

FILED

August 07, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**United States Court of Appeals
for the Fifth Circuit**

BY: klw
DEPUTY

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.*

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

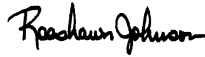
MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

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



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