

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 OF TRUSTEE’S MOTION TO ABANDON STUDENT
EMAIL ACCOUNTS AND RELATED DATA CURRENTLY MAINTAINED
WITH MICROSOFT CORPORATION AND/OR MICROSOFT ONLINE, INC.**

On August 10, 2017, Deborah J. Caruso, the chapter 7 trustee in this case (the “Trustee”) filed the *Trustee’s Motion to Abandon Student Email Accounts and Related Data Currently Maintained with Microsoft Corporation and/or Microsoft Online, Inc.* (the “Abandonment Motion”) [Doc 1994]. The Abandonment Motion requests entry of an order authorizing the abandonment of all student email accounts and related data (the “Student Electronic Data”) currently maintained with Microsoft Corporation (“Microsoft”) and/or Microsoft Online, Inc. (“Microsoft Online” and together with Microsoft Corp., “Microsoft”). In addition, the Abandonment Motion seeks authority for Microsoft to immediately cease storing, hosting or otherwise maintaining the Student Electronic Data and to delete the Student Electronic Data. If you have not received a copy of the Abandonment Motion, you may obtain a copy at www.ittchapter7.com.

NOTICE IS GIVEN, that pursuant to the Case Management Procedures, any objection to the Abandonment Motion must be in writing and filed with the Bankruptcy Clerk by no later than **4:00 p.m.** (prevailing Eastern Time) on **August 23, 2017**. Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail or in person at:

116 U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

The objecting party must also serve a copy of the written objection upon the Trustee’s counsel, at Counsel for Trustee Deborah J. Caruso, Rubin & Levin, P.C., 135 N. Pennsylvania Street, Suite 1400, Indianapolis, IN 46204. **If an objection is NOT timely filed, the requested relief may be granted without a hearing.**

NOTICE IS FURTHER GIVEN that in the event an objection to the Abandonment Motion is timely filed, a hearing on the Abandonment Motion and such objection will be conducted on

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].

August 30, 2017 at **1:30 p.m.** (prevailing Eastern time), in Room 325 of the United States Courthouse, 46 East Ohio Street, Indianapolis, IN 46204.

Respectfully submitted,

RUBIN & LEVIN, P.C.

Date: August 10, 2017

By: /s/ Meredith R. Theisen

Meredith R. Theisen

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
Tel: (317) 634-0300
Fax: (317) 263-9411
Email: dcaruso@rubin-levin.net
johnh@rubin-levin.net
jim@rubin-levin.net
mtheisen@rubin-levin.net
Attorneys for Deborah J. Caruso, Trustee