

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' REPLY TO BUREAU'S RESPONSE TO THE
MOTION FOR THE PRODUCTION OF WITNESS STATEMENTS**

On December 14, 2015, pursuant to 12 C.F.R. §1081.207(a), Respondents Integrity Advance, LLC and James R. Carnes (collectively, "Respondents,") respectfully moved the Court to order that the Consumer Financial Protection Bureau (the "Bureau") produce, on or before December 21, 2015, any statement of any person to be called as a witness by the Bureau that is expected to pertain to his or her direct testimony and that would be required to be produced pursuant to 18 U.S.C. §3500 if the adjudication proceeding were a criminal proceeding (the "Witness Statements.") The Bureau responded on December 18, 2015, requesting that such statements be produced by May 27, 2016, the same date by which witnesses must be identified (the "Witness List,") and less than a month before the hearing in this matter, which is set to commence on June 21, 2016.

WHEREFORE, Respondents respectfully request that the Court order that the Bureau produce a Witness List, as well as the Witness Statements, on or before January 29, 2016, in advance of the February 11, 2016 due date for the exchange of expert reports and the March 31,

2016 date for the close of discovery. Respondents put forth this request with the understanding that the Bureau may amend its Witness List and the production of Witness Statements at a later date, but nonetheless, Respondents respectfully request that the Court order the Bureau to produce, in good faith, a Witness List and Witness Statements that is materially complete by January 29, 2016.

If the Witness List and Witness Statements are not produced in advance of February 11, 2016, Respondents contemplate a circumstance in which the Bureau could proffer Witness Statements that could affect any opinion offered by one or more of Respondents' experts, thus prejudicing Respondents. Moreover, if the Bureau's Witness List and Witness Statements are not submitted until well after the close of fact and expert discovery in this matter, then Respondents will be prejudiced in their ability to defend this action, because they will not be afforded a reasonable amount of time to interview witnesses and examine their Witness Statements in advance of the June 21, 2016 hearing.

Accordingly, in the alternative, Respondents respectfully request that the dates for the exchange of expert reports and/or close of discovery be moved to later dates to accommodate the Bureau's production of the Witness List and Witness Statements.

Respectfully submitted,

Dated: December 23, 2015

By: _____ /s/ Allyson B. Baker
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CERTIFICATION OF SERVICE

I hereby certify that on the 23rd day of December, 2015, I caused a copy of the foregoing Motion for the Production of Witness Statements to be filed by electronic transmission (e-mail) with the U.S. Coast Guard Hearing Docket Clerk (aljdocketcenter@uscg.mil), Curtis E. Renoe (Curtis.e.renoe@uscg.mil) and Administrative Law Judge Parlen L. McKenna (cindy.j.melendres@uscg.mil), and served by electronic mail on the following parties who have consented to electronic service:

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