

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

STATE OF NEBRASKA,
STATE OF MISSOURI,
STATE OF ARKANSAS,
STATE OF IOWA,
STATE OF KANSAS, and
STATE OF SOUTH CAROLINA,

Plaintiffs,

v.

JOSEPH R. BIDEN, Jr.,
in his official capacity as the President of
the United States of America;

MIGUEL CARDONA, in his official
capacity as Secretary, United States
Department of Education; and

UNITED STATES DEPARTMENT OF
EDUCATION,

Defendants.

No. 4:22-cv-01040

PARTY STIPULATION

Plaintiff States and Defendants have entered into the following stipulation:

Provided that the Court accepts the proposed expedited schedule for resolving Plaintiffs' motion for preliminary injunction outlined below, Plaintiffs agree to withdraw their pending motion for temporary restraining order (1) in reliance on Defendants' representation that Defendants will not discharge any student loan debt pursuant to the policy challenged in this case before October 17, 2022, and (2) Defendants' agreement to file their response to Plaintiffs' motion for preliminary injunction by October 7, 2022, and to appear for a hearing on the motion for preliminary injunction during the week of October 10, 2022 (if the Court desires a hearing).

Should the Court reject the schedule proposed below, Plaintiffs want to proceed with the motion for a temporary restraining order. Plaintiffs also clarify that by entering this stipulation, they are not waiving their right to refile a motion for temporary restraining order if changed circumstances necessitate it.

The parties propose the following expedited schedule for resolving Plaintiffs' motion for preliminary injunction:

- Defendants' response is due Friday October 7.
- Plaintiffs' reply is due Tuesday October 11.
- If the Court desires oral argument, it will schedule a hearing on Wednesday October 12. At such a hearing, the parties anticipate submitting oral argument based on their written submissions only and not presenting witnesses.

Plaintiffs also request that the Court issue a ruling on their motion for preliminary injunction by Thursday October 13. If the Court accepts this stipulation, the parties request that the Court enter an order cancelling the October 4 hearing on Plaintiffs' motion for temporary restraining order and setting a schedule for resolving Plaintiffs' motion for preliminary injunction in accord with the parties' proposed schedule, above.

Dated: September 30, 2022

DOUGLAS J. PETERSON
Attorney General of Nebraska

/s/ James A. Campbell
James A. Campbell
Solicitor General of Nebraska
Office of the Nebraska Attorney General
2115 State Capitol
Lincoln, NE 68509
(402) 471-2686
Jim.Campbell@nebraska.gov
Counsel for Plaintiffs

LESLIE RUTLEDGE
Attorney General of Arkansas

/s/ Dylan L. Jacobs
Nicholas J. Bronni
Solicitor General of Arkansas
Dylan L. Jacobs
Deputy Solicitor General of Arkansas
Office of the Arkansas Attorney General
323 Center Street, Suite 200
Little Rock, AR 72201
(501) 682-2007
Dylan.Jacobs@arkansasag.gov
Counsel for State of Arkansas

DEREK SCHMIDT
Attorney General of Kansas

/s/ Shannon Grammel
Shannon Grammel
Deputy Solicitor General
Office of the Kansas Attorney General
120 SW 10th Avenue, 2nd Floor
Topeka, Kansas 66612
(785) 296-2215
shannon.grammel@ag.ks.gov
Counsel for State of Kansas

Respectfully submitted,

ERIC S. SCHMITT
Attorney General of Missouri

/s/ Michael E. Talent
Michael E. Talent, #73339MO
Deputy Solicitor General of Missouri
Missouri Attorney General's Office
Post Office Box 899
Jefferson City, MO 65102
(314) 340-4869
Michael.Talent@ago.mo.gov
Counsel for Plaintiffs

JEFFREY S. THOMPSON
Solicitor General of Iowa

/s/ Samuel P. Langholz
Samuel P. Langholz
Assistant Solicitor General
Office of the Iowa Attorney General
1305 E. Walnut Street
Des Moines, Iowa 50319
(515) 281-5164
jeffrey.thompson@ag.iowa.gov
sam.langholz@ag.iowa.gov
Counsel for State of Iowa

ALAN WILSON
Attorney General of South Carolina

/s/ J. Emory Smith, Jr.
J. Emory Smith, Jr.
Deputy Solicitor General
Office of the Attorney General of South Carolina
P.O. Box 11549
Columbia, SC 29211
803-734-3680
ESmith@scag.gov
Counsel for State of South Carolina

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

MARCIA BERMAN
Assistant Branch Director

/s/ R. Charlie Merritt
R. CHARLIE MERRITT (VA Bar # 89400)
CODY T. KNAPP
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 616-8098
robert.c.merritt@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on September 30, 2022, a true and correct copy of the foregoing and any attachments were filed electronically through the Court's CM/ECF system, to be served on counsel for all parties by operation of the Court's electronic filing system for all parties who have appeared and to be served on those parties who have not appeared in accordance with the Federal Rules of Civil Procedure or other means agreed to by the parties.

/s/ James A. Campbell
James A. Campbell