

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FRANK GARRISON,)	
)	
Plaintiff,)	
)	
v.)	1:22-cv-01895-RLY-TAB
)	
U.S. DEPARTMENT OF EDUCATION,)	
<i>et al.</i> ,)	
)	
Defendants.)	

**DEFENDANTS’ NOTICE REGARDING PLAINTIFF’S MOTION FOR TEMPORARY
RESTRAINING ORDER**

In his motions for temporary restraining order and preliminary injunction, Plaintiff challenges a federal student loan cancellation policy announced by the U.S. Department of Education (“Department”), and claims that he will be harmed if the Department automatically cancels \$20,000 of his federal student loan debt. Defendants submit this notice in advance of tomorrow’s scheduled conference to inform the Court that the Department updated its website today to confirm that any borrower who qualifies for automatic debt relief—*i.e.*, relief without filing an application—will be given an opportunity to opt out. *See* U.S. Dep’t of Educ., Federal Student Aid, *One-Time Student Debt Relief*, <https://perma.cc/Z6H5-2QYN> (last visited Sept. 28, 2022) (“If you would like to opt out of debt relief for any reason, including because you are concerned about a state tax liability, you will be given an opportunity to opt out.”). Upon receiving this lawsuit and reviewing Plaintiff’s filings, the Department has already taken steps to effectuate Plaintiff’s clearly stated desire to opt out of the program and not receive \$20,000 in automatic cancellation of his federal student loan debt, and so notified Plaintiff’s counsel today.

Dated: September 28, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

MARCIA BERMAN
Assistant Branch Director

/s/ R. Charlie Merritt
R. CHARLIE MERRITT
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2022 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically serve a copy to all counsel of record.

/s/ R. Charlie Merritt

R. Charlie Merritt