THIS ORDER IS
APPROVED.

Dated: February 02, 2006

signature
JAMES M. MARLAR
U.S. Bankruptcy Judge
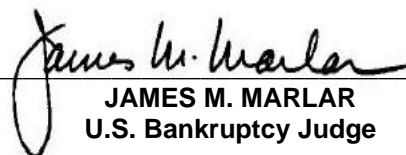
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5   Attorneys for Debtor

6   IN THE UNITED STATES BANKRUPTCY COURT

7   FOR THE DISTRICT OF ARIZONA

8
    In re: Chapter 7 Proceedings
9
    MARK A. TORRE,   Case No.: 4:05-bk-04468-JMM
10
                    Debtor.
11
    _____   Adversary No. 4:05-ap-00248-JMM
12 MARK A. TORRE,

13   Plaintiff,   **STIPULATED JUDGMENT OF**
                                                    DISCHARGEABILITY OF DEBT
14 v.   **OWED TO SALLIE MAE, INC.**

15 U.S. DEPARTMENT OF EDUCATION;
    SALLIE MAE; HARVARD
16 UNIVERSITY; and TERI

17   Defendants.
    _____

18   The Plaintiff Mark A. Torre ("Torre") and Defendant Sallie Mae, Inc. ("Sallie Mae") by and

19 through their respective counsel undersigned, in response to the **_Complaint to Determine_**

20 **_Dischargeability of Debt_** ("Complaint") filed in the above-captioned cause of action, have entered

21 into a stipulation concerning the dischargeability of the educational debt owed to Sallie Mae and

22 hereby stipulate and agree as follows:

23   **FINDINGS OF FACT**

24   1.   Torre is the Plaintiff and Debtor in the above-captioned cause of action.

25   2.   Sallie Mae is an entity associated with the government of the United States of

26 America, and is the servicing agent for one of the Student Loans (as defined in the Complaint).

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3. Torre filed a voluntary petition commencing a Chapter 7 case on August 10, 2005 ("Filing Date") under Case No. 4:05-bk-04468-JMM (the "Bankruptcy Case").

4. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §§1134 and 157, 11 U.S.C. §§523(a)(8), and Fed.R.Bankr.P. 4004, 4007 and 7001(6). This adversary proceeding constitutes a "core" matter over which this Court has jurisdiction to enter a final judgment, pursuant to 28 U.S.C. §157(b)(2)(I). Pursuant to 28 U.S.C. §1409(a), venue in this Court is proper.

5. Prior to the Filing Date, Torre received an educational loan designated as a "Bar-Study Loan." The Bar-Study Loan was disbursed on or about May 14, 1998, in the original principal amount of $7,500.00.

6. As of the Filing Date, the balance of the Bar-Study Loan was approximately $2,381.01.

7. Sallie Mae is the account servicing agent and is responsible for the collection of the Bar Study Loan.

8. Excepting the Bar-Study Loan from discharge will impose an undue hardship on Torre and on Torre's dependents.

9. The parties hereto have reached an agreement which resolves those portions of the Complaint with respect to the Bar-Study Loan and Sallie Mae, as well as the other matters set forth herein.

ORDER

Based upon the foregoing Findings of Facts, the Court hereby enters its orders as follows:

A. The Finings of Fact contained hereinabove are incorporated by reference herein and Torre and Sallie Mae acknowledge the accuracy of said Findings of Fact.

B. Based on the Findings of Fact, and the parties' agreements as set forth herein, the Court finds that accepting the Bar-Study Loan and the obligation owed to Sallie Mae from discharge would impose an undue hardship on Torre and Torre's dependents.
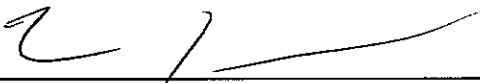
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C. The Bar-Study Loan is a dischargeable debt and the obligation owed to Sallie Mae will be subject to the Chapter 7 discharge entered in the Bankruptcy Case.
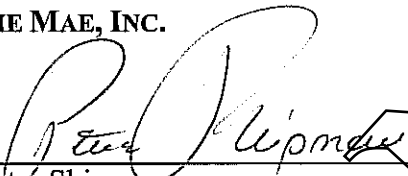
DATED this _____ day of _____ 2006.

_____
Honorable James M. Marlar
United States Bankruptcy Court Judge

**AGREED AS TO FORM
AND CONTENT:**

ENGELMAN BERGER, P.C.

By_____
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Attorneys for Mark Torre

SALLIE MAE, INC.

By_____
Petra Shipman
Litigation Analyst