

**UNITED STATES OF AMERICA  
Before the  
BUREAU OF CONSUMER FINANCIAL PROTECTION**

**ADMINISTRATIVE PROCEEDING  
File No. 2015-CFPB-0029**

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<b>In the Matter of:</b>  <b>INTEGRITY ADVANCE, LLC and</b> <b>JAMES R. CARNES,</b>  <b>Respondents.</b>	) ) ) ) ) ) ) ) ) ) ) ) )	<b>ENFORCEMENT COUNSEL'S UNOPPOSED MOTION TO MODIFY THE BRIEFING SCHEDULE</b>
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**ENFORCEMENT COUNSEL'S UNOPPOSED MOTION  
TO MODIFY THE BRIEFING SCHEDULE**

Enforcement Counsel respectfully requests a modification of the briefing schedule for the parties' cross-motions for summary disposition. *See* Scheduling Order Motions for Summary Disposition (Apr. 24, 2020) [not yet docketed] ("Scheduling Order"). Enforcement Counsel requests that all deadlines for both parties be postponed by one week. Undersigned counsel avers that pursuant to Section 1081.205(f) of the Bureau's Rules of Practice for Adjudication Proceedings, Enforcement Counsel has conferred with opposing counsel regarding this request, and that opposing counsel stated that they do not object to the request as long as both parties benefit equally from the modified briefing schedule. *See* 12 C.F.R. § 1081.205(f).

The current Scheduling Order requires that the parties file their motions for summary disposition by May 8, 2020, their response briefs by May 28, 2020, and their reply briefs by June 3,

2020. *See* Scheduling Order. Those deadlines require the filing of substantial dispositive motions within two weeks of issuance of the Scheduling Order.

Enforcement Counsel's capacity to complete the dispositive motion by the May 8 deadline has been negatively affected by both obligations stemming from the Covid-19 pandemic and a significant filing in another matter in litigation, and denying this motion for a one-week extension would substantially prejudice Enforcement Counsel's case. *See* 12 C.F.R. § 1081.115(b). At this critical stage of the proceedings, where motions for summary disposition could resolve the matter in its entirety, Enforcement Counsel believes that an extra week to prepare such motions is reasonable, would be of substantial benefit to both parties, and will have minimal impact on the ALJ's ability to complete the proceeding in the time specified in the rules and Director Kraninger's recent order. *See id.*; 12 C.F.R. § 1081.400(a); Order Granting in Part the ALJ's Request for Additional Time to Issue the Recommended Decision (March 27, 2020) [Dkt. 262].

THEREFORE, the Bureau respectfully requests that the ALJ grant this unopposed motion and modify the briefing schedule to allow the parties to file their motions for summary disposition by May 15, 2020, their response briefs by June 4, 2020, and their reply briefs by June 10, 2020. A proposed order is attached hereto pursuant to 12 C.F.R. § 1081.205(b)(2).

Dated: April 28, 2020

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 28th day of April 2020, I caused a copy of the foregoing Enforcement Counsel's Unopposed Motion to Modify the Briefing Schedule 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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