

Official Form 417A (12/18)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

IN RE:	:	
RYAN K. WOLFSON,	:	
	:	
Debtor	:	Chapter 7
	:	Case No. 19-11618-LSS
	:	
	:	
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RYAN K. WOLFSON,	:	
	:	
Plaintiff	:	
	:	
v.	:	Adv. No. 19-50717-LSS
	:	
MIGUEL CARDONA ON BEHALF OF THE:	:	
DEPARTMENT OF EDUCATION,	:	
NAVIENT SOLUTIONS, INC.	:	
PENNSYLVANIA HIGHER EDUCATION :	:	
ASSISTANCE AGENCY, D/B/A FEDLOAN:	:	
SERVICING AND AMERICAN	:	
EDUCATION SERVICES,	:	
	:	
	:	
Defendants.	:	

**NOTICE OF APPEAL AND STATEMENT OF ELECTION**

Pursuant to Rules 8002 and 8003 of the Federal Rules of Bankruptcy Procedure, and Rule 8001-1 of the Local Rules for the United States Bankruptcy Court for the District of Delaware, and in accordance with 28 U.S.C. §158(a)(1), Miguel Cardona<sup>1</sup>, on behalf of the Department of

<sup>1</sup> On March 2, 2021, Miguel Cardona replaced Betsey DeVos as the Secretary of Education and the caption is updated herein pursuant to Fed. R. Bankr. P. 7025 (incorporating Fed. R. Civ. P. 25(d).)

Education, respectfully submits this Notice of Appeal and Statement of Election in conformity with Official Bankruptcy Form B-417A.

**Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s):

Miguel Cardona, on behalf of the United States Department of Education.

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- Plaintiff
  - Defendant
  - Other (describe)
- 

For appeals in a bankruptcy case and not in an adversary proceeding.

- Debtor
  - Creditor
  - Trustee
  - Other (describe)
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**Part 2: Identify the subject of this appeal**

1. Describe the judgment, order, or decree appealed from:

Appeal of the Bankruptcy Court’s Judgment on the Complaint to Determine Dischargeability of Student Loans, dated January 14, 2022, finding that Debtor Ryan K. Wilson’s student loan debt was dischargeable under 11 U.S.C. § 528(a)(8). A copy of the Order (D.I. 35) and Opinion (D.I. 34) are attached as **Exhibit A**.

2. State the date on which the judgment, order, or decree was entered: .

January 14, 2022

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Ryan K. Wolfson, Debtor

Attorney:  
Timothy J. Weiler, Esq.  
716 North Tatnall Street Wilmington, DE 19801  
Telephone: 302-658-6900  
Email: timweiler@timweilerlaw.com

*Attorney for Debtor*

2. Party: Educational Credit Management Corp., Party in Interest. (“ECMC”)

Attorney:  
Daniel Kerrick  
1311 Delaware Ave.  
Wilmington, DE 19806  
Telephone: 302-656-7540  
Email: dckerrick@dkhogan.com  
*Attorneys for ECMC*

**Part 4: Optional election to have appeal heard by District Court**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 5: Sign below**

/s/ Jacob Laksin  
Signature of attorney for appellant(s) (or appellant(s)  
if not represented by an attorney)

Date: January 28, 2022

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