

1 Honorable Karen A. Overstreet  
2 Hearing date: January 23, 2009; 9:30 a.m.  
3 Hearing Place: Room 7206, 700 Stewart Street, Seattle, WA 98101  
4 Responses due by: January 16, 2009; by 4:30 p.m.

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6  
7 UNITED STATES BANKRUPTCY COURT  
8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

9 In re: ) Chapter 7  
10 COURT REPORTING INSTITUTE, INC. ) Bankruptcy No. 06-14202  
11 Debtor(s). )  
12 ) RESPONSE TO MOTION FOR  
13 ) ORDER DESTROYING RECORDS  
14 )

15 COMES NOW, Judy McKinney, a creditor and ex-student of the debtor, Court  
16 Reporting Institute ("CRI") and responds to the CRI Trustee's Motion to Destroy  
17 Records as follows:

18 As the court may be aware, many students who attended CRI borrowed  
19 extensively from the Federal Student Aid ("FSA") in order to cover tuition.  
20 Inasmuch, as CRI only graduated 6% of their students, most of those students  
21 received no benefit from those funds. The proceedings in this court have uncovered  
22 a great deal of potentially incriminating evidence against CRI and Mr. Janisch.

23 I am opposing the destruction of records at this time for the reasons below:

24 1. Potential Forgiveness of Federal Loans.

25 I and other students are in the process of seeking to have our federal financial  
26 aid loans forgiven, for, among other reasons, CRI's potential violation of FSA

McKinney's Response to Motion  
To Destroy Records -1

Judy McKinney  
12250 Greenwood Ave. N.  
No. 316  
Seattle, WA 98133  
Student Creditor

1 regulations. The records that the CRI Trustee is in possession of and seeks to  
2 destroy would be important evidence in this endeavor.

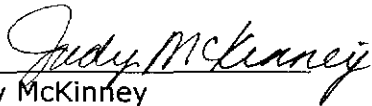
3 2. Potential Civil Lawsuits Against Alen Janisch.

4 As the court is aware, the U.S. Trustee won an order denying any discharge  
5 to Mr. Janisch by virtue of this bankruptcy. The statute of limitations on potential  
6 lawsuits for fraud, violations of the consumer protection act, and other causes of  
7 action have been stayed during the bankruptcy proceeding and once that stay has  
8 been lifted, many students or other creditors may initiate such actions against  
9 Mr. Janisch. The records Mr. Rigby currently possesses would be instrumental to  
10 the litigants in any such actions.

11 3. Potential Criminal Investigations.

12 There is a distinct possibility that there are, or will be, criminal investigations  
13 into Mr. Janisch in connection with his potential violation of FSA regulations. Again,  
14 these records would be instrumental in any such inquiry.

15 Mr. Rigby has not mentioned what the cost of storage of these records is.  
16 However, for the reasons stated above, I oppose the destruction of the records at  
17 this time.

18   
19 Judy McKinney  
Creditor

Dated: January 12, 2009

1 CERTIFICATE OF SERVICE

2 I hereby certify that on January \_\_, 2009, I mailed a copy of the foregoing  
3 document on the following party by depositing a copy in the United States mail,  
4 postage paid and by sending a copy via facsimile:

4 James Rigby, Esq.  
5 600 Stewart Street  
6 Suite 1908  
7 Seattle, WA 98101  
8 (206) 441-0533

7   
8 Judy McKinney

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McKinney's Response to Motion  
To Destroy Records -3

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