

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SARAH DIEFFENBACHER, :
Plaintiff, :
v. : Case No. 17-cv-342
BETSY DEVOS, ET. AL. :
Defendant. :

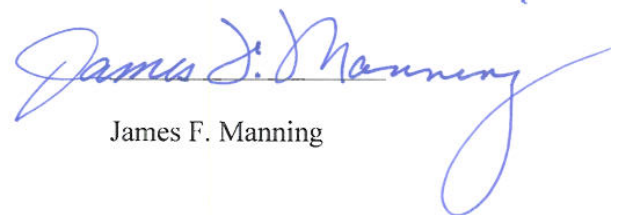
DECLARATION OF JAMES F. MANNING

I, James F. Manning, declare as follows:

1. My name is James F. Manning, I am over the age of 18, and serve as Acting Under Secretary of the United States Department of Education (“ED”). I have personal knowledge of the matters set forth herein and if called as a witness, I could and would testify competently thereto.
2. As Acting Under Secretary, I oversee policy development regarding federal student financial aid and work directly with the Federal Student Aid office (“FSA”) which administers federal student financial aid programs.
3. Through my duties as Acting Under Secretary, my work on ED Borrower Defense effort, and my discussions with ED staff working on the Borrower Defense effort, I am generally familiar with the process for implementing the Borrower Defense framework.
4. ED is currently in the process of adjudicating of Borrower Defense discharge claims under 34 C.F.R. §685.206(c).
5. ED is currently evaluating criteria for Borrower Defense relief for claims similar to that of Ms. Dieffenbacher.
6. This will allow ED to issue Borrower Defense decisions regarding claims similar to that of Ms. Dieffenbacher within six months.

7. In light of the above, ED will be able to issue a decision with regards to Ms. Dieffenbacher's Borrower Defense claims within six months, as part of a larger group of Borrower Defense decisions regarding similar claims.
8. Any interest that accrued on Ms. Dieffenbacher's student loans starting one year after the date the Borrower Defense discharge application was submitted on March 28, 2015, and through the date the decision is issued, will be forgiven regardless of the outcome of such review.
9. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of August, 2017 in Washington, DC.


James F. Manning