

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE: )  
 )  
ESI SERVICE CORP., ) Case No. 16-07208-JMC-7A  
 )  
Debtor. )

**MOTION TO SHORTEN NOTICE ON THE TRUSTEE’S  
MOTION TO ESTABLISH CERTAIN NOTICE, CASE MANAGEMENT  
AND ADMINISTRATIVE PROCEDURES AND APPROVE PROPOSED FORM 309D**

Deborah J. Caruso, the chapter 7 trustee in this case (the “Trustee”), by counsel, pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Local Rule B-9006-1, requests the Court enter an order shortening the notice period on the *Trustee’s Motion to Establish Certain Notice, Case Management and Administrative Procedures and Approve Proposed Form 309D* (the “Case Management Motion”), on the following grounds:

1. The Trustee has contemporaneously filed herewith the Case Management Motion requesting, pursuant to 11 U.S.C. §§ 102(1), 105(a) and Bankruptcy Rules 1015(c), 2002 and 9007, an order (a) approving and implementing certain notice, case management and administrative procedures (collectively, the “Case Management Procedures”), and (b) approving the proposed Form 309D (Notice of Chapter 7 Bankruptcy Case – Proof of Claim Deadline Set) (the “341 Notice”).

2. Due to the nature and size of the Affiliated Debtors’<sup>1</sup> bankruptcy cases, there is an urgent need to implement the Case Management Procedures in order to alleviate the administrative burden on the Court, the Trustee and the Affiliated Debtors’ bankruptcy estates.

Additionally, there is an urgent need for approval of the proposed 341 Notice. Currently, the

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<sup>1</sup> The Affiliated Debtors and their corresponding case numbers are as follows: ITT Educational Services, Inc., Case No. 16-07207-JMC-7A; ESI Service Corp., Case No. 16-07208-JMC-7A; and Daniel Webster College, Inc., Case No. 16-07209-JMC-7A.

proposed date for the first meeting of creditors under 11 U.S.C. § 341 (the “First Meeting of Creditors”) is set for November 1, 2016. In order for the Trustee to conduct the First Meeting of Creditors on November 1, 2016, the 341 Notice must be served by no later than October 7, 2016.

3. The Trustee has conferred with representatives of Rust Consulting/Omni Bankruptcy, a division of Rust Consulting, Inc. (“Rust Omni”), the proposed notice and claims agent, and Rust Omni has indicated that it is able to meet the October 7<sup>th</sup> deadline as long as the 341 Notice is approved by October 4, 2016.

4. Accordingly, the Trustee is requesting the Court shorten the notice of the Case Management Motion to seven (7) days and provide that, in the event no objections are filed, an order approving the Case Management Motion will be entered without hearing.

**WHEREFORE**, the Trustee respectfully requests entry of an Order, pursuant to Bankruptcy Rule 9006(c) and Local Rule B-9006-1, shortening the notice period for the Case Management Motion to seven (7) days and provide that, in the event no objections are filed, an order approving the Case Management Motion will be entered without hearing, and granting all other just and proper relief.

Respectfully submitted,

Proposed counsel to the Trustee  
RUBIN & LEVIN, P.C.

By: /s/ Meredith R. Theisen  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2016, a copy of the foregoing *Motion to Shorten Notice on the Trustee's Motion to Establish Certain Notice, Case Management and Administrative Procedures and Approve Proposed Form 309D* was filed electronically. 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.

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