

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LEANDRA ENGLISH,
Plaintiff,

v.

DONALD J. TRUMP and
JOHN M. MULVANEY,
Defendants.

Case No. 1:17-cv-02534

PLAINTIFF’S NOTICE OF APPEAL

Notice is hereby given that Plaintiff Leandra English appeals to the United States Court of Appeals for the District of Columbia Circuit from the order of this Court denying her motion for a preliminary injunction, entered on January 10, 2018. *See* Ex. 1. She brings this appeal under 28 U.S.C. § 1292.

In addition, under 28 U.S.C. § 1657(a) and Circuit Rule 47.2(a), the plaintiff is entitled to—and hereby requests—expedited appellate review. *See* 28 U.S.C. § 1657(a) (“[E]ach court of the United States shall . . . expedite the consideration of any action . . . for temporary or preliminary injunctive relief.”); Circuit Rule 47.2(a) (directing that the clerk shall “prepare an expedited schedule for briefing and argument” in “an action seeking . . . preliminary or injunctive relief”).

This case presents precisely the sort of extraordinary circumstances that justify expedited consideration. The plaintiff is entitled by law to serve as Acting Director of the Consumer Financial Protection Bureau (CFPB). *See* 12 U.S.C. § 5491(b)(5)(B). Defendant Donald J. Trump, however, has unlawfully purported to appoint Defendant John M. Mulvaney to that position. As a result, the plaintiff is suffering a continuing and manifestly irreparable injury: the usurpation of

her position at the fore of a federal agency in a role that will disappear as soon as the President nominates and the Senate confirms a new Director. Moreover, there is an urgent public need for clarity as to the Acting Director position at the CFPB. The CFPB is the primary federal regulator of many consumer financial products and services, issuing rules and taking enforcement actions affecting a large portion of the economy. *See* David H. Carpenter, *The Consumer Financial Protection Bureau (CFPB)*, at 9–14, CRS (2014). The dispute between the plaintiff, the President, and Mr. Mulvaney has generated substantial attention in the media, which has repeatedly noted the existence of public confusion over the CFPB’s leadership. Until the full judicial process has run its course, the Bureau’s employees, the companies it regulates, and millions of American consumers will continue to suffer under a cloud of disruptive legal uncertainty.

In light of these circumstances, the plaintiff respectfully requests that the Court of Appeals accord expedited treatment to this case.

Respectfully submitted,

/s/ Deepak Gupta

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January 12, 2018

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2018, I electronically filed this notice of appeal through this Court's CM/ECF system. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Deepak Gupta

Deepak Gupta