James R. Schrier jrs@rtslawfirm.com, lrobison@rtslawfirm.com;jlandes@rtslawfirm.com
Ronald James Schutz rschutz@robinskaplan.com
H. Jeffrey Schwartz jschwartz@robinskaplan.com
Courtney Michelle Scott cscott1@dor.in.gov

Joseph E Shickich jshickich@foxrothschild.com, vmagda@foxrothschild.com
William E Smith wsmith@k-glaw.com, clipke@k-glaw.com
Lauren C. Sorrell lsorrell@kdlegal.com, ayeskie@kdlegal.com;swaddell@kdlegal.com
Catherine L. Steege csteege@jenner.com, mhinds@jenner.com;thooker@jenner.com
Jesse Ellsworth Summers esummers@burr.com, sguest@burr.com
Jonathan David Sundheimer jsundheimer@btlaw.com
Nancy K. Swift nswift@buchalter.com, cbohnsack@buchalter.com
Eric Jay Taube eric.taube@wallerlaw.com,
annmarie.jezisek@wallerlaw.com;sherri.savala@wallerlaw.com
Meredith R. Theisen mtheisen@rubin-levin.net, dwright@rubin-levin.net;mcruser@rubin-levin.net
Meredith R. Theisen mtheisen@rubin-levin.net,
atty_mtheisen@bluestylus.com;mralf@rubin-levin.net
Jessica L Titler jt@chimicles.com
Todd Christian Toral todd.toral@dlapiper.com, todd-toral-9280@ecf.pacerpro.com
Ronald M. Tucker rtucker@simon.com, cmartin@simon.com,bankruptcy@simon.com
U.S. Trustee ustpregion10.in.ecf@usdoj.gov
Michael Ungar MUnгар@mwe.com
Sally E Veghte sveghte@klehr.com, acollazo@klehr.com
Rachel Claire Verbeke rverbeke@stroblpc.com
Amy L VonDielingen avondielingen@woodmclaw.com
Carolyn Graff Wade Carolyn.G.Wade@doj.state.or.us
Louis Hanner Watson louis@watsonnorris.com
Jeffrey R. Waxman jwaxman@morrisjames.com,
jdawson@morrisjames.com;wweller@morrisjames.com
Christine M.H. Wellons christine.wellons@maryland.gov
Philip A. Whistler philip.whistler@icemiller.com, carla.persons@icemiller.com
Bradley Winston bwinston@winstonlaw.com, lwheaton@winstonlaw.com
Brandon Michael Wise bwise@prwlegal.com
Cathleen Dianne Wyatt cwyatt@fbtlaw.com, tacton@fbtlaw.com
Joseph Yar jyar@nmag.gov, eheltman@nmag.gov
James T Young james@rubin-levin.net, lking@rubin-levin.net;atty_young@bluestylus.com;mralf@rubin-levin.net
James E. Zoccola jzoccola@lewis-kappes.com

I further certify that on July 12, 2018, pursuant to Section IV.C.3(c) of the Case Management Procedures, a copy of the foregoing *Notice to Potentially Affected Individuals Regarding Trustee's Disclosure of Protected Information* was emailed to the following:

Arlington ISD/Richardson ISD: Eboney Cobb at ecobb@pbfcm.com
CEC Red Run, LLC: Alan M. Grochal at agrochal@tydingslaw.com
SWRE Deal V Building, LLC: Paul Weiser at pweiser@buchalter.com
Tarrant County/Dallas County: Elizabeth Weller at dallas.bankruptcy@publicans.com
Northwest Natural Gas Company: Ashlee Minty at Ashlee.Minty@nwnatural.com
Solar Drive Business, LLC: Chris W. Halling at challing@hallingmeza.com
Market-Turk Company: Jordan A. Lavinsky at jlavinsky@hansonbridgett.com

Taxing Authority for Harris County, Texas: John P. Dillman at houston_bankruptcy@lgbs.com
Texas Comptroller of Public Accounts: Rachel Obaldo at rachel.obaldo@oag.texas.gov
Clear Creek Independent School District: Carl O. Sandin at csandin@pbfc.com
Synchrony Bank: Recovery Management Systems Corporation at claims@recoverycorp.com
Bexar County: Don Stecker at sanantonio.bankruptcy@publicans.com
SWRE Deal V Building, LLC: Nancy K. Swift at nswift@buchalter.com
TN Dept. of Revenue: Michael Willey at michael.willey@ag.tn.gov
Florida Department of Education: Benman D. Szeto at benman.szeto@fldoe.org
Last Second Media, Inc.: T. Todd Egland at tegland@beldenblaine.com
Hung Duong: Kevin Schwin at kevin@schwinlaw.com
Travis County: Kay D. Brock at kay.brock@traviscountytexas.gov
Able Building Maintenance: Scott D. Fink at bronationalecf@weltman.com
Marathon Ventures, LLC: Daniel M. Karger at kargerlaw@gmail.com
Oklahoma County Treasurer: Tammy Jones at tammy.jones@oklahomacounty.org
JM Partners LLC: John Marshall at jmarshall@jmpartnersllc.com

I further certify that on July 12, 2018, pursuant to Section IV.C.3(b)(ii) of the Case Management Procedures, a copy of the foregoing *Notice to Potentially Affected Individuals Regarding Trustee's Disclosure of Protected Information* was mailed, via first-class U.S. Mail, postage prepaid, and properly addressed to all ITT's former students who filed proofs of claim. Such mailing was completed by Rust Consulting/Omni Bankruptcy, the Trustee's claims and noticing agent.

/s/ Deborah J. Caruso
Deborah J. Caruso