

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.)
)
)
)

NOTICE OF APPEAL

Pursuant to 12 C.F.R. § 1081.402(a), Enforcement Counsel hereby provides notice that it will appeal the Recommended Decision filed by Administrative Law Judge Parlen L. McKenna on September 27, 2016. Enforcement Counsel will appeal the legal conclusion that the Bureau is not entitled to relief for Integrity Advance's Truth in Lending Act violations that occurred prior to July 21, 2011. Imposition of relief prior to this date is not impermissibly retroactive as to Respondent Integrity Advance. Enforcement Counsel will also appeal the Administrative Law Judge's conclusion that the Bureau could not properly seek restitution as relief for Integrity Advance's violation of the Consumer Financial Protection Act, which is Count II of the Notice of Charges.

Respectfully submitted,

Attorneys for Plaintiff
Consumer Financial Protection Bureau

ANTHONY ALEXIS
Enforcement Director

DEBORAH MORRIS
Deputy Enforcement Director

CRAIG COWIE
Assistant Litigation Deputy

s/Alusheyi J. Wheeler

Alusheyi J. Wheeler
Vivian W. Chum
1700 G Street NW
Washington, DC 20552
Phone: (202) 435-7786
Facsimile: (202) 435-7722
Email: alusheyi.wheeler@cfpb.gov

Enforcement Counsel

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of October 2016, I caused a copy of the foregoing Notice of Appeal 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:

Allyson B. Baker, Esq.
ABBaker@venable.com

Peter S. Frechette, Esq.
PSFrechette@venable.com

Hillary S. Profita, Esq.
HSProfita@venable.com

Joanna P. Boyd, Esq.
JPBoyd@venable.com

Christine E. White
CEWhite@venable.com

/s/ Alusheyi J. Wheeler
Alusheyi J. Wheeler