

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA**

FRANK GARRISON,  Plaintiff,  v.  U.S. DEPARTMENT OF EDUCATION,  &  MIGUEL CARDONA, U.S. SECRETARY OF EDUCATION  Defendants.	CIVIL ACTION NO.: 1:22-cv-1895
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**MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff respectfully moves for a preliminary injunction under Federal Rule of Civil Procedure 65 to enjoin Defendants from implementing their planned cancellation of federal student loans, which is set to take place on or about October 1, 2022. Plaintiff relies upon his contemporaneously filed Memorandum in Support of Plaintiff's Motion for Temporary Restraining Order to support the instant motion. *See Long v. Bd. of Educ., Dist. 128*, 167 F. Supp. 2d 988, 990 (N.D. Ill. 2001) ("The standards for issuing temporary restraining orders are identical to the standards for preliminary injunctions.").

Should the Court deny Plaintiff's Motion for Temporary Restraining Order, Plaintiff respectfully requests that the Court immediately rule on the instant motion without awaiting briefing from the government, so that Plaintiff may seek appellate relief before Defendants implement their cancellation of student loans and inflict irreparable harm on Plaintiff. *See Wheeler v. Talbot*, 770 F.3d 550, 552 (7th Cir. 2014) (holding that district courts may deny preliminary

injunctions without notice to adverse parties, including before adverse parties are served, and that an order doing so “may be appealed immediately”).

DATED: September 27, 2022.

Respectfully submitted,

/s/ Michael Poon

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*\*Pro Hac Vice pending  
Attorneys for Plaintiff*

### **CERTIFICATE OF SERVICE**

I certify that on this September 27, 2022, I served copies of the foregoing on counsel for all Defendants in this action both by same-day personal service of and by delivering copies to the U.S. Postal Service to be sent by certified mail to:

Zachary Myers  
U.S. Attorney for The Southern District Of Indiana  
United States Attorney's Office  
10 W Market St, Suite 2100  
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and by delivering copies to the U.S. Postal Service to be sent by certified mail to:

Merrick Garland, Attorney General  
U.S. Department of Justice  
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Miguel Cardona  
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/s/ Michael Poon  
**MICHAEL POON**