

UNITED STATES OF AMERICA  
Before the  
CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING  
File No. 2015-CFPB-0029

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**In the Matter of:** )  
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**INTEGRITY ADVANCE, LLC and** ) **DECLARATION OF RICHARD J.**  
**JAMES R. CARNES,** ) **ZACK IN SUPPORT OF**  
 ) **RESPONDENTS' MOTION FOR**  
 ) **SUMMARY DISPOSITION**  
)  
**Respondents.** )  
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)

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**DECLARATION OF RICHARD J. ZACK IN SUPPORT OF**  
**RESPONDENTS' MOTION FOR SUMMARY DISPOSITION**

I, Richard J. Zack, declare under penalty of perjury that the information set forth below is true and correct:

1. I am an attorney at Pepper Hamilton LLP, which represents Respondents Integrity Advance, LLC and James R. Carnes (“Respondents”) in the above-captioned matter. I am fully familiar with the facts and circumstances related to this matter. I make this Declaration in support of Respondents’ Motion for Summary Disposition.
2. Attached as Exhibit 1 is a true and correct copy of an Integrity Advance Loan Application and Agreement (CFPB042566-CFPB042575).
3. Attached as Exhibit 2 is a true and correct copy of excerpts from the transcript of the deposition of James R. Carnes, dated June 17, 2014.
4. Attached as Exhibit 3 is a true and correct copy of a template email sent to Integrity Advance customers (“Welcome Email”) (CFPB035828).

5. Attached as Exhibit 4 is a true and correct copy of a template email sent to Integrity Advance customers (“Reminder Email”) (CFPB036410).

6. Attached as Exhibit 5 is a true and correct copy of excerpts from the transcript of the deposition of Edward N. Foster, dated June 24, 2014.

7. Attached as Exhibit 6 is a true and correct copy of excerpts from the transcript of the deposition of Dr. Manoj Hastak, dated March 11, 2016.

8. Attached as Exhibit 7 is a true and correct copy of a letter from the Delaware Office of the State Bank Commissioner granting renewal of Integrity Advance’s license, dated December 28, 2010.

9. Attached as Exhibit 8 is a true and correct copy of the Reporter’s Official Transcript of Proceedings Hearings Volume I publicly filed on September 26, 2016 as Docket No. 172 in the above-captioned matter.

10. Attached as Exhibit 9 is a true and correct copy of the Reporter’s Official Transcript of Proceedings Hearings Volume II publicly filed on September 26, 2016 as Docket No. 173 in the above-captioned matter.

11. Attached as Exhibit 10 is a true and correct copy of the Reporter’s Official Transcript of Proceedings Hearings Volume III publicly filed on September 26, 2016 as Docket No. 174 in the above-captioned matter.

12. Attached as Exhibit 11 is a true and correct copy of the expert report of Manoj Hastak, Ph.D. publicly filed on May 10, 2016 as Docket No. 87A in the above-captioned matter.

13. Attached as Exhibit 12 is a true and correct copy of the rebuttal expert report of Nathan Novemsky, Ph.D. dated March 25, 2016, which was entered into evidence as Exhibit RX-003 at the prior hearing the above-captioned matter.

14. Attached as Exhibit 13 is a true and correct copy of Integrity Advance's Certificate of Formation, which was entered into evidence as Exhibit RX-007 at the prior hearing the above-captioned matter.

15. Attached as Exhibit 14 is a true and correct copy of a chart entitled "Integrity Advance Counts of Repeat Customers by Number of Loans," which was entered into evidence as Exhibit RX-020 at the prior hearing the above-captioned matter.

16. Attached as Exhibit 15 is a true and correct copy of a chart entitled "Integrity Advance Repeat Customers Relative to All Customers," which was entered into evidence as Exhibit RX-021 at the prior hearing the above-captioned matter.

17. Attached as Exhibit 16 is a true and correct copy of a document entitled "Hayfield Corporate Structure," which was entered into evidence as Exhibit EC-EX-067 at the prior hearing the above-captioned matter (CFPB000153).

18. Attached as Exhibit 17 is a true and correct copy of a document entitled "Overview of Integrity Advance (IA) Loans and Consumers," which was entered into evidence as Exhibit EC-EX-097 at the prior hearing the above-captioned matter.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

DATED: May 15, 2020  
Philadelphia, PA

By:



Richard J. Zack, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15th day of May 2020, I caused a copy of the foregoing Declaration of Richard J. Zack in Support of Respondents' Motion for Summary Disposition to be filed by electronic transmission (email) with the Office of Administrative Adjudication (CFPB\_electronic\_filings@cfpb.gov), and served by email on opposing counsel at the following addresses:

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