

**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.)
)
)

RESPONDENTS' NOTICE OF APPEAL

Pursuant to 12 C.F.R. § 1081.402(a)(1), Respondents Integrity Advance LLC and James R. Carnes (“Respondents”) hereby give notice that they appeal the Recommended Decision issued by the hearing officer, Administrative Law Judge (“ALJ”) Christine L. Kirby, on August 4, 2020. Dkt. 293. The party against whom the appeal is taken is the Consumer Financial Protection Bureau. Respondents appeal and take exception to the Recommended Decision in its entirety, including but not limited to all findings of liability, all relief recommended by the ALJ, and the ALJ’s decision to deny Respondents’ Motion for Summary Disposition.

In addition, Respondents appeal and take exception to the following Orders of the ALJ to the extent that the ALJ relied on them in issuing the Recommended Decision: (i) Order Denying Further Discovery on Statute of Limitations Issue (Dkt. 238); (ii) Order Denying Respondents’ Motion to Dismiss and/or for Summary Disposition on Grounds Limited to October 28, 2019 Order and Denying Respondents’ Request for Additional Discovery (Dkt.

249); (iii) that part of the Order Denying Motions to Stay and Dismiss denying Respondents' motion to dismiss (Dkt. 257); (iv) Order Denying Respondents' Motion to Amend Answer (Dkt. 267); (v) Order Denying Respondents' Motion to Dismiss (Dkt. 268); (vi) Order Denying in Part Respondents' Motion to Open Record for a New Hearing (Dkt. 269); and (vii) that part of the Order Granting Respondents' Request for Reconsideration in Part and Denying Respondents' Motion to Dismiss denying Respondents' motion to dismiss (Dkt. 288).

Dated: August 11, 2020

Respectfully submitted,

/s/ Richard J. Zack
Richard J. Zack, Esq.
richard.zack@troutman.com
215.981.4726

Michael A. Schwartz, Esq.
michael.schwartz@troutman.com
215.981.4494

Christen M. Tuttle, Esq.
christen.tuttle@troutman.com
215.981.4285

Saverio S. Romeo, Esq.
saverio.romeo@troutman.com
215.981.4440

TROUTMAN PEPPER HAMILTON
SANDERS LLP
3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103-2799

*Counsel for Respondents Integrity Advance LLC
and James R. Carnes*

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of August 2020, I caused a copy of the foregoing Respondents' Notice of Appeal to be filed by electronic transmission (email) with the Office of Administrative Adjudication (CFPB_electronic_filings@cfpb.gov), and served by email on opposing counsel at the following addresses:

Stephen Jacques, Esq.
Stephen.Jacques@cfpb.gov

Benjamin Clark, Esq.
Benjamin.Clark@cfpb.gov

Alusheyi Wheeler, Esq.
Alusheyi.Wheeler@cfpb.gov

Deborah Morris, Esq.
Deborah.Morris@cfpb.gov

/s/ Saverio S. Romeo
Saverio S. Romeo, Esq.