

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
TIMOTHY C. PIGFORD, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	97-1978 (PLF)
TOM VILSACK, Secretary,)	
United States Department of)	
Agriculture,)	
)	
Defendant.)	
_____)	
CECIL BREWINGTON, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	98-1693 (PLF)
TOM VILSACK, Secretary,)	
United States Department)	
of Agriculture,)	
)	
Defendant.)	
_____)	

MONITOR’S ELEVENTH REPORT ON DEBT RELIEF IMPLEMENTATION

On December 15, 2011, the Monitor filed the Monitor’s tenth report regarding the review, implementation, and verification of *Pigford* debt relief for all prevailing claimants who may be eligible for debt relief. On December 19, 2011, the Court ordered the Monitor to report on or before January 12, 2012, regarding: (1) the tasks remaining to complete *Pigford* debt relief review, implementation, and verification process for all prevailing claimants who may be entitled to *Pigford* debt relief; and (2) the timeframe for completing

these tasks, including a recommendation on whether the Monitor's appointment should be extended beyond January 31, 2012, to permit the Monitor to continue to participate in the debt relief review, implementation, and verification process.

I. TASKS REMAINING TO COMPLETE DEBT RELIEF REVIEW

As of December 31, 2011, the Monitor had completed a summary of the debt relief, if any, implemented by USDA in 2,882 of the 2,896 cases currently identified for review. There were two groups of cases in which the parties and the Monitor had not yet completed the review of the debt relief, if any, claimants were entitled to receive.

A. Resolution of Appropriate Debt Relief

In the first group of cases, questions regarding the appropriate debt relief had been discussed, but the parties and the Monitor had not yet reached a final resolution of those questions. As of December 31, 2011, there were six cases in this group. In each of the six cases, the parties and the Monitor have agreed to attempt to resolve the questions that have been identified prior to January 31, 2012.

B. Implementation of Debt Relief

In the second group of cases, USDA had not yet fully implemented the *Pigford* debt relief claimants were entitled to receive. As of December 31, 2011, there were eight cases in this group. USDA has informed the Monitor and Class Counsel that the agency's implementation of debt relief in these eight cases will be completed no later than March 1, 2012.

C. Monitor Summary

Generally, the Monitor issues a summary of a claimant's debt relief only after any questions regarding the appropriate debt relief are resolved; USDA implements the debt relief, if any, that has been identified as appropriate; and USDA forwards the records necessary to verify that appropriate relief has been implemented.¹ As of December 31, 2011, USDA had not completed implementation of debt relief in the eight claims identified above and the appropriate debt relief was not yet fully resolved in the six claims identified above. For this reason, no Monitor summary has yet been issued for these fourteen claims.

II. PROPOSED EXTENSION OF MONITOR APPOINTMENT

On January 10, 2012, the Court issued a Stipulation and Order extending the Monitor's appointment through March 31, 2012.

III. RECOMMENDATION

The Monitor recommends the Court order the Monitor to report on or before February 3, 2012, regarding: (1) the progress that has been made in resolving any remaining questions regarding the debt relief claimants are entitled to receive and implementing the appropriate debt relief in the cases identified above; and (2) any additional steps that should be taken prior to March 31, 2012, to complete the debt relief

¹ Under the process established by the parties, the Monitor prepares a draft summary, which is sent to Class Counsel and USDA for review. If no objection to the summary is received within a defined period of time, the Monitor issues a final summary for each claim.

review, implementation, and verification process for all prevailing claimants who may be entitled to *Pigford* debt relief.

Dated: January 12, 2012.

Respectfully submitted,

s/Randi Ilyse Roth

Randi Ilyse Roth

Monitor

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