

UNITED STATES OF AMERICA  
Before the  
CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING  
File No. 2015-CFPB-0029

---

In the Matter of	)	ORDER DENYING RESPONDENTS' MOTION FOR RECONSIDERATION
INTEGRITY ADVANCE, LLC and	)	
JAMES R. CARNES	)	
	)	

---

On October 18, 2016, Respondents Integrity Advance, LLC, and James R. Carnes filed a Motion to Stay Appeal and Remand to Hearing Officer in this adjudicative proceeding. I denied that motion on October 21, 2016 for three reasons: Respondents failed to provide the statement required by Bureau Rule 205(f), their Motion was premature, and I am fully able to address their arguments about the appropriate statute of limitations in this appeal. I extended the briefing schedule *sua sponte* to ensure that the parties would have a full opportunity to present arguments on the impact (if any) of the D.C. Circuit's panel decision in *PHH v. CFPB*.

On October 27, 2016, Respondents filed a Motion for Reconsideration, raising arguments that I had already considered and rejected (though they did now include a Rule 205(f) statement). Accordingly, insofar as the Motion for Reconsideration seeks the same relief as the prior Motion, it is denied for the second and third reasons set forth in my Order of October 21.

In the alternative, Respondents ask that I stay the appeal until after the deadline for the Bureau to file a petition for rehearing *en banc* in *PHH v. CFPB*. I reject this request for two reasons. First, Respondents did not seek this relief in their initial Motion, so it is not grounds for reconsideration. Second, a stay is unwarranted because the parties have ample opportunity to present all their arguments relevant to the appeal. If I later find that other arguments or evidence are needed, the Bureau's rules allow me to take appropriate action to supply any deficiency.

I therefore DENY in its entirety the Motion for Reconsideration filed by Integrity Advance and James R. Carnes.

SO ORDERED.



Richard Cordray  
Richard Cordray  
Director  
Consumer Financial Protection Bureau

October 31, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true and correct copy of the *Order Denying Respondents' Motion for Reconsideration* upon the following parties and entities in Administrative Proceeding 2015-CFPB-0029 as indicated in the manner described below:

**Via Electronic Mail to Representatives for Consumer Financial Protection Bureau**

Alusheyi J. Wheeler, Esq.  
1700 G Street, NW  
Washington, DC 20552  
[alusheyi.wheeler@cfpb.gov](mailto:alusheyi.wheeler@cfpb.gov)

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

**Via Electronic Mail to Representatives for Respondent**

Allyson B. Baker, Esq.  
Venable LLP  
575 7<sup>th</sup> Street, NW  
Washington, D.C., 20004  
[abbaker@venable.com](mailto:abbaker@venable.com)

Hilary S. Profita, Esq., Email: [hsprofita@venable.com](mailto:hsprofita@venable.com)  
Peter S. Frechette, Esq., Email: [psfrechette@venable.com](mailto:psfrechette@venable.com)  
JP Boyd, Esq., Email: [jpboyd@venable.com](mailto:jpboyd@venable.com)

Jameelah  
Morgan

Digitally signed by  
Jameelah Morgan  
Date: 2016.10.31  
11:14:40 -04'00'

**Jameelah Morgan**  
**Docket Clerk**  
**Office of Administrative Adjudication**  
**Consumer Financial Protection Bureau**

Signed and dated on this 31<sup>st</sup> day of October, 2016  
at Washington, D.C.