

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Jane Doe

Plaintiff, Debtor

v.

U.S. Department of Education, Educational
Credit Management Corporation, Sallie Mae,
Apollo Education Group Inc., Navient,
University Accounting Service.

Defendants, Creditors

)
)
) Bankruptcy Judge
) Honorable Dave Trout
) Chapter 7
)
) Trustee Dan Smith
)
) Bankr. No. 11-67894
) Adv. Proc. No. 11-45321
)

MOTION REQUESTING A COURT-APPOINTED EXPERT WITNESS

1. **NOW COMES, Jane Doe, debtor,** Plaintiff, pursuant to Federal Rules of Evidence, 2020 Edition, Rule 706 I am requesting a court appointed expert witness.
2. **Plus, I am requesting 90 days for Plaintiff and the Defendants to find and agree on an expert witness.**
3. Statements have been made where I believe that the Defendants and the court does not understand my disability, how it affects my life, how it affects my ability regarding employment in regards to job interview, job performance, and job attainment.
4. I do not think that the Defendants and the court understand that attaining a college degree is different than attaining employment. In college you have support, such as extra time to take exams, sound proof rooms to take exams, tutors, and access to rehabilitation technology.
5. The following national organizations might be able to provide an expert witness either for free or at an affordable cost.
6. Learning Disabilities Association of America. <https://ldaamerica.org/>

7. National Center for Learning Disabilities. <https://www.ncld.org>

8. LD OnLine. <http://www.ldonline.org/> LD OnLine is a national educational service of WETA-TV, the PBS station in Washington, D.C. WETA

Rule 706 – Court-Appointed Expert Witnesses

(a) Appointment Process. On a party's motion or on its own, the court may order the parties to show cause why expert witnesses should not be appointed and may ask the parties to submit nominations. The court may appoint any expert that the parties agree on and any of its own choosing. But the court may only appoint someone who consents to act.

(b) Expert's Role. The court must inform the expert of the expert's duties. The court may do so in writing and have a copy filed with the clerk or may do so orally at a conference in which the parties have an opportunity to participate. The expert:

(1) must advise the parties of any findings the expert makes;

(2) may be deposed by any party;

(3) may be called to testify by the court or any party; and

(4) may be cross-examined by any party, including the party that called the expert.

(c) Compensation. The expert is entitled to a reasonable compensation, as set by the court. The compensation is payable as follows:

(1) in a criminal case or in a civil case involving just compensation under the Fifth Amendment, from any funds that are provided by law; and

(2) in any other civil case, by the parties in the proportion and at the time that the court directs — and the compensation is then charged like other costs.

(d) Disclosing the Appointment to the Jury. The court may authorize disclosure to the jury that the court appointed the expert.

(e) Parties' Choice of Their Own Experts. This rule does not limit a party in calling its own experts.

Wherefore,

9. I am requesting a court appointed expert witness. Plus, I am requesting 90 days for Plaintiff and the Defendants to find and agree on an expert witness.

Jane Doe
1234 Cat Street
Wood Park, PA 15003
(504) 555-1212
Email: Janedoe @gmail.com
Debtor, Plaintiff signature: _____
Date: July 23, 2016

CERTIFICATE OF SERVICE

I Jane Doe, Debtor, Plaintiff, hereby certify that a true and correct copy of **MOTION REQUESTING A COURT-APPOINTED EXPERT WITNESS** was served on Creditors, Defendants at

To:

Lawyer for the U.S. Department of Education (Name and address)

Lawyer for the Educational Credit Management Corporation (Name and address)

by first class mail, postage pre-paid, and depositing the same in the U.S. Mail at 123 Wood Blvd, Wood Park, PA 15003 Mailed on July 23, 2016. 4:00 pm.

Jane Doe
1234 Cat Street
Wood Park, PA 15003
(504) 555-1212
Email: Janedoe @gmail.com
Debtor, Plaintiff signature: _____
Date: July 23, 2016