

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

CAREER COLLEGES & SCHOOLS OF  
TEXAS,

Plaintiff,

v.

U.S. DEPARTMENT OF EDUCATION,  
et al.,

Defendants.

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1:23-CV-433-RP

**ORDER**

On February 20, 2026, Plaintiff Career Colleges & Schools of Texas (“Plaintiff”) filed a motion for seeking leave to amend its complaint. (Dkt. 118). On March 4, 2026, Defendants Linda McMahon and the United States Department of Education (together, “Defendants”) filed a notice of non-opposition, (Dkt. 120), indicating their consent to the motion to amend if the Court entered the Parties’ agreed proposed schedule for motions to dismiss, as laid out in the Parties’ February 20, 2026 Joint Status Report, (Dkt. 119).

Additionally, this case has been stayed since November 1, 2023—having been originally stayed pending disposition of an appeal to the Fifth Circuit Court of Appeals, and having remained stayed as a writ of certiorari to the Supreme Court was sought, granted, and subsequently dismissed, under a Fifth Circuit directive that the stay pending appeal should remain in place until a preliminary injunction was issued. On January 28, 2026, the Court entered a preliminary injunction as directed by the Fifth Circuit, but at that time did not lift the stay in light of the Parties’ ongoing discussions about whether and how the case should proceed. (Dkt. 116). Now, with the relevant preliminary injunction in place and in light of Plaintiff’s intent to file an amended complaint and proceed with the case, the Court concludes that lifting the stay is appropriate.

Therefore, **IT IS ORDERED** that Plaintiff's Motion for Leave to Amend its Complaint, (Dkt. 118), is **GRANTED. IT IS ORDERED** that the Clerk of Court shall file Plaintiff's Amended Complaint, (Dkt. 118-1).

**IT IS FURTHER ORDERED** that Defendants shall file any motion to dismiss Plaintiff's Amended Complaint within **sixty** days of this order. Plaintiff shall file a response in opposition to any motion to dismiss within **sixty** days of the filing of that motion. Defendant may file a reply in support of any motion to dismiss within **thirty** days of the filing of the response. If the motion to dismiss is denied in whole or in part, the Parties shall file a joint status report, including a proposed schedule for any further proceedings, within **thirty** days of the order denying the motion.

**IT IS FURTHER ORDERED** that the stay in this case is **LIFTED**.

**IT IS FINALLY ORDERED** that the outstanding Motion to Exclude Expert Declaration, (Dkt 55), and Motion to Dismiss, (Dkt. 85), are **MOOT** in light of subsequent developments, including the forthcoming amended complaint.

**SIGNED** on March 6, 2026.



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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE