Case 1:23-cv-00433-RP Document 87 Filed 08/07/23 Page 1 of 3

**FILED** 

August 07, 2023 CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS

klw

## 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 RP

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. DEPUTY

No. 23-50491

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.

## United States Court of Appeals

FIFTH CIRCUIT OFFICE OF THE CLERK

LYLE W. CAYCE CLERK TEL. 504-310-7700 600 S. MAESTRI PLACE, Suite 115 NEW ORLEANS, LA 70130

August 07, 2023

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 23-50491 Career Colleges v. EDUC USDC No. 1:23-CV-433

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk Roschaun Johnson

By: Roeshawn Johnson, Deputy Clerk 504-310-7998

Ms. Allyson B. Baker Mr. Philip Devlin Ms. Katherine Hancock Mr. Stephen Blake Kinnaird Mr. Cody T. Knapp Mr. Michael F. Murray Mr. Tor Tarantola Ms. Jennifer Utrecht Mr. Philip Avery Vickers