

**In the United States District Court
for the District of Kansas**

Case No. 22-cv-04055-TC-RES

CATO INSTITUTE,

Plaintiff

v.

UNITED STATES DEPARTMENT OF EDUCATION, ET AL.

Defendants

ORDER

Plaintiff Cato Institute filed this suit against Defendants U.S. Department of Education, Miguel Cardona, Richard Cordray, and Joseph R. Biden, bringing statutory and constitutional challenges to the Department’s Loan Cancellation Program and seeking injunctive relief and a declaration that the Program was unlawful. Doc. 1. On June 30, 2023, the Supreme Court of the United States held that the Program exceeded the Secretary’s statutory authority under the HEROES Act to “waive or modify any statutory or regulatory provision applicable to student financial assistance programs.” *Biden v. Nebraska*, No. 22-506, 2023 WL 4277210, at *9–11 (June 30, 2023).

In light of the Court’s holding, the parties are ordered to submit a joint status report by **July 21, 2023**, explaining the parties’ positions on whether, and how, this litigation should proceed.

IT IS SO ORDERED.

Date: July 3, 2023

s/ Toby Crouse
Toby Crouse
United States District Judge