

**CASE NO. 24-10248**

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IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA;  
FORT WORTH CHAMBER OF COMMERCE; LONGVIEW CHAMBER OF  
COMMERCE; AMERICAN BANKERS ASSOCIATION; CONSUMER  
BANKERS ASSOCIATION; TEXAS ASSOCIATION OF BUSINESS,  
Plaintiffs – Appellants

v.

CONSUMER FINANCIAL PROTECTION BUREAU; ROHIT CHOPRA, in his  
official capacity as Director of the Consumer Financial Protection Bureau ,  
Defendants – Appellees.

*On Appeal from the United States District Court for the  
Northern District of Texas, Fort Worth Division*

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**APPELLANTS' NOTICE REGARDING THEIR EMERGENCY MOTION  
FOR INJUNCTION PENDING APPEAL AND ADMINISTRATIVE STAY**

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Michael Murray  
D.C. Bar No. 1001680  
michaelmurray@paulhastings.com  
Tor Tarantola  
D.C. Bar No. 1738602  
tortarantola@paulhastings.com  
PAUL HASTINGS LLP  
2050 M Street NW  
Washington, DC 20036  
(202) 551-1730

Philip Vickers  
Texas Bar No. 24051699  
pvickers@canteyhanger.com  
Derek Carson  
Texas Bar No. 24085240  
dcarson@canteyhanger.com  
CANTEY HANGER LLP  
600 West 6th Street, Suite 300  
Fort Worth, TX 76102  
(817) 877-2800

***COUNSEL FOR APPELLANTS***

Thomas Pinder  
D.C. Bar No. 451114  
[tpinder@aba.com](mailto:tpinder@aba.com)  
Andrew Doersam  
D.C. Bar No. 1779883  
[adoersam@aba.com](mailto:adoersam@aba.com)  
AMERICAN BANKERS  
ASSOCIATION  
1333 New Hampshire Ave. NW  
Washington, DC 20036

***COUNSEL FOR AMERICAN  
BANKERS ASSOCIATION***

Jennifer B. Dickey  
D.C. Bar No. 1017247  
[Jdickey@uschamber.com](mailto:Jdickey@uschamber.com)  
Maria C. Monaghan  
D.C. Bar No. 90002227  
[mmonaghan@uschamber.com](mailto:mmonaghan@uschamber.com)  
U.S. CHAMBER LITIGATION  
CENTER  
1615 H Street NW  
Washington, DC 20062

***COUNSEL FOR CHAMBER OF  
COMMERCE OF THE UNITED  
STATES OF AMERICA***

Plaintiffs, the Chamber of Commerce of the United States of America, Fort Worth Chamber of Commerce, Longview Chamber of Commerce, American Bankers Association, Consumer Bankers Association, and Texas Association of Business, respectfully submit this notice regarding a recent order by the district court. On March 26, 2024, the day after Plaintiffs filed a notice of appeal and sought emergency relief in this Court, the district court entered an order setting a hearing on Plaintiffs' Motion for a Preliminary Injunction ("Motion") on Tuesday, April 2, 2024.

Plaintiffs appreciate that the district court has scheduled a hearing on Plaintiffs' Motion. Plaintiffs look forward to appearing for oral argument before the district court to request an indicative ruling on that Motion. *See* Fed. R. Civ. P. 62.1.

In the meantime, Plaintiffs respectfully request that this Court allow the parties to continue with briefing on Plaintiffs' emergency motion before this Court. As described in Plaintiffs' emergency motion in this Court, Plaintiffs appealed to this Court from the effective denial of their Motion, and they continue to suffer additional irreparable harm with each day that passes. *See Clarke v. Commodity Futures Trading Comm'n*, 74 F.4th 627, 635 (5th Cir. 2023) ("a court of appeals may review a district court's order that, while not explicitly denying a preliminary injunction, nonetheless has the practical effect of doing so and might cause irreparable harm absent immediate appeal"). That irreparable harm arises because of

Defendants' constitutional and statutory violations, which are made more acute by Defendants' refusal to comply with the Truth in Lending Act's requirements that give issuers six months to implement changes to credit card disclosures; the CFPB provided 60 days. App.012-107; *see* 15 U.S.C. § 1604(d).

Although the district court has set a hearing, the court has not said whether or when the court plans to provide an indicative ruling on their Motion, *see* App.308, and the CFPB's motion for discretionary transfer remains pending. Consequently, Plaintiffs respectfully ask that this Court maintain the current briefing schedule on their emergency motion and believe that an administrative stay pending this Court's consideration would still be appropriate.

Dated: March 26, 2024

Respectfully submitted,

*/s/ Michael Murray*  
Michael Murray  
D.C. Bar No. 1001680  
michaelmurray@paulhastings.com  
Tor Tarantola  
D.C. Bar No. 1738602  
tortarantola@paulhastings.com  
PAUL HASTINGS LLP  
2050 M Street NW  
Washington, DC 20036  
(202) 551-1730

Philip Vickers  
Texas Bar No. 24051699  
pvickers@canteyhanger.com  
Derek Carson  
Texas Bar No. 24085240

dcarson@canteyhanger.com  
CANTEY HANGER LLP  
600 West 6th Street, Suite 300  
Fort Worth, TX 76102  
(817) 877-2800

***COUNSEL FOR APPELLANTS***

## CERTIFICATE OF SERVICE

Pursuant to Fed. R. App. P. 25(d) and 5th Cir. R. 25.2.5, I hereby certify that on March 26, 2024, I filed foregoing motion via the Court's CM/ECF system and also caused the foregoing to be served by email on the following counsel for Defendants-Appellees:

Stephanie Garlock  
Justin Michael Sandberg  
1700 G Street, NW  
Washington, DC 20552  
stephanie.garlock@cfpb.gov  
justin.sandberg@cfpb.gov

/s/ Michael Murray  
Michael Murray

*Attorney for Appellant*

**CERTIFICATE OF COMPLIANCE WITH  
TYPEFACE REQUIREMENTS AND TYPE-STYLE REQUIREMENTS**

This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and 5th Cir. R. 32.1 and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font. Additionally, I certify that any required redactions have been made in compliance with 5th Cir. R. 25.2.13. I certify that the facts supporting emergency consideration of the motion are true and complete.

Dated: March 26, 2024

/s/ Michael Murray  
Michael Murray

*Attorney for Appellant*