

**PRIVATE STUDENT LOANS**

**Facts: You might owe the debt but you don't owe it to the company suing you.**

The Private Student Loan lawsuit comes in the same form. Some bare allegations with pleadings claiming assignments that are not back up by any evidence while the Plaintiff hopes you don't Answer the lawsuit and a Default saves the law firm from having to prove its case.

**What to do:**

When you receive the lawsuit, go through every line and see where the proof or support is that specifically names the Plaintiff and you as part of any assignment. Nowhere is this more obvious than in the National Collegiate Student Loan Trust debts.

The ownership assignments don't exist. In fact, if you look at the documents attached to NCLST lawsuit, the name of the entity is THE NCSLT and not the usual NCSLT 2005-3 etc. Here is an example:

Complaint caption:

WWR # 041082878

STATE OF MICHIGAN  
IN THE 3B JUDICIAL DISTRICT COURT

National Collegiate Student Loan Trust 2005-2,  
Plaintiff,

v.

Cassie A.  
Defendants.

-----!'

Weitman, Weinberg & Reis Co. L.P.A.  
By: Daniel E. Best (P58501)  
Jennifer T. Dillow, (P69855)  
Attorneys for Plaintiff  
3155 West Big Beaver Road, Suite 260  
Troy, MI 48084  
(248) 362-6100

!

**COMPLAINT**

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the Complaint.

NOW COMES PLAINTIFF, National Collegiate Student Loan Trust 2005-2, by its attorneys, Weltman, Weinberg & Reis Co., L.P.A. who for its Complaint states as follows:

- Plaintiff-is a Delaware Statutory Trust;
- Defendants, \_\_\_\_\_, are residents of Sturgis, Michigan;

Deposit and Sale Agreement.

### **DEPOSIT AND SALE AGREEMENT THE NATIONAL COLLEGIATE STUDENT LOAN TRUST 2005-2**

This Deposit and Sale Agreement (the "Sale Agreement"), dated as of June 9, 2005, between The National Collegiate Funding LLC, in its capacity as seller (in such capacity, the "Seller"), and The National Collegiate Student Loan Trust 2005-2 as purchaser (the "Purchaser"), shall be effective upon execution by the parties hereto.

WHEREAS, the Seller is the owner of certain student loans; and

WHEREAS, the Seller desires to sell its interest in such student loans and the Purchaser

desires to purchase such loans from the Seller.

NOW, THEREFORE, in connection with the mutual promises contained herein, the parties hereto agree as follows:

In every case that NCSLT brings for example, there are five entities all claiming they owned the debt: The First Marblehead Corp, Bank, The National Collegiate Funding, LLC, Gate Holdings, Inc., The National Collegiate Student Loan Trust etc

There is no proof of any "assignment" attached to the lawsuit showing the original creditor sold the specific debt of Defendant to somebody.

This is generally the modus operandi of most Private Loan Plaintiffs be it SLM PRIVATE EDUCATION LOAN TRUST, Sallie Mae, Navient Servicing, and all the companies claiming ownership of private loans without any proof.

Look for the assignments of your specific debt in the lawsuit-you won't find it and in some cases, they change the account numbers. They say things like this:

6. Defendants, \_\_\_\_\_, executed a Non-Negotiable Credit Agreement in February of 2005 bearing current account number XXXXX:9035-001-PHEA, a copy of which is attached hereto as **Exhibit A**, promising to repay a loan made to Defendants by Charter One Bank, N.A. which was subsequently assigned to Plaintiff, National Collegiate Student Loan Trust 2005-2 (See attached **Exhibit B**);

4. The contract was duly assigned, in the normal course of business, to Plaintiff.

None of it has any proof attached to the lawsuits.

So, you can go to my website and look at Answers I have posted against private student loan companies. See how they are handled but really how the Student Loan Lawsuit is weak and has not proof to sue you with.

A lot of times, the debts are so old, the lawsuits have wrong names.

Also, especially with NCSLT and SLM loans, each has a governing law provision impeded in the promissory note. It is rarely the state you are suing in. See my Answers on pushing this in front of the court that will want to get rid of this case if you make enough noise.

With SLM loans, they claim to own the debt from the Original Creditor Sallie Mae or Sallie Mae Bank but watch the sleight of hand. Sallie Mae and Sallie Mae Bank are separated entities. One does not even exist anymore.

So, your responses or answers should focus on this.

**Look at SOL**

**Look at Chain of Title**

**Look at Assignments and change of Account numbers.**

**Look at who really owns the debt.**

**Debt collectors v Creditors. Definition. Differences. Go to My Debt Collection Videos and FDCPA.**