

In the United States Court of Federal Claims

Nos. 17-449C, 17-499C, 17-493C, 17-517C, 17-578C, 17-558C, 17-633C
(consolidated)

(Filed: December 12, 2017)

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CONTINENTAL SERVICE GROUP, INC., *
et al., *
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Plaintiffs, *
*
and *
*
COLLECTION TECHNOLOGY, INC., *et al.*, *
*
Plaintiff-Intervenors, *
*
v. *
*
THE UNITED STATES, *
*
Defendant, *
*
and *
*
CBE GROUP, INC., *et al.*, *
*
Defendant-Intervenors. *
*
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ORDER

On December 12, 2017, Defendant-Intervenor CBE Group, Inc. (“CBE”) filed an emergency motion for a TRO enjoining the U.S. Department of Education (“ED”) from recalling any “in-payment” accounts currently assigned to CBE and enjoining ED from transferring any of CBE’s in-repayment accounts to any other private collection agency, to the extent that such accounts have already been recalled. Dkt. No. 213. After hearing

arguments from the parties at the status conference held on December 12, 2017, the Court is persuaded that CBE's position presents a Contract Disputes Act claim, not a bid protest claim. Accordingly, and in keeping with the Federal Circuit's recent decision on the Preliminary Injunction in this case, the Court reluctantly DENIES CBE's emergency motion for a TRO.

IT IS SO ORDERED.

s/ Thomas C. Wheeler
THOMAS C. WHEELER
Judge