

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

STATE OF MISSOURI,  
STATE OF ARKANSAS,  
STATE OF FLORIDA,  
STATE OF GEORGIA,  
STATE OF NORTH DAKOTA,  
STATE OF OHIO, and  
STATE OF OKLAHOMA

*Plaintiffs,*

v.

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

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

UNITED STATES DEPARTMENT OF  
EDUCATION,

*Defendants.*

Civil Action No. 24-cv-520

**MOTION FOR A STAY OR IN THE ALTERNATIVE A PRELIMINARY INJUNCTION**

Under 5 U.S.C. § 705, Plaintiff States move for a stay of the Final Rule titled “Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program.” *See* 88 Fed. Reg. 43,820. In the alternative, Plaintiffs move for a preliminary injunction under Fed. R. Civ. P. 65 to enjoin Defendants from implementing or enforcing that rule. The Final Rule is scheduled for full implementation on July 1, 2024, but Defendants have started implementing certain parts early, including the part creating early loan forgiveness. *See id.* at 43,820–821. In support of this motion, Plaintiff States rely on the arguments in the accompanying memorandum supporting both this motion and the motion for a § 705 stay or, in the alternative, a TRO.

Date: April 16, 2024

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**CERTIFICATE OF SERVICE & COMPLIANCE**

I certify that on April 16, 2024, a true and accurate copy of the foregoing document was electronically filed through the Court's CM/ECF System and that a copy of the foregoing will be sent via email to all parties by operation of the Court's electronic filing system, consistent with Federal Rule of Civil Procedure 5(b).

I further certify that the foregoing document contains 131 words, exclusive of matters designated for omission, as counted by Microsoft Word.

/s/ Joshua M. Divine

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