

UNITED STATES OF AMERICA
Before the
CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING
File No. 2015-CFPB-0029

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)
In the Matter of:)

STIPULATED MOTION TO
WITHDRAW COUNT IV
WITH PREJUDICE

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)
INTEGRITY ADVANCE, LLC and)
JAMES R. CARNES,)

)
)
Respondents.)
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_____)

STIPULATED MOTION TO WITHDRAW COUNT IV WITH PREJUDICE

In a July 1, 2016 order, the Administrative Law Judge ruled that Respondent Integrity Advance violated the Truth in Lending Act, the Electronic Fund Transfer Act, and found that Integrity Advance’s loan agreement was facially deceptive. The consumer harm caused by the deceptive loan agreement is co-extensive with the harm Enforcement Counsel would allege in continuing to assert the Count IV unfairness claim. Hence, in the interests of judicial economy and narrowing the issues for trial, Enforcement Counsel hereby submits this stipulated motion seeking to withdraw Count IV of the Notice of Charges with prejudice.

Although Respondents initially objected to the withdrawal of Count IV, after further consideration Respondents have stated that they do not object to this motion.

Respectfully submitted,

Attorneys for Plaintiff
Consumer Financial Protection Bureau

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Enforcement Director

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s/Alusheyi J. Wheeler

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Enforcement Counsel

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of July 2016, I caused a copy of the foregoing Stipulated Motion to Withdraw Count IV with Prejudice to be filed by electronic transmission (e-mail) with the Office of Administrative Adjudication (CFPB_electronic_filings@cfpb.gov), the U.S. Coast Guard Hearing Docket Clerk (aljdocketcenter@uscg.mil), Administrative Law Judge Parlen L. McKenna (cindy.j.melendres@uscg.mil), Heather L. MacClintock (Heather.L. MacClintock@uscg.mil), and served by email on the Respondents' counsel at the following addresses:

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/s/ Alusheyi J. Wheeler
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