

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

CONTINENTAL SERVICE GROUP, INC.,
Plaintiff-Appellee

PIONEER CREDIT RECOVERY, INC.,
Plaintiff-Appellant

COLLECTION TECHNOLOGY, INC.,
Intervenor-Plaintiff

PROGRESSIVE FINANCIAL SERVICES, INC.,
Intervenor-Plaintiff-Appellee

ALLTRAN EDUCATION, INC.,
Intervenor-Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellant

**CBE GROUP, INC., PREMIERE CREDIT OF
NORTH AMERICA, LLC, GC SERVICES LIMITED
PARTNERSHIP, FMS INVESTMENT CORP.,
VALUE RECOVERY HOLDINGS, LLC, WINDHAM
PROFESSIONALS, INC., AUTOMATED
COLLECTION SERVICES, INC.,**
Intervenor-Defendants

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CONTINENTAL SERVICE GROUP INC. v. UNITED STATES

ACCOUNT CONTROL TECHNOLOGY, INC.,
Plaintiff

v.

UNITED STATES,
Defendant-Appellant

**PREMIERE CREDIT OF NORTH AMERICA, LLC,
GC SERVICES LIMITED PARTNERSHIP, FMS
INVESTMENT CORP., VALUE RECOVERY
HOLDINGS, LLC, CBE GROUP, INC., AUTOMATED
COLLECTION SERVICES, INC., WINDHAM
PROFESSIONALS, INC., TEXAS GUARANTEED
STUDENT LOAN CORP.,**
Intervenor-Defendants

ALLTRAN EDUCATION, INC.,
Intervenor-Defendant-Appellant

ALLTRAN EDUCATION, INC.,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellant

**PREMIERE CREDIT OF NORTH AMERICA, LLC,
GC SERVICES LIMITED PARTNERSHIP, FMS
INVESTMENT CORP., CBE GROUP, INC., VALUE
RECOVERY HOLDINGS, LLC, WINDHAM
PROFESSIONALS, INC.,**
Intervenor-Defendants

CONTINENTAL SERVICE GROUP INC. v. UNITED STATES

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PROGRESSIVE FINANCIAL SERVICES, INC.,
Plaintiff-Appellee

**PERFORMANT RECOVERY, INC., COLLECTION
TECHNOLOGY, INC., VAN RU CREDIT
CORPORATION, ALLIED INTERSTATE LLC,**
Intervenor-Plaintiffs

v.

UNITED STATES,
Defendant-Appellant

**PREMIERE CREDIT OF NORTH AMERICA, LLC,
GC SERVICES LIMITED PARTNERSHIP,**
Intervenor-Defendants

ALLTRAN EDUCATION, INC.,
Intervenor-Defendant-Appellant

COLLECTION TECHNOLOGY, INC.,
Plaintiff

PROGRESSIVE FINANCIAL SERVICES, INC.,
Intervenor-Plaintiff-Appellee

v.

UNITED STATES,
Defendant-Appellant

**CBE GROUP, INC., PREMIERE CREDIT OF
NORTH AMERICA, LLC,**
Intervenor-Defendants

ALLTRAN EDUCATION, INC.,

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CONTINENTAL SERVICE GROUP INC. v. UNITED STATES

Intervenor-Defendant-Appellant

VAN RU CREDIT CORPORATION,
Plaintiff

PROGRESSIVE FINANCIAL SERVICES, INC.,
Intervenor-Plaintiff-Appellee

v.

UNITED STATES,
Defendant-Appellant

PREMIERE CREDIT OF NORTH AMERICA, LLC,
Intervenor-Defendant

ALLTRAN EDUCATION, INC.,
Intervenor-Defendant-Appellant

2017-2155, 2017-2156, 2017-2157, 2017-2158, 2017-2159,
2017-2160, 2017-2210, 2017-2212, 2017-2214, 2017-2215,
2017-2216, 2017-2221, 2017-2342

Appeals from the United States Court of Federal
Claims in Nos. 1:17-cv-00449-SGB, 1:17-cv-00493-SGB,
1:17-cv-00499-SGB, 1:17-cv-00517-SGB, 1:17-cv-00558-
SGB, 1:17-cv-00578-SGB, 1:17-cv-00633-SGB, Chief
Judge Susan G. Braden.

PER CURIAM.

ORDER

Currently before the court are appeals from the United States Court of Federal Claims' May 31, 2017, preliminary injunction order. The case was argued on December 8, 2017.

Shortly after the Court of Federal Claims' May 31, 2017, preliminary injunction order, appellants filed in that court a motion to stay the injunction pending appeal. On June 19, 2017, appellants filed an emergency motion for stay pending appeal in this court. On July 18, 2017, this court determined to hold appellants' motions in abeyance until the Court of Federal Claims ruled on appellants' motions for stay pending appeal in that court. However, the Court of Federal Claims took no action on the motions until October 31, 2017, when it denied the motions after this court instructed the parties to inquire as to why there had not yet been a ruling.

On November 8, 2017, this court denied without prejudice the motions in this court to stay the preliminary injunction pending appeal and instructed the parties to file replacement briefs, which were to include any renewed requests for stay pending appeal. In their amended opening briefs, appellants again requested that this court stay the Court of Federal Claims' May 31, 2017, preliminary injunction order.

This court considers four factors in evaluating a request for a stay pending appeal: (1) whether the stay applicant has made a strong showing of likelihood of success on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies. *See Hilton v. Braunskill*, 481 U.S. 770, 776 (1987).

Upon consideration thereof,

IT IS ORDERED THAT:

Appellants' requests are DENIED insofar as the preliminary injunction enjoined "authorizing the purported awardees to perform on the contract awards under Solicitation No. ED-FSA-16-R-0009." Appellants' requests are GRANTED insofar as the preliminary injunction enjoined "transferring work to be performed under the contract at issue in this case to other contracting vehicles to circumvent or moot this bid protest."

FOR THE COURT

December 8, 2017

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner
Clerk of Court