

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 26-cv-80344-AMC

JONATHAN PICARD,

Plaintiff,

vs.

U.S. DEPARTMENT OF EDUCATION and
Linda McMahon, in her official
capacity as Secretary of Education.

Defendants.

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DEFENDANTS' UNOPPOSED MOTION TO STAY CASE

Defendants by and through the undersigned Assistant United States Attorney, respectfully file this Unopposed Motion to Stay Case and state in support thereof as follows:

1. On March 29, 2026, Plaintiff commenced this action [DE 1] in which he partly alleges that the Department of Education has unlawfully withheld his student loan forgiveness through the Public Service Loan Forgiveness ("PSLF") program in violation of the Administrative Procedure Act. *Id.* at p. 2. Plaintiff seeks various forms of relief including processing his PSLF BuyBack application.

2. The parties have been working to resolve this case short of continued litigation. In particular, Defendants agreed to expedite Plaintiff's BuyBack application so he may receive forgiveness on his student loans and have already processed that application.

3. Plaintiff has raised additional issues subsequent to the processing of his BuyBack application, including possible overpayments on his student loans.

4. Defendants' review of this potential issue includes confirmation of any such amounts from

the servicer of the loans, a process which can take 30-60 days. While Defendants have not agreed to refund any amounts to Plaintiff as of the filing of this motion, in order to properly assess whether any action will or should be taken, Defendants seek a stay of this case until August 8, 2026.

5. When considering a motion to stay, the Court determines whether to exercise its power to stay proceedings which is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936).

6. Several factors when evaluating a request for stay may be considered, including prejudice to the non-moving party; whether the stay would simplify and clarify the issues, and whether the potential stay would reduce the burden of litigation on the parties and on the court. *O'Boyle v Town of Gulf Stream*, No. 19-cv-80196-BLOOM/Reinhart, 2020 WL 3067660, at *2 (S.D. Fla. Mar. 30, 2020) (citation omitted).

7. Here, each factor favors the granting of this motion as (1) no prejudice will occur because Plaintiff does not oppose the relief sought herein; (2) the stay will likely result in the case being moot; and (3) the additional time would significantly reduce the burden of the parties in preparing any further required filings¹ or dispositive motions.

8. Based upon the foregoing, a stay would be appropriate as the efforts between the parties to resolve the issues before the Court have been successful thus far, have conserved resources, and ultimately no prejudice has been or will be suffered by Plaintiff.

WHEREFORE, Defendants respectfully request that their Unopposed Motion to Stay Case be granted as well as any other relief deemed just and proper.

¹ The United States Attorney's Office for the Southern District of Florida was served with this Complaint on April 7, 2026 and a response to the Complaint is not yet due.

Dated: June 5, 2026

Respectfully submitted,

JASON A. REDING QUIÑONES
UNITED STATES ATTORNEY

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Counsel for Defendants

CERTIFICATE OF CONFERRAL

Pursuant to Local Rule 7.1(a)(3), on June 4, 2026 via email, the undersigned conferred with Plaintiff's counsel who has no objection to the relief requested herein.

By: /s/ Jeanette M. Lugo
Jeanette M. Lugo
Assistant United States Attorney