

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) NON-PARTY EDWARD N. FOSTER'S
JAMES R. CARNES,) MOTION TO QUASH SUBPOENA
Respondents.)
)

NON-PARTY EDWARD N. FOSTER'S MOTION TO QUASH SUBPOENA

Pursuant to 12 C.F.R. § 1081.208(h), non-party Mr. Edward N. Foster respectfully moves this Court for an order quashing the subpoena issued by the United States Consumer Financial Protection Bureau (“CFPB”) for Mr. Foster to appear and testify in the above-captioned action. For reasons set forth in further detail in the accompanying Memorandum in Support of Mr. Foster's Motion to Quash, requiring Mr. Foster to appear and testify pursuant to the subpoena would be unreasonable, oppressive, and unduly burdensome.

Pursuant to 12 C.F.R. § 1081.205(f), counsel for Mr. Foster have conferred with counsel for the CFPB in a good-faith effort to resolve by agreement the issues raised in this Motion. Mr. Foster's counsel informed the CFPB's counsel that a motion to quash the subpoena likely would be filed if the CFPB continued to require Mr. Foster's appearance. Counsel for the CFPB indicated that its position remained unchanged, and that it would continue to seek his appearance. Accordingly, the CFPB and Mr. Foster have been unable to reach an agreement.

Dated: July 15, 2016

Respectfully submitted,

/s/ *Gerald S. Sachs*
Gerald S. Sachs

geraldsachs@paulhastings.com
Daren F. Stanaway
darenstanaway@paulhastings.com
PAUL HASTINGS LLP
875 15th Street, NW
Washington, DC 20005
Telephone: (202) 551-1700

Counsel for Non-Party Edward N. Foster

CERTIFICATION OF SERVICE

I hereby certify that on the 15th day of July, 2016, I caused a copy of the foregoing to be filed by electronic transmission (email) with the Office of Administrative Adjudication (CFPB_electronic_filings@cfpb.gov), the U.S. Coast Guard Hearing Docket Clerk (aljdocketcenter@uscg.mil), Heather L. MacClintock (Heather.L.MacClintock@uscg.mil), and Administrative Law Judge Parlen L. McKenna (cindy.j.melendres@uscg.mil), and served by email on the following parties who have consented to electronic service:

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

Craig A. Cowie, Esq.
Craig.Cowie@cfpb.gov

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

Wendy J. Weinberg, Esq.
Wendy.Weinberg@cfpb.gov

Vivian W. Chum, Esq.
Vivian.Chum@cfpb.gov

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

Danielle R. Foley, Esq.
DRFoley@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, Esq.
CEWhite@venable.com

Andrew T. Hernacki, Esq.
ATHernacki@venable.com

/s/ *Gerald S. Sachs*

Gerald S. Sachs