

UNITED STATES OF AMERICA
Before the
CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING
File No. 2015-CFPB-0029

In the Matter of:

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

Respondents

**ORDER GRANTING
RESPONDENTS' MOTION TO
STRIKE BUREAU'S RESPONSE
TO RESPONDENTS' PROPOSED
FINDINGS OF FACT**

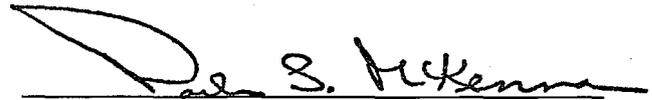
Hon. Parlen L. McKenna

On September 14, 2016, Respondents filed a motion to strike the Bureau's response to Respondents' proposed findings of fact and conclusions of law. Respondents maintain that the Bureau's filing was unauthorized, as the CFPB's Rules of Practice do not contemplate this type of pleading and my July 29, 2016 Order Scheduling Post-Hearing Submissions stated that the parties could file a responsive brief but reply briefs were not authorized. *See* Rule 305(b); Dkt. 149. The Bureau did not file a response to this motion.

The Bureau could have included its response to Respondents' proposed findings of fact in its brief, but instead chose to submit it as a separate pleading. The Bureau has not articulated any reasons why it believes this was authorized either under the Rules or my July 9, 2016 Order. I therefore GRANT Respondents' Motion to Strike. However, I note that I had independently identified many of the points the Bureau raised in that pleading prior to its submission, and have discussed them in the Recommended Decision as I deem appropriate. I have not incorporated

any points raised by the Bureau that I did not identify prior to reviewing the Bureau's response to Respondents' proposed findings of fact and conclusions of law.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Parlen L. McKenna", written over a horizontal line.

**Hon. Parlen L. McKenna
Administrative Law Judge
United States Coast Guard**

**DONE AND DATED this 27th day in September, 2016
Alameda, California**

CERTIFICATE OF SERVICE

I hereby certify that I have served the *Order Granting Respondents' Motion to Strike Bureau's Response to Respondents' Proposed Findings of Fact* in 2015-CFPB-0029, upon the following parties and entities in this proceeding as indicated in the manner described below:

Via Fax and email: D05-PF-ALJBALT-ALJDocket

United States Coast Guard
40 South Gay Street, Suite 412
Baltimore, Maryland 21202-4022
Bus: (410) 962-5100
Fax: (410) 962-1746

**Via Electronic Mail to CFPB Counsel(s) and
CFPB electronic filings@cfpb.gov:**

Alusheyi J. Wheeler, Esq.
1700 G Street, NW
Washington, DC 20552
Bus: (202) 435-7786
Fax: (202) 435-7722
Email: alusheyi.wheeler@cfpb.gov

Deborah Morris, Esq., Email: deborah.morris@cfpb.gov
Craig A. Cowie, Esq., Email: craig.cowie@cfpb.gov
Wendy J. Weinberg, Esq., Email: wendy.weinberg@cfpb.gov
Vivian Chum, Esq., Email: vivian.chum@cfpb.gov

Via Electronic Mail to Respondents' Counsel as follows:

Allyson B. Baker, Esq.
Venable LLP
575 7th Street, NW
Washington, C.D., 20004
Bus: (202) 344-4708
Email: abbaker@venable.com

Hillary S. Profita, Esq., Email: hspofita@venable.com
Peter S. Frechette, Esq., Email: psfrechette@venable.com
JP Boyd, Esq., Email: jpbovd@venable.com

Done and dated this 27th day in September, 2016
Alameda, California


Cindy June Melendres
Paralegal Specialist to the
Hon. Parlen L. McKenna