IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CONSUMER FINANCIAL PROTECTION BUREAU, Plaintiff, v. THE NATIONAL COLLEGIATE MASTER STUDENT LOAN TRUST et al., Defendants.	)	C.A. No. 17-1323 (MN)

ORDER

For the reasons stated in the Memorandum Opinion issued on this date, IT IS HEREBY ORDERED this 26th day of March 2021, that:

1. Intervenor Transworld Systems Inc. motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) (D.I. 242) is **DENIED**.

2. Intervenors Ambac Assurance Corporation, Pennsylvania Higher Education Assistance Agency, and Wilmington Trust Company's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) (D.I. 300) is **GRANTED-IN-PART and DENIED-IN-PART**. The motion is **DENIED** as to Rule 12(b)(1) and **GRANTED** as to Rule 12(b)(6) and the Complaint is dismissed without prejudice.

3. The Consumer Financial Protection Bureau's application for entry of default pursuant Fed. R. Civ. P. 55(a) (D.I. 295) is **DENIED AS MOOT**.

4. Although it is hardly clear that the Bureau can replead the Complaint to cure the deficiencies outlined in the Memorandum Opinion, it may file an Amended Complaint on or before April 26, 2021.

Maryellen Noreika

The Honorable Maryellen Noreika
United States District Judge