

United States Court of Appeals
for the Fifth Circuit

No. 23-50491

CAREER COLLEGES AND SCHOOLS OF TEXAS,

Plaintiff—Appellant,

versus

UNITED STATES DEPARTMENT OF EDUCATION; MIGUEL
CARDONA, *Secretary, U.S. Department of Education, in his official capacity
as the Secretary of Education,*

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:23-CV-433

Before JONES, DUNCAN, and WILSON, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that Appellant’s Opposed Emergency Motion for Injunction Pending Appeal of the borrower-defense and closed-school provisions of a “Rule” governing student loan discharges, 87 Fed. Reg. 65904 (Nov. 1, 2022), is GRANTED. *See* 5 U.S.C. § 705; *see also Chamber of Com. of United States of Am. v. United States Dep’t of Lab.*, 885 F.3d 360, 384 (5th Cir. 2018), *judgment entered sub nom. Chamber of Com. of Am. v.*

United States Dep't of Lab., No. 17-10238, 2018 WL 3301737 (5th Cir. June 21, 2018).

It is further ORDERED that the case shall be heard by this panel during the sitting commencing November 6, 2023. It is further ORDERED that the parties may incorporate previous briefing in this matter and use the current briefing schedule to supplement their arguments as necessary.