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10 Attorneys for Intervenor
American National University

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 THERESA SWEET, ALICIA DAVIS,
14 TRESA APODACA, CHENELLE
ARCHIBALD, DANIEL DEEGAN,
15 SAMUEL HOOD, and JESSICA
JACOBSON on behalf of themselves
16 and all others similarly situated,

17 Plaintiffs,

18 v.

19 MIGUEL CARDONA, in his official
capacity as Secretary of the United
20 States Department of Education, and

21 THE UNITED STATES
DEPARTMENT OF EDUCATION,
22

23 Defendants,
24

CASE NO. 19-cv-03674-WHA

**INTERVENOR AMERICAN NATIONAL
UNIVERSITY'S NOTICE OF APPEAL**

(Class Action)
(Administrative Procedure Act Case)

1 **TO THE HONORABLE COURT, PARTIES, AND COUNSEL OF RECORD:**

2 Pursuant to 28 U.S.C. § 1291 and Federal Rule of Appellate Procedure 4(a)(1)(B), notice is
3 hereby given this 13th day of January, 2023, that Intervenor American National University
4 (“American National”) appeals to the United States Court of Appeals for the Ninth Circuit from (1)
5 the Final Judgment (ECF No. 346) entered on November 16, 2022; (2) the Order Granting Final
6 Settlement Approval (ECF No. 345) entered on November 16, 2022; and (3) the Order Re Motions
7 to Intervene (ECF No. 322) entered on August 31, 2022. Additionally, pursuant to Fed. R. App. P.
8 12(b) and Circuit Rule 3-2(b), the Representative Statement is attached as Exhibit A.

9

10 DATED: January 13, 2023

Respectfully submitted,

11

MCGUIREWOODS LLP

12

13

By: /s/ John S. Moran

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Piper A. Waldron, Esq.

John S. Moran, Esq.

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Attorneys for Intervenor

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American National University

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EXHIBIT A: REPRESENTATION STATEMENT

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CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2023, the foregoing document entitled **INTERVENOR AMERICAN NATIONAL UNIVERSITY’S NOTICE OF APPEAL** was filed electronically with the Clerk of the Court for the United States District Court, Northern District of California using the ECF system. Upon completion the ECF system will automatically generate a “Notice of Electronic Filing” as service through ECF to registered e-mail addresses of parties of record in the case.

/s/ John S. Moran

John S. Moran

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9 *Counsel for Intervenor*
10 *Everglades College, Inc.*

11 **UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13 THERESA SWEET, et al.,

14 Plaintiffs,

15 v.

16 MIGUEL CARDONA, in his official capacity
as Secretary of the United States Department of
17 Education, and the UNITED STATES
DEPARTMENT OF EDUCATION,

18 Defendants.

Case No. 3:19-cv-03674-WHA

**INTERVENOR EVERGLADES
COLLEGE, INC.’S NOTICE OF APPEAL**

Room: 12, 19th Floor

Judge: Honorable William Alsup

(Class Action)

(Administrative Procedure Act Case)

NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1291 and Federal Rule of Appellate Procedure 4(a)(1)(B), notice is hereby given this 13th day of January, 2023, that Everglades College, Inc. appeals to the United States Court of Appeals for the Ninth Circuit from (1) the Final Judgment (ECF No. 346) entered on November 16, 2022; (2) the Order Granting Final Settlement Approval (ECF No. 345) entered on November 16, 2022; and (3) the Order Re Motions to Intervene (ECF No. 322) entered on August 31, 2022.

Dated: January 13, 2023

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By: /s/ Jesse Panuccio

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*Counsel for Intervenor
Everglades College, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2023, I caused to be electronically filed the foregoing brief with the Clerk of the Court via CM/ECF. Notice of this filing will be sent by email to all parties by operation of the Court’s electronic filing systems.

Dated: January 13, 2023

BOIES SCHILLER FLEXNER LLP

By: /s/ Jesse Panuccio
 Jesse Panuccio (*pro hac vice*)

Counsel for Intervenor Everglades College, Inc.

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**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 6. Representation Statement

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>

Appellant(s) *(List each party filing the appeal, do not use "et al." or other abbreviations.)*

Name(s) of party/parties:

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Name(s) of counsel (if any):

Jesse Panuccio; Jason Hilborn (continued on next page)
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Is counsel registered for Electronic Filing in the 9th Circuit? Yes No

Appellee(s) *(List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)*

Name(s) of party/parties:

Theresa Sweet, Chenelle Archibald, Daniel Deegan, Samuel Hood, Tresa Apodaca, Alicia Davis, and Jessica Jacobson on behalf of themselves and all others similarly situated ("Sweet et al.")

Name(s) of counsel (if any):

Eileen Mathews Connor, Rebecca Clare Eisenbrey, Rebecca C. Ellis
Project on Predatory Student Lending

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To list additional parties and/or counsel, use next page.

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

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Is counsel registered for Electronic Filing in the 9th Circuit? Yes No

Appellees

Name(s) of party/parties:

Miguel Cardona; United States Department of Education

Name(s) of counsel (if any):

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Name(s) of party/parties:

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Name(s) of counsel (if any):

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Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

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10 *Educational Services Corporation*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 THERESA SWEET, et al.,
14
15 Plaintiffs,

16 v.

17 MIGUEL CARDONA, in his official capacity
as Secretary of Education, and the UNITED
18 STATES DEPARTMENT OF EDUCATION,
19 Defendants.

Case No. 3:19-cv-03674-WHA

**INTERVENOR LINCOLN
EDUCATIONAL SERVICES
CORPORATION'S NOTICE OF
APPEAL**

Room: 12, 19th Floor
Judge: Honorable William Alsup

(Class Action)

(Administrative Procedure Act Case)

NOTICE OF APPEAL

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Dated: January 13, 2023

GIBSON, DUNN & CRUTCHER LLP

By: /s/ James L. Zelenay, Jr.
James L. Zelenay, Jr.

*Attorneys for Intervenor Lincoln Educational
Services Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2023, I caused to be electronically filed the foregoing Notice of Appeal with the Clerk of the Court via CM/ECF. Notice of this filing will be sent by email to all parties by operation of the Court’s electronic filing systems.

Dated: January 13, 2023

By: *s/ James L. Zelenay, Jr.*

James L. Zelenay, Jr.

Attorneys for Intervenor Lincoln Educational Services Corporation

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 6. Representation Statement

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>

Appellant(s) *(List each party filing the appeal, do not use "et al." or other abbreviations.)*

Name(s) of party/parties:

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Name(s) of counsel (if any):

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Is counsel registered for Electronic Filing in the 9th Circuit? Yes No

Appellee(s) *(List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)*

Name(s) of party/parties:

Theresa Sweet, Chenelle Archibald, Daniel Deegan, Samuel Hood, Tresa Apodaca, Alcia Davis, and Jessica Jacobson on behalf of themselves and all others similarly situated ("Sweet et al.")

Name(s) of counsel (if any):

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To list additional parties and/or counsel, use next page.

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

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Is counsel registered for Electronic Filing in the 9th Circuit? Yes No

Appellees

Name(s) of party/parties:

Sweet et al.

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Miguel Cardona, U.S. Department of Education

Name(s) of counsel (if any):

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