

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 SUBMISSION OF FILING OF TRUSTEE’S
MOTION FOR AUTHORITY TO MAKE INTERIM DISTRIBUTIONS TO
HOLDERS OF ALLOWED PRIORITY CLAIMS AND ALLOWED UNSECURED
CLAIMS IN THE DANIEL WEBSTER COLLEGE, INC. BANKRUPTCY CASE**

Deborah J. Caruso, the chapter 7 trustee in this case (the “Trustee”), by counsel, hereby provides notice that on October 14, 2021, the Trustee filed in the Daniel Webster College, Inc. (“DWC”) case, Case No. 16-07209, the *Trustee’s Motion for Authority to Make Interim Distributions to Holders of Allowed Priority Claims and Allowed Unsecured Claims* (the “Interim Distribution Motion”) [DWC Doc 94]. Pursuant to the Interim Distribution Motion, the Trustee is requesting entry of an order, pursuant to 11 U.S.C. §§ 105 and 726(a), authorizing the Trustee to make interim distributions to creditors in the DWC case that hold allowed priority claims and/or allowed timely filed general unsecured claims. A copy of the *Notice of Trustee’s Motion for Authority to Make Interim Distributions to Holders of Allowed Priority Claims and Allowed Unsecured Claims* [DWC Doc 95] filed in the DWC case is attached and incorporated herein as Exhibit 1.

For the avoidance of doubt, at this time, the Trustee is **not** seeking authority to make interim distributions to creditors in the ITT Educational Service, Inc. and/or ESI Service Corp. cases. The Trustee is filing this notice for the sole purpose of providing notice to ECF notice

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].

parties in this case of the filing of the Interim Distribution Motion in the DWC case and the related objection deadline and hearing date.

Respectfully submitted,
RUBIN & LEVIN, P.C.

Date: October 14, 2021

By: /s/ Meredith R. Theisen

Meredith R. Theisen

Deborah J. Caruso (Atty. No. 4273-49)
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
mtheisen@rubin-levin.net
Attorneys for Deborah J. Caruso, Trustee

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2021, a copy of the foregoing *Notice of Submission of Filing of Trustee's Motion for Authority to Make Interim Distributions to Holders of Allowed Priority Claims and Allowed Unsecured Claims in the Daniel Webster College, Inc. Bankruptcy Case* was filed electronically. Pursuant to Section IV.C.3(a) of the Case Management Procedures, 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.

John Joseph Allman jallman@hbkfirm.com, dadams@hbkfirm.com
Richard Allyn rallyn@robinskaplan.com
Robert N Amkraut ramkraut@foxrothschild.com
Scott S. Anders scott.anders@jordanramis.com, litparalegal@jordanramis.com
Reuel D Ash rash@ulmer.com, mure@ulmer.com
Todd Allan Atkinson todd.atkinson@wbd-us.com
George Bach george@georgebachlaw.com
Kay Dee Baird kbaird@kdlegal.com, rhobdy@kdlegal.com;crbpgpleadings@kdlegal.com
Christopher E. Baker cbaker@hbkfirm.com, thignight@hbkfirm.com
James David Ballinger jim@kentuckytrial.com, jennifer@kentuckytrial.com
Joseph E. Bant jebant@lewisricekc.com
William J. Barrett william.barrett@bfkn.com, mark.mackowiak@bfkn.com
Ashley Flynn Bartram ashley.bartram@oag.texas.gov
Alex M Beeman alex@beemanlawoffice.com, abeeman@reminger.com
Thomas M Beeman tom@beemanlawoffice.com
Richard James Bernard rbernard@foley.com
Thomas Berndt tberndt@robinskaplan.com, jgerboth@robinskaplan.com
John J Berry john.berry@dinsmore.com, Christina.Lee@DINSMORE.COM
Brandon Craig Bickle bbickle@gablelaw.com
Jill B. Bienstock jillbienstock@hotmail.com
Michael Blumenthal michael.blumenthal@hklaw.com
David J. Bodle dbodle@hhclaw.com, layres@hhlaw-in.com
Robert A. Breidenbach rab@goldsteinpressman.com
Wendy D Brewer wbrewer@fmdlegal.com, cbellner@fmdlegal.com
Kayla D. Britton kayla.britton@faegredrinker.com, noticeFRindy@faegrebd.com
Robert Bernard Bruner bob.bruner@nortonrosefulbright.com
Jason R Burke jburke@bbrlawpc.com, kellis@bbrlawpc.com
Erin Busch ebusch@nebraska.edu
John Cannizzaro john.cannizzaro@icemiller.com, julia.yankula@icemiller.com
Kevin M. Capuzzi kcapuzzi@beneschlaw.com,
lmolinaro@beneschlaw.com;docket@beneschlaw.com
James E. Carlberg jcarlberg@boselaw.com,
mwakefield@boselaw.com;rmurphy@boselaw.com
Steven Dean Carpenter scarpenter1@dor.in.gov
Deborah Caruso dcaruso@rubin-levin.net, dwright@rubin-levin.net;csprague@rubin-levin.net;atty_dcaruso@bluestylus.com
Deborah J. Caruso trustecarusos@rubin-levin.net,

DJC@trustesolutions.net;cdjc11@trustesolutions.net
Joshua W. Casselman jcasselman@rubin-levin.net, angie@rubin-levin.net;atty_jcasselman@bluestylus.com
Ben T. Caughey ben.caughey@merchocaughey.com
Sonia A. Chae chaes@sec.gov
John Andrew Chanin jchanin@lindquist.com, srummery@lindquist.com
Courtney Elaine Chilcote courtney@ckhattorneys.com, ckh@ckhattorneys.com;tracy@ckhattorneys.com
Dale C Christensen christensen@sewkis.com
Eboney Delane Cobb ecobb@pbfcm.com
Tiffany Cobb tscobb@vorys.com
Michael Edward Collins mcollins@manierherod.com
Michael Anthony Collyard mcollyard@robinskaplan.com, rhoule@robinskaplan.com
Eileen Connor econnor@law.harvard.edu
Lawrence D. Coppel lcoppel@gfrlaw.com
Heather M. Crockett Heather.Crockett@atg.in.gov, darlene.greenley@atg.in.gov
J Russell Cunningham rcunningham@dnlc.net, reaster@dnlc.net
Erica Dausch edausch@babstcalland.com
Melissa J. DeGroff mdegroff@kgrlaw.com, cresler@kgrlaw.com
Dustin R. DeNeal dustin.deneal@faegredrinker.com, noticeFRindy@faegredrinker.com;faegrebddocket@faegredrinker.com
Laura A DuVall Laura.Duvall@usdoj.gov, Catherine.henderson@usdoj.gov
Annette England annette.english@btlaw.com
Charles Anthony Ercole cercole@klehr.com, acollazo@klehr.com
Carolyn Meredith Fast carolyn.fast@ag.ny.gov
Elaine Victoria Fenna elaine.fenna@morganlewis.com
Andrew W Ferich awf@chimicles.com
Scott Patrick Fisher sfisher@drewrysimmons.com, lgarrison@DSVlaw.com
John David Folds dfolds@bakerdonelson.com, sparson@bakerdonelson.com
Jennifer N Fountain jfountain@iislaw.com, sfilippini@iislaw.com
Sarah Lynn Fowler sfowler@ofattorneys.com, deidre@ofattorneys.com,ellen@ofattorneys.com
Lauren Freeman lauren.freeman@doj.ca.gov
Robert W. Fuller rfuller@rbh.com, shaupt@robinsonbradshaw.com,docketing@robinsonbradshaw.com
Carlos Galliani carlos@thelidjifirm.com
Jonathan William Garlough jgarlough@foley.com, mstockl@foley.com;mdlee@foley.com
Lisa Giandomenico lgiandomenico@nmag.gov
Lea Pauley Goff lea.goff@skofirm.com, emily.keith@skofirm.com
John C Goodchild john.goodchild@morganlewis.com
Douglas Gooding dgooding@choate.com
John Andrew Goodridge jagoodridge@jaglo.com, angray@jaglo.com;dwhiggs@jaglo.com
Michael Wayne Grant michael.w.grant@doj.state.or.us
Richard Grayson Grant rgrant@rgglaw.com, grantecf@gmail.com
Alan Mark Grochal agrochal@tydingslaw.com
Elizabeth N. Hahn ehahn@rubin-levin.net, mralph@rubin-levin.net

Gregory Forrest Hahn ghahn@boselaw.com, jmcneeley@boselaw.com
Julian Ari Hammond Jhammond@hammondlawpc.com, ppecherskaya@hammondlawpc.com
Wallace M Handler whandler@swappc.com, kkloock@swappc.com
William J. Hanlon whanlon@seyfarth.com
Adam Craig Harris adam.harris@srz.com
Jeffrey M. Hawkinson jhawkinson@pcslegal.com, danderson@pcslegal.com
Michael J. Hebenstreit mhebenstreit@lewiskappes.com,
ktierney@lewiskappes.com;pkerr@lewiskappes.com
Amanda Marie Hendren amanda@indianalawgroup.com
Claude Michael Higgins Michael.Higgins@ag.ny.gov
Michael W. Hile mhile@jacobsonhile.com, assistant@jacobsonhile.com
Sean M Hirschten shirschten@psrb.com
Robert M. Hirsh rhirsh@lowenstein.com
John C. Hoard johnh@rubin-levin.net, jkrichbaum@rubin-
levin.net;atty_jch@trustesolutions.com;sturpin@rubin-levin.net
Curt Derek Hochbein chochbein@rubin-levin.net, kelly.paberzs@mbcblaw.com
Jeffrey A Hokanson jeff.hokanson@icemiller.com,
bgnotices@icemiller.com,david.young@icemiller.com
Steven Howard Holinstat sholinstat@proskauer.com
Diana Hooley diana.hooley@state.ma.us
Thomas Ross Hooper hooper@sewkis.com
George Wade Hopper ghopper@cohenandmalad.com, klandeck@cohenandmalad.com
Andrew E. Houha bkecfnotices@johnsonblumberg.com
Andrew W. Hull awhull@hooverhullturner.com, fgipson@hooverhullturner.com
James C Jacobsen jjacobsen@nmag.gov, eheltman@nmag.gov
Christine K. Jacobson cjacobson@jacobsonhile.com,
5412@notices.nextchapterbk.com,9992889420@filings.docketbird.com
Jay Jaffe jay.jaffe@faegredrinker.com, noticeFRindy@faegrebd.com
David Januszewski djanuszewski@cahill.com
Benjamin F Johns bfj@chimicles.com, klw@chimicles.com
Russell Ray Johnson russj4478@aol.com
Kenneth C. Jones kcjones@lewisricekc.com
Anthony R. Jost tjost@rbelaw.com, rmclintic@rbelaw.com;baguado@rbelaw.com
David J. Jurkiewicz DJurkiewicz@boselaw.com,
mwakefield@boselaw.com;rmurphy@boselaw.com;dlingenfelter@boselaw.com
Aaron Kappler akappler@tokn.com
Timothy Q. Karcher tkarcher@proskauer.com
Steven Joseph Kasyjanski sjk-yount-atty@ameritech.net, skasyjan@gmail.com
Alan Katz akatz@lockelord.com
Richard B. Kaufman richardkfmn@gmail.com
Carly Kessler ckessler@robinskaplan.com
John M. Ketcham jketcham@psrb.com, scox@psrb.com
Taejin Kim tae.kim@srz.com
Edward M King tking@fbtlaw.com, lsugg@fbtlaw.com;tking@ecf.inforuptcy.com
Roy F. Kiplinger bankruptcy@kiplingerlaw.com, bankruptcy@kiplingerlaw.com
Jackson Taylor Kirklin taylor.kirklin@usdoj.gov, melanie.crouch@usdoj.gov

James A. Knauer jak@kgrlaw.com, tjf@kgrlaw.com
Kevin Dale Koons kkoons@kgrlaw.com, cjh@kgrlaw.com
Harris J. Koroglu hkoroglu@shutts.com, fsantelices@shutts.com
Lawrence Joel Kotler ljkotler@duanemorris.com
Robert R Kracht rrk@mccarthylebit.com
Andrew L. Kraemer akraemer@johnsonblumberg.com, akraemerlawoffice@att.net
David R. Krebs dkrebs@hbkfirm.com, dadams@hbkfirm.com
Jerrold Scott Kulback jkulback@archerlaw.com
Jay R LaBarge jlabarge@stroblpc.com
Darryl S Laddin bkrfilings@agg.com
Michael J. Langlois mlanglois@shouselanglois.com, rshouse@shouselanglois.com
Vilda Samuel Laurin slaurin@boselaw.com
Jordan A Lavinsky jlavinsky@hansonbridgett.com
Todd Evan Leatherman todd.leatherman@ky.gov
David S Lefere dlefer@mikameyers.com, jfortney@mikameyers.com
Anthony Darrell Lehman alehman@hlpwlaw.com
Martha R. Lehman mlehman@salawus.com,
marthalehman87@gmail.com;ispells@salawus.com;lengle@salawus.com
Gary H Leibowitz gleibowitz@coleschotz.com,
pratkowiak@coleschotz.com;gleibowitz@coleschotz.com
Donald D Levenhagen dlevenhagen@landmanbeatty.com
Elizabeth Marie Little elizabeth.little@faegredrinker.com, noticeFRindy@faegredrinker.com
Edward J LoBello elobello@msek.com
Melinda Hoover MacAnally Melinda.MacAnally@atg.in.gov,
Carrie.Spann@atg.in.gov;Kenyatta.Peerman@atg.in.gov
John A. Majors jam@morganandpottinger.com, majormajors44@yahoo.com
Steven A. Malcoun dsmith@mayallaw.com
John Marshall JMarshall@JMPartnersLLC.com
Jonathan Marshall jmarshall@choate.com
Thomas Marvin Martin tmmartin@lewisricekc.com
Jeff J. Marwil jmarwil@proskauer.com
Charles Edward Massey mbracken@nkylawyers.com, cedmassey@nkylawyers.com
Ann Wilkinson Matthews amatthews@ncdoj.gov
Rachel Jaffe Mauceri rmauceri@rc.com
Sarah Thomas Mayhew sarah.t.mayhew@usdoj.gov, northern.taxcivil@usdoj.gov
Michael K. McCrory mmccrory@btlaw.com, bankruptcyindy@btlaw.com
Maureen Elin McOwen molly.mcowen@cfpb.gov
Harley K Means hkm@kgrlaw.com,
kwhigham@kgrlaw.com;cjs@kgrlaw.com;tfroelich@kgrlaw.com
Toby Merrill toby.merrill@ed.gov, ppsl@law.harvard.edu
Robert W. Miller rmiller@manierherod.com
Sherry Millman smillman@stroock.com
Jason Milstone jason.milstone@cmsenergy.com
Thomas E Mixdorf thomas.mixdorf@icemiller.com, brandy.matney@icemiller.com
James P Moley jmoley@boselaw.com,
dlingenfelter@boselaw.com;mwakefield@boselaw.com

Ronald J. Moore Ronald.Moore@usdoj.gov
Hal F Morris hal.morris@oag.texas.gov
Michael David Morris michael.morris@ago.mo.gov
Kevin Alonzo Morrissey kmorrissey@lewis-kappes.com, soliver@lewis-kappes.com;leckert@lewis-kappes.com;kwilliams@lewis-kappes.com
Whitney L Mosby whitney.mosby@dentons.com,
faith.wolfe@dentons.com;nancy.branham@dentons.com
C Daniel Motsinger cmotsinger@kdlegal.com,
cmotsinger@kdlegal.com;rhubdy@kdlegal.com;crbpgpleadings@kdlegal.com
Lee Duck Moylan lmoylan@klehr.com, acollazo@klehr.com
Joseph L. Mulvey joseph@mulveyllc.com, linda@mulveyllc.com
Abraham Murphy murphy@abrahammurphy.com
Justin Scott Murray jmurray@atg.state.il.us
Alissa M. Nann anann@foley.com, DHeffer@foley.com
Henry Seiji Newman hsnewman@dglaw.com
Kevin M. Newman knewman@menterlaw.com, kmnbk@barclaydamon.com
Cassandra A. Nielsen cnielsen@rubin-levin.net,
atty_cnielsen@bluestylus.com,mralph@rubin-levin.net;lking@rubin-levin.net
Ryan Charles Nixon rcnixon@lamarcalawgroup.com
Isaac Nutovic inutovic@nutovic.com
Michael O'Donnell mike.odonnell@nortonrosefulbright.com
Gregory Ostendorf gostendorf@scopelitis.com, agregory@scopelitis.com
Weston Erick Overturf wes@ofattorneys.com,
deidre@ofattorneys.com;ellen@ofattorneys.com
Pamela A. Paige ppaige@plunkettcooney.com, amiller@plunkettcooney.com
Kenneth Pasquale kpasquale@stroock.com
Eric Pendergraft ependergraft@slp.law, dwoodall@slp.law;bss@slp.law
Danielle Ann Pham danielle.pham@usdoj.gov
Anthony Pirraglia anthony.pirraglia@hklaw.com
Jack A Raisner jar@raisnerroupinian.com, rrlp@ecf.courtdrive.com
Jonathan Hjalmer Reischl jonathan.reischl@cfpb.gov
Michael Rella mrella@mmlawus.com
Caroline Ellona Richardson caroline@paganelligroup.com,
robin@paganelligroup.com;buffy@paganelligroup.com
James Leigh Richmond James.Richmond@fldoe.org
John M. Rogers johnr@rubin-levin.net, jkrichbaum@rubin-levin.net;atty_rogers@bluestylus.com;mralph@rubin-levin.net;lking@rubin-levin.net
Melissa M. Root mroot@jenner.com, wwilliams@jenner.com
David A. Rosenthal darlaw@nlci.com
James E Rossow jim@rubin-levin.net, mralph@rubin-levin.net;ATTY_JER@trustesolutions.com
Rene Sara Roupinian rsr@raisnerroupinian.com, warnlawyers@raisnerroupinian.com;jenny--hoxha--5459@ecf.pacerpro.com;rllp@ecf.courtdrive.com
Victoria Fay Roytenberg vrotyenberg@law.harvard.edu, eschmidt@law.harvard.edu
Steven Eric Runyan ser@kgrlaw.com
Karl T Ryan info@ryanesq.com, kryan@ryanesq.com

Joseph Michael Sanders jsanders@atg.state.il.us
Thomas C Scherer thomas.scherer@dentons.com, faith.wolfe@dentons.com
James R. Schrier jrs@rtslawfirm.com, lrobison@rtslawfirm.com;jlandes@rtslawfirm.com
Ronald James Schutz rschutz@robinskaplan.com
H. Jeffrey Schwartz jschwartz@robinskaplan.com
Courtney Michelle Scott cscott1@dor.in.gov
Joseph E Shickich jshickich@foxrothschild.com, vmagda@foxrothschild.com
Mary Alexandra Shipley ashipley@mcguirewoods.com
William Shotzbarger wshotzbarger@duanemorris.com
Randall R Shouse rshouse@shouselanglois.com, mlanglois@shouselanglois.com
William E Smith wsmith@k-glaw.com, cshaughnessy@k-glaw.com
Lauren C. Sorrell lsorrell@kdlegal.com,
ayeskie@kdlegal.com;swaddell@kdlegal.com;cmotsinger@kdlegal.com;shammersley@kdlegal.com
Berry Dan Spears berrydspears616@gmail.com
Catherine L. Steege csteege@jenner.com,
mhinds@jenner.com;thooker@jenner.com;aswingle@jenner.com
LaChelle D Stepp lstepp@steppjaffe.com, lastepp@yahoo.com
Jason V Stitt jstitt@kmklaw.com
Sharon Stolte sstolte@sandbergphoenix.com
Jesse Ellsworth Summers esummers@burr.com, sguest@burr.com
Matthew G. Summers summersm@ballardspahr.com, lanoc@ballardspahr.com
Jonathan David Sundheimer jsundheimer@btlaw.com
Nathan L Swehla nswehla@graydon.law
Nancy K. Swift nswift@buchalter.com, cbohnsack@buchalter.com
Andrew W.J. Tarr atarr@robinsonbradshaw.com,
jrobey@robinsonbradshaw.com,docketing@robinsonbradshaw.com
Eric Jay Taube eric.taube@wallerlaw.com,
annmarie.jezisek@wallerlaw.com;sherri.savala@wallerlaw.com
Meredith R. Theisen mtheisen@rubin-levin.net, dwright@rubin-levin.net;mcruser@rubin-levin.net
Meredith R. Theisen mtheisen@rubin-levin.net,
atty_mtheisen@bluestylus.com;mralf@rubin-levin.net;csprague@rubin-levin.net
Jessica L Titler jt@chimicles.com
David Tocco djtocco@vorys.com, mdwalkuski@vorys.com
Todd Christian Toral todd.toral@dlapiper.com, todd-toral-9280@ecf.pacerpro.com
Ronald M. Tucker rtucker@simon.com, cmartin@simon.com,bankruptcy@simon.com
Christopher Turner christopher.turner@lw.com, DClitServ@lw.com
Michael Tye michael.tye@usdoj.gov
U.S. Trustee ustpregion10.in.ecf@usdoj.gov
Lauren Valkenaar lvalkenaar@chasnoffstribling.com
Sally E Veghte sveghte@klehr.com, acollazo@klehr.com
Rachel Claire Verbeke rverbeke@stroblpc.com
Aimee Vidaurri aimee.vidaurri@nortonrosefulbright.com
Amy L VonDielingen amy.vondielingen@woodenlawyers.com
Amy E Vulpio vulpioa@whiteandwilliams.com

Carolyn Graff Wade Carolyn.G.Wade@doj.state.or.us
Christopher D Wagner cwagner@hooverhullturner.com
Louis Hanner Watson louis@watsonnorris.com
Jeffrey R. Waxman jwaxman@morrisjames.com,
jdawson@morrisjames.com;wweller@morrisjames.com
Philip A. Whistler philip.whistler@icemiller.com, holly.minnis@icemiller.com
Bradley Winston bwinston@winstonlaw.com, lwheaton@winstonlaw.com
Brandon Michael Wise bwise@prwlegal.com
Cathleen Dianne Wyatt cwyatt@fbtlaw.com, tacton@fbtlaw.com
James T Young james@rubin-levin.net, lking@rubin-levin.net;atty_young@bluestylus.com
James E. Zoccola jzoccola@lewis-kappes.com

I further certify that on October 14, 2021, pursuant to Section IV.C.3(c) of the Case Management Procedures, a copy of the foregoing *Notice of Submission of Filing of Trustee's Motion for Authority to Make Interim Distributions to Holders of Allowed Priority Claims and Allowed Unsecured Claims in the Daniel Webster College, Inc. Bankruptcy Case* was emailed to the following:

CEC Red Run, LLC: Alan M. Grochal at agrochal@tydingslaw.com
SWRE Deal V Building, LLC: Paul Weiser at pweiser@buchalter.com
Tarrant County/Dallas County: Elizabeth Weller at dallas.bankruptcy@publicans.com
Northwest Natural Gas Company: Ashlee Minty at Ashlee.Minty@nwnatural.com
Solar Drive Business, LLC: Chris W. Halling at challing@hallingmeza.com
Market-Turk Company: Jordan A. Lavinsky at jlavinsky@hansonbridgett.com
Taxing Authority for Harris County, Texas: John P. Dillman at houston_bankruptcy@lgbs.com
Texas Comptroller of Public Accounts: Rachel Obaldo at rachel.obaldo@oag.texas.gov
Clear Creek Independent School District: Carl O. Sandin at csandin@pbfc.com
Synchrony Bank: Recovery Management Systems Corporation at claims@recoverycorp.com
Bexar County: Don Stecker at sanantonio.bankruptcy@publicans.com
SWRE Deal V Building, LLC: Nancy K. Swift at nswift@buchalter.com
TN Dept. of Revenue: Michael Willey at michael.willey@ag.tn.gov
Florida Department of Education: Jason Borntreger at jason.borntreger@fldoe.org
Last Second Media, Inc.: T. Todd Eglund at tegland@beldenblaine.com
Hung Duong: Kevin Schwin at kevin@schwinlaw.com
Travis County: Kay D. Brock at kay.brock@traviscountytexas.gov
Able Building Maintenance: Scott D. Fink at bronationalecf@weltman.com
Marathon Ventures, LLC: Daniel M. Karger at kargerlaw@gmail.com
Oklahoma County Treasurer: Tammy Jones at tammy.jones@oklahomacounty.org
JM Partners LLC: John Marshall at jmarshall@jmpartnersllc.com

/s/ Meredith R. Theisen
Meredith R. Theisen

EXHIBIT 1

[Interim Distribution Motion Notice]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)
)
DANIEL WEBSTER COLLEGE, INC.,) Case No. 16-07209-JMC-7A
)
Debtor.)

**NOTICE OF TRUSTEE’S MOTION FOR AUTHORITY
TO MAKE INTERIM DISTRIBUTIONS TO HOLDERS OF
ALLOWED PRIORITY CLAIMS AND ALLOWED UNSECURED CLAIMS**

PLEASE TAKE NOTICE that on October 14, 2021, Deborah J. Caruso, the chapter 7 trustee in this case (the “Trustee”), filed the *Trustee’s Motion for Authority to Make Interim Distributions to Holders of Allowed Priority Claims and Allowed Unsecured Claims* (the “Motion”) [Doc 94], requesting entry of an order, pursuant to 11 U.S.C. §§ 105 and 726(a), authorizing the Trustee to make interim distributions to creditors in this case as set forth in the Summary of Proposed Interim Distribution attached hereto. A copy of the Motion can be obtained through the case website at <https://omnimgt.com/itt> or on PACER.

NOTICE IS GIVEN, that any objection to the Motion, including any objection to the proposed interim distributions as outlined in the Summary of Proposed Interim Distribution, must be in writing and filed with the Bankruptcy Clerk by no later than **November 10, 2021**. Parties not represented by an attorney may deliver any written objection to the Motion as follows: (a) by U.S. mail, courier, overnight/express mail at Clerk, United States Bankruptcy Court, Re: *Daniel Webster College, Inc.*, 116 U.S. Courthouse, 46 East Ohio Street, Indianapolis, IN 46204; or (b) by publicly accessible drop box available at the Indianapolis Division located at the New York Street and Pennsylvania Street entrance. The objecting party must also serve a copy of any 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 (ittchapter7@rubin-levin.net). **If an objection is NOT timely filed, the requested relief may be granted without a hearing.**

NOTICE IS FURTHER GIVEN that in the event of an objection to the Motion is timely filed, a hearing on the Motion and such objection will be conducted on **November 17, 2021** at **1:30 p.m.** (prevailing Eastern time), in Room 325 of the United States Courthouse, 46 East Ohio Street, Indianapolis, IN 46204. Interested parties may also participate at the hearing by conference call by calling 1-888-273-3658, passcode 6349352#.

Respectfully submitted,
RUBIN & LEVIN, P.C.

Date: October 14, 2021

By: /s/ Meredith R. Theisen
Meredith R. Theisen

Deborah J. Caruso (Atty. No. 4273-49)
Meredith R. Theisen (Atty. No. 28804-49)
RUBIN & LEVIN, P.C.
135 N. Pennsylvania Street, Suite 1400
Indianapolis, IN 46204
Attorneys for Deborah J. Caruso, Trustee

SUMMARY OF PROPOSED INTERIM DISTRIBUTION

Case No.: 16-07209-JMC-7A
 Case Name: Daniel Webster College, Inc.
 Trustee Name: Deborah J. Caruso

As of September 30, 2021:

Gross receipts of: \$ 14,228,625.13
 Approved disbursements of: \$ 2,347,399.37
 Balance on hand: \$ 11,881,225.76

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amt. of Claim	Interim Payments to Date	Proposed Interim Distribution
122a	NADINE CHAMBERLIN (GENE GRAVELLE)	\$0.00	\$0.00	\$0.00	\$0.00

Total to be paid to secured creditors: \$0.00
 Remaining balance: \$11,881,225.76

The following chapter 7 administrative expenses of professionals have been paid through September 30, 2021, with the exception of the trustee fees, which are anticipated to be paid following Court approval:

Applicant	Total Amount	Interim Payments to Date	Proposed Payment
Deborah J. Caruso, Trustee Fees	\$378,027.77	\$0.00	\$378,027.77
Rubin & Levin, PC, Attorney for Trustee	\$274,272.97	\$274,272.97	\$0.00
A&G Realty Partners, LLC, Auctioneer for Trustee	\$326,700.00	\$326,700.00	\$0.00
BGBC Partners, LLP, Accountants for Trustee	\$39,712.16	\$39,712.16	\$0.00
Robins Kaplan LLP, Attorney for Trustee	\$2,289.80	\$2,289.80	\$0.00
McKool Smith, P.C., Attorney for Trustee	\$24,023.81	\$24,023.81	\$0.00
McClintock & Associates, P.C., Accountants for Trustee	\$1,722.70	\$1,722.70	\$0.00
Electronic Strategies, Inc., Other Professional	\$30,452.50	\$30,452.50	\$0.00
Omni Agent Solutions, Claims and Noticing Agent	\$33,093.44	\$33,093.44	\$0.00
Mark A. Huber, Other Professional	\$118,100.00	\$118,100.00	\$0.00
CorsumIT, LLC, Other Professional	\$27,901.30	\$27,901.30	\$0.00
G&E Real Estate Mgmt Svcs, Inc., Management Company for Trustee	\$80,791.97	\$80,791.97	\$0.00

Total to be paid for chapter 7 administrative expenses of professionals: \$378,027.77
 Remaining balance: \$11,503,197.99

In addition to the chapter 7 administrative expenses of professionals listed above, allowed timely filed priority claims totaling \$13,426.09 must be paid in advance of any proposed interim distribution to general unsecured creditors with allowed timely filed claims. The allowed timely filed priority claims are:

Claim No.	Claimant	Allowed Amt. of Claim	Interim Payments to Date	Proposed Interim Distribution
8	DEBORA L. LOWKE	\$298.91	\$0.00	\$298.91
11	ROSE E. LAFONTAINE	\$278.95	\$0.00	\$278.95
88	JENNIFER EVERLY	\$700.40	\$0.00	\$700.40
122b	NADINE CHAMBERLIN (GENE GRAVELLE)	\$913.54	\$0.00	\$913.54
134	WILLIAM R. MARQUIS	\$161.58	\$0.00	\$161.58
136	JEREMY JOHN MURPHY	\$481.19	\$0.00	\$481.19
160	DEBORA L. LOWKE ¹	\$77.22	\$0.00	\$77.22
198	MARILYN FRANKLAND	\$194.71	\$0.00	\$194.71
244a	STATE OF ALABAMA, DEPARTMENT OF REVENUE	\$111.99	\$0.00	\$111.99
370Aa	RACHEL V. CASTILLO	\$147.46	\$0.00	\$147.46
370Ab	LAURA I. CLEAVES	\$415.92	\$0.00	\$415.92
370Ac	CATHERINE A CONNELL ²	\$461.37	\$0.00	\$461.37
370Ad	STEVEN P. COOPER	\$138.44	\$0.00	\$138.44
370Ae	SCOTT CORBETT	\$182.03	\$0.00	\$182.03
370Af	DENISE K DUKELOW	\$372.37	\$0.00	\$372.37
370Ag	KRYSTAL A GARLOCK	\$178.98	\$0.00	\$178.98
370Ah	AMANDA M GIBBONS	\$386.81	\$0.00	\$386.81
370Ai	TODD A GORDON	\$349.51	\$0.00	\$349.51
370Aj	WAYNE A GOULET	\$443.12	\$0.00	\$443.12
370Ak	DAVID M HUBER	\$238.83	\$0.00	\$238.83
370Al	SOPHIA P JOHNSON ³	\$645.09	\$0.00	\$645.09
370Am	YD KOUMARIANOS	\$449.02	\$0.00	\$449.02
370An	MICHAEL R LAMBERT	\$208.32	\$0.00	\$208.32
370Ao	JAMES F LINDSAY	\$513.28	\$0.00	\$513.28
370Ap	FUJIA LU ⁴	\$515.38	\$0.00	\$515.38
370Aq	JAMES F MATTHEWS	\$657.73	\$0.00	\$657.73

¹ The actual distribution to this wage claimant will be the proposed amount of \$77.22, less applicable withholding taxes on the total proposed amount of \$77.22, which will be remitted to the appropriate taxing authorities.

² The actual distribution to this wage claimant will be the proposed amount of \$461.37, less applicable withholding taxes on \$151.30 of the total proposed amount, which will be remitted to the appropriate taxing authorities.

³ The actual distribution to this wage claimant will be the proposed amount of \$645.09, less applicable withholding taxes on \$275.90 of the total proposed total amount, which will be remitted to the appropriate taxing authorities.

⁴ The actual distribution to this wage claimant will be the proposed amount of \$515.38, less applicable withholding taxes on the total proposed amount of \$515.38, which will be remitted to the appropriate taxing authorities.

370Ar	JANET M PROULX	\$241.49	\$0.00	\$241.49
370As	KENNETH M RICHARDSON	\$786.80	\$0.00	\$786.80
370At	JODY A SHAW	\$560.35	\$0.00	\$560.35
370Au	MICHAEL W TEASDALE	\$720.18	\$0.00	\$720.18
370Av	LOUIS H WINSLOW	\$521.58	\$0.00	\$521.58
374b	FRANCHISE TAX BOARD	\$823.54	\$0.00	\$823.54
476	CONNECTICUT DEPARTMENT OF REVENUE SERVICES	\$250.00	\$0.00	\$250.00
514A	MISSISSIPPI DEPARTMENT OF REVENUE	\$0.00	\$0.00	\$0.00

Total to be paid to priority claims: \$13,426.09⁵
Remaining balance: \$11,489,771.90

Timely filed claims of general unsecured creditors totaling \$1,240,733,215.97 have been allowed and will be paid their *pro rata* share of \$9,500,000.00 (0.7657% of the total allowed claim amount). The timely filed claims of general unsecured creditors and their *pro rata* share of \$9,500,000.00 are as follows:

Claim No.	Claimant	Allowed Amt. of Claim	Interim Payments to Date	Proposed Interim Distribution
16	JAMES MATTHEWS	\$1,050.00	\$0.00	\$8.04
19	MBT WORLDWIDE, INC.	\$20,072.50	\$0.00	\$153.69
20	DAN PICARD	\$350.00	\$0.00	\$2.68
46	GRANITE STATE AUTOMATION	\$874.49	\$0.00	\$6.70
59	JEREMY MURPHY	\$118.50	\$0.00	\$0.91
64	MY COLLEGE GUIDE	\$6,995.00	\$0.00	\$53.56
65	PAPERGRAPHICS PRINT & COPY, INC	\$985.67	\$0.00	\$7.55
69	THE GRAPHIC EDGE	\$2,615.15	\$0.00	\$20.02
94	MCMaster-CARR SUPPLY COMPANY	\$86.60	\$0.00	\$0.66
106	GRANITE STATE GLASS	\$562.00	\$0.00	\$4.30
125	THE REGAL PRESS, INC.	\$287.34	\$0.00	\$2.20
130	MCGILL'S, INC.	\$412.70	\$0.00	\$3.16
139	JOSTENS, INC.	\$541.17	\$0.00	\$4.14
152	BETTY K. MULLINS	\$1,790.00	\$0.00	\$13.71
165	JIM TROMBLY PLUMBING, HEATING & COOLING INC.	\$5,830.00	\$0.00	\$44.64
182	JAMES H. YOUNG	\$4,590.00	\$0.00	\$35.14
184	HIPPOPRESS LLC	\$900.00	\$0.00	\$6.89
200	BEST QUALIFIED CLEANING, INC.	\$596.00	\$0.00	\$4.56

⁵ This is the total gross amount to be paid on allowed priority claims, which includes amounts for withholding taxes that the Trustee is required to withhold and remit to the appropriate taxing authorities in connection with certain wage priority claimants.

209	XEROX EDUCATION SERVICES, LLC	\$1,207.01	\$0.00	\$9.24
211b	PENNICHUCK WATER	\$14,134.39	\$0.00	\$108.22
212A	DEPARTMENT OF TREASURY – INTERNAL REVENUE SERVICE	\$0.00	\$0.00	\$0.00
217	PUBLIC SERVICE OF NEW HAMPSHIRE DBA EVERSOURCE	\$21,355.19	\$0.00	\$163.51
219b	GRANITE STATE STAMPS	\$21.20	\$0.00	\$0.16
221	LUCENT MEDIA, LLC	\$15,466.00	\$0.00	\$118.42
227	NHTI ATHLETIC CALENDAR	\$995.00	\$0.00	\$7.62
245	LEIGHTON A. WHITE, INC.	\$9,093.00	\$0.00	\$69.63
299	WILLIAM WALLACE	\$364.19	\$0.00	\$2.79
303	SODEXO OPERATIONS, LLC	\$125,205.28	\$0.00	\$958.67
338A	LIBERTY MUTUAL INSURANCE COMPANY	\$684,605.67	\$0.00	\$5,234.21
339	JOB CASE, INC.	\$16,770.00	\$0.00	\$128.40
342A	ESI SERVICE CORP.	\$9,630,752.65	\$0.00	\$73,740.39
349	VANTIV, LLC	\$500.00	\$0.00	\$3.83
359a	STUDENT CU CONNECT CUSO, LLC ("CUSO")	\$127,844,857.00	\$0.00	\$978,877.75
383A	SOUTHERN NEW HAMPSHIRE UNIVERSITY	\$816,743.44	\$0.00	\$6,253.61
424A	JORGE VILLALBA ET AL. & OTHERS SIMILARLY SITUATED	\$1,099,896,000.00	\$0.00	\$8,421,642.84
437	PROCYON PROPERTIES, LLC	\$62,750.72	\$0.00	\$480.47
497	UNITED STATES ON BEHALF OF U.S. DEPARTMENT OF EDUCATION	\$1,544,738.11	\$0.00	\$11,827.69

Total to be paid to timely general unsecured claims: \$9,500,000.00
 Remaining balance: \$1,989,771.90

Tardily filed claims of general unsecured creditors totaling \$12,894.54 have been allowed and are only entitled to a distribution after all allowed administrative, priority and timely filed general unsecured claims have been paid in full, and therefore, are not entitled to an interim distribution at this time. Tardily filed claims of general unsecured creditors are as follows:

Claim No.	Claimant	Allowed Amt. of Claim	Interim Payments to Date	Proposed Interim Distribution
480	COLLEGE PUBLICATIONS, INC (NHTI ATHLETIC CALENDAR)	\$995.00	\$0.00	\$0.00
483	LOOMIS	\$914.95	\$0.00	\$0.00
486	PALACE THEATRE TRUST	\$495.00	\$0.00	\$0.00
500	THE STEPHEN PHILLIPS MEMORIAL SCHOLARSHIP FUND, INC.	\$4,500.00	\$0.00	\$0.00

513	PARADIGM PLUMBING HEATING & AIR CONDITIONING	\$5,989.59	\$0.00	\$0.00
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Total to be paid to tardily filed general unsecured claims: \$0.00
 Remaining balance: \$1,989,771.90

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$7.00 have been allowed and are only entitled to distribution after all allowed administrative, priority, timely filed general unsecured claims and tardily filed general unsecured claims have been paid in full, and therefore, are not entitled to an interim distribution at this time. Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court are as follows:

Claim No.	Claimant	Allowed Amt. of Claim	Interim Payments to Date	Proposed Interim Distribution
244b	STATE OF ALABAMA, DEPARTMENT OF REVENUE	\$7.00	\$0.00	\$0.00

Total to be paid for subordinated claims: \$0.00
 Remaining balance: \$1,989,771.90

The remaining balance of \$1,989,771.90 will be utilized to pay ongoing administrative expenses until the closure of the case, with any remaining funds to be distributed pursuant to 11 U.S.C. § 726.

I hereby certify, under penalty of perjury, that information contained herein is true and correct.

Date: October 14, 2021

/s/ Deborah J. Caruso, Trustee
 Deborah J. Caruso
 Chapter 7 Trustee for the Bankruptcy Estate of Daniel Webster College, Inc., Case No. 16-07209-JMC-7A