IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP), *et al.*,

Plaintiffs,

vs.

ELISABETH "BETSY" D. DEVOS, in her official capacity as the United States Secretary of Education, and the UNITED STATES DEPARTMENT OF EDUCATION,

Defendants.

Case No. 1:20-cv-01996 (DLF)

[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTIVE RELIEF

This matter having come before the Court on Plaintiffs' Motion for Preliminary Injunctive Relief, or, in the alternative, for Summary Judgment [Dkt. No. ___], and this Court having reviewed the pleadings and heard arguments from counsel, the Court hereby GRANTS Plaintiffs' Motion for Preliminary Injunctive Relief.

The Plaintiffs have satisfied all of the requirements for preliminary injunctive relief. In particular, the Plaintiffs have demonstrated that they are substantially likely to succeed in proving that the regulations at issue are invalid under the United States Constitution and the Administrative Procedure Act, 5 U.S.C. § 500 *et seq.* Plaintiffs have demonstrated that, without relief, they would suffer substantial, irreparable harm and have no adequate remedy at law. The public interest favors an injunction, as the public interest always favors the enforcement of constitutional and civil rights, and the Defendants have numerous other means available to achieve their stated policy goals. Accordingly, the substantive requirements imposed in *CARES*

Act Programs; Equitable Services to Students and Teachers in Non-Public Schools, 85 Fed. Reg. 39,479 (July 1, 2020), and 34 C.F.R. § 76.665, are hereby ENJOINED.

IT IS SO ORDERED.

Dated: _____ _____

Hon. Dabney L. Friedrich
United States District Court Judge