

UNITED STATES OF AMERICA  
Before the  
BUREAU OF CONSUMER FINANCIAL PROTECTION

ADMINISTRATIVE PROCEEDING  
File No. 2015-CFPB-0029

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In the Matter of: ) ENFORCEMENT COUNSEL'S  
 ) MOTION TO ALLOW  
 ) TWO ATTORNEYS TO ARGUE  
 )  
INTEGRITY ADVANCE, LLC, and )  
JAMES R. CARNES, )  
 )  
Respondents. )  
 )  
\_\_\_\_\_ )

**ENFORCEMENT COUNSEL'S MOTION  
TO ALLOW TWO ATTORNEYS TO ARGUE**

Enforcement Counsel respectfully requests that the Director allow two attorneys to argue on behalf of Enforcement Counsel during the oral argument scheduled for the week of December 7 in the above-captioned matter.

In support of this motion, Enforcement Counsel states as follows:

1. On August 4, 2020, Administrative Law Judge Christine L. Kirby issued a Recommended Decision in the above-captioned matter pursuant to 12 C.F.R. § 1081.400.
2. Respondents filed a Notice of Appeal, taking exception to the Recommended Decision in its entirety.

3. Respondents filed an Opening Appeal Brief, Enforcement Counsel filed an Answering Brief, and Respondents filed a Reply Brief with the Director pursuant to 12 C.F.R. § 1081.403.
4. On November 4, 2020, Director Kathleen L. Kraninger scheduled an oral argument to hear Respondents' appeal during the week of December 7, 2020. The order requires the parties to designate the arguing lawyers by November 30, 2020.
5. Respondents have appealed virtually every aspect of the Recommended Decision and seven separate, substantive orders that preceded the Recommended Decision.
6. Among Respondents' arguments on appeal are ones regarding the Bureau's constitutionality and the effect of any ratification of this action by the Director.
7. In the proceedings before the Administrative Law Judge, the Bureau's Legal Division handled matters regarding the Bureau's constitutionality and its processes relating thereto.
8. Accordingly, Enforcement Counsel requests that the Director allow two attorneys to argue on its behalf during the oral argument, one of whom would be an attorney from the Bureau's Legal Division.<sup>1</sup>
9. Respondents have informed Enforcement Counsel that they object to the relief sought herein.

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<sup>1</sup> The attorney from the Bureau's Legal Division would be someone who has been and will continue to be walled-off from providing any advice or counsel to the Director concerning this matter.

WHEREFORE, Enforcement Counsel respectfully requests that the Director allow Enforcement Counsel to designate two attorneys for the December 2020 oral argument. A proposed order to this effect is attached hereto as Exhibit A.

Dated: November 18, 2020

Respectfully submitted,

*Attorneys for Plaintiff  
Bureau of Consumer Financial Protection*

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*Enforcement Director*

DEBORAH MORRIS  
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*Enforcement Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18th day of November 2020, I caused a copy of the foregoing Enforcement Counsel's Motion to Allow Two Attorneys to Argue, as well as a proposed order related thereto, to be filed by electronic transmission (email) with the Office of Administrative Adjudication (CFPB\_electronic\_filings@cfpb.gov), and served by email on Respondents' counsel at the following addresses:

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