

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 ORDER GRANTING TRUSTEE’S MOTION TO
COMPROMISE AND SETTLE ADVERSARY PROCEEDING NO. 18-50272**

PLEASE TAKE NOTICE that on October 21, 2020, the Court entered an *Order Granting Trustee’s Motion To Compromise and Settle Adversary Proceeding No. 18-50272* (the “Order”) [Doc 4110]. The Order approves, pursuant to 11 U.S.C. §§ 105(a) and 363 and Rule 9019 of the Federal Rules of Bankruptcy Procedure, the terms of a proposed settlement by and between Deborah J. Caruso, the chapter 7 trustee in this case (the “Trustee”), not individually but solely in her capacity as Chapter 7 trustee for, and acting for and on behalf of, the Debtors, and each of the Debtors’ respective bankruptcy estates, on the one hand, and PEAKS TRUST 2009-1, Deutsche Bank Trust Company Americas, in its individual capacity and in its capacity as indenture trustee and collateral agent, Deutsche Bank National Trust Company, in its individual capacity and its capacity as lender trustee, Deutsche Bank Trust Company Delaware, in its individual capacity and in its capacity as owner trustee, Wells Fargo Bank, N.A., Liberty Harbor Master Fund I, P.P., Future Fund Board of Guardians, Oregon Public Employees Retirement Fund, solely for itself and not including any affiliates, agencies or divisions of the State of Oregon, KKR F1 Partners I L.P., USAA Life Insurance Company, Ensign Peak Advisors, Inc., American Equity Investment Life Insurance Company, Maryland State Retirement and Pension System, solely for itself and not including any affiliates, agencies or divisions of the State of Maryland, 8 Capital Partners, L.P., KKR Debt Investors 11 (2006)(Ireland), Full Circle Capital Corporation, n/k/a Great Elm Capital Corporation, United of Omaha Life Insurance Company, Pan-American Life Insurance Group, Inc., Access Group Inc., n/k/a AccessLex Institute, Middlefield Banking Co., successor to Liberty Bank, Deutsche Bank Securities Inc., Deutsche Bank, AG, London Branch, a branch of Deutsche Bank AG, Meritage Fund LLC, Goldman Sachs Global Opportunities Fund, LLC, Goldman Sachs Opportunities Offshore, Ltd., and FC Capital Investment Partners LLC, on the other hand, which settlement is embodied in a certain settlement agreement (the “Settlement Agreement”), a copy of which was attached to the *Trustee’s Motion To Compromise and Settle Adversary Proceeding No. 18-50272* (the “Motion”). A copy of the Order and the Motion, which includes the Settlement Agreement, may be accessed through the case website at <https://omnimgt.com/ITT>.

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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].

Respectfully submitted,

RUBIN & LEVIN, P.C.

Date: October 23, 2020

By: /s/ Deborah J. Caruso
Deborah J. Caruso

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