

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CALIFORNIA ASSOCIATION OF PRIVATE)	
POSTSECONDARY SCHOOLS,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
ELISABETH DEVOS, in her official capacity)	
as Secretary of the U.S. Department)	
of Education, <i>et al.,</i>)	
)	Civil Action No. 17-999 (RDM)
<i>Defendants,</i>)	
)	
MEAGHAN BAUER and STEPHANO DEL ROSE,)	
)	
<i>Movants/Proposed Borrower Defendant-Intervenors,</i>)	
)	
COMMONWEALTH OF MASSACHUSETTS, <i>et al.,</i>)	
)	
<i>Movants/Proposed State Defendant-Intervenors.</i>)	
)	

**UNOPPOSED MOTION OF PROPOSED INTERVENORS
MEAGHAN BAUER AND STEPHANO DEL ROSE
FOR LEAVE TO FILE PROPOSED ANSWER**

Proposed Defendant-Intervenors Meaghan Bauer and Stephano Del Rose (“the Borrowers”) respectfully request that they be granted leave to file the accompanying proposed answer in this action as a supplemental exhibit to their motion to intervene, to be filed as their answer in the event that the motion to intervene is granted. The undersigned attorney for the proposed intervenors has communicated with counsel for the parties to ascertain their position on this motion. The plaintiff has stated that it does not intend to oppose the motion, and the defendants have stated that, as with the motion to intervene itself, they take no position on this motion.

The Borrowers' motion to intervene in this action is currently pending before the Court. Doc. 22. At the time of that motion, the Borrowers indicated they would file an answer at the time the Government's answer was due. See Doc. 22 at 5 n. 1; Doc. 43 at 1. Pursuant to this Court's Order, the defendants' answer is due on or before September 6, 2017. July 31, 2017 Minute Order.

The Borrowers believe that the filing of their proposed answer at this time is consistent not only with their previously expressed commitments to the Court, but also with the D.C. Circuit's practical approach to Federal Rule of Civil Procedure 24(c)'s provision for filing of proposed pleadings by prospective intervenors. *Massachusetts v. Microsoft Corp.*, 373 F.3d 1199, 1236 n.19 (D.C. Cir. 2004). The filing of the proposed answer simultaneously with the due date for the defendants' answer will also avoid any delay in the resolution of this case and any possible prejudice to any party. Granting this motion would therefore be an appropriate exercise of the federal district courts' "inherent authority to manage their dockets and courtrooms with a view toward the efficient and expedient resolution of cases." *Dietz v. Bouldin*, 136 S. Ct. 1885, 1892 (2016). Accordingly, the Borrowers respectfully request that this Court grant their motion to file the attached proposed answer as a supplemental exhibit to their motion to intervene, to be filed as their answer should their pending motion to intervene be granted.

Pursuant to Local Rule 7(c), a proposed order is attached.

Respectfully submitted,

/s/ Scott L. Nelson

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