

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 THIRTEENTH REPORT ON DEBT RELIEF IMPLEMENTATION

On February 7, 2012, the Court ordered the Monitor to work with the parties and take all steps that can be taken prior to March 31, 2012, to complete the debt relief review, implementation, and verification process for all claimants who are entitled to *Pigford* debt relief. The Court ordered the Monitor to report to the Court regarding the status of the debt relief review process and, in particular, the status of any unresolved questions regarding the appropriate debt relief that individual claimants are entitled to receive.

On February 16, 2012, the Court granted the Monitor's request for an extension of time until March 2, 2012, to file a report with the Court. The Monitor submits this report to comply with the Court's February 7, 2012, and February 16, 2012, Orders.

I. PROGRESS ON DEBT RELIEF

As of February 29, 2012, the Monitor had issued debt relief summaries in 2,890 cases. The debt relief review process for these 2,890 cases is projected to be complete on or before March 31, 2012.

As of February 29, 2012, the Monitor had not yet issued a summary in six remaining cases identified for review. The Monitor provides information below regarding the status of these six cases.

A. Resolution of Appropriate Debt Relief

In two of the six cases, there are questions pending regarding the appropriate *Pigford* debt relief. The parties and the Monitor have worked to attempt to resolve the questions in these two cases.

B. Implementing Debt Relief

In four of the six cases, USDA has recently agreed to implement debt relief. USDA has not yet completed the implementation of the agreed-upon relief.

II. STEPS REMAINING IN DEBT RELIEF REVIEW

The Monitor's substantive duties under the Consent Decree will terminate on March 31, 2012. The Monitor and the parties have agreed to take all steps that can be

taken prior to March 31, 2012, to complete the debt relief review, implementation, and verification process for the remaining claims identified for review.¹

A. Completion of Debt Relief Review

The Monitor will work with the parties to identify any steps that remain to be completed after March 31, 2012. Before that deadline, the Monitor will make recommendations to the parties and the Court regarding the completion of those steps.

B. Transfer of Monitor Summaries and Loan Records to Facilitator

The Monitor will transfer to the Facilitator the debt relief summaries prepared by the Monitor, the loan records provided by USDA, and the amounts of any refunds, reapplied payments, and debt cancellation for each of the claims in which a debt relief review was conducted.

C. Monitor Report

The Monitor will file a final report with the Court pursuant to paragraph 12(b)(i) of the Consent Decree. The Monitor will include information in that report on the results of the debt relief review process and any recommendations the Monitor may have concerning the completion of the debt relief review process.

III. CONCLUSION

The Monitor commends USDA and Class Counsel for the time and attention they have devoted to the debt relief review process. The parties' commitment has helped to ensure that prevailing claimants who are entitled to *Pigford* debt relief have received the

¹ In addition to the six claims in which debt relief summaries have not yet been issued by the Monitor, there are two claims currently pending in the claims process which may also require debt relief implementation if the claimants prevail in a final Adjudicator or Arbitrator decision.

appropriate relief. The review process has not yet been completed for a small number of claimants. The Monitor is committed to working with the parties to complete as much of the review process as is possible prior to the termination of the Monitor's substantive duties on March 31, 2012.

Dated: March 2, 2012.

Respectfully submitted,

s/Randi Ilyse Roth

Randi Ilyse Roth

Monitor

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