

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

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ADMINISTRATIVE PROCEEDING	)	<b>RESPONDENTS' MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT FOR RESPONDENTS' REPLY BRIEF</b>
File No. 2015-CFPB-0029	)	
In the matter of	)	
INTEGRITY ADVANCE, LLC and JAMES R. CARNES	)	
	)	

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**RESPONDENTS' MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT FOR  
RESPONDENTS' REPLY BRIEF**

Respondents Integrity Advance, LLC and James R. Carnes (together, “Respondents”), respectfully move for leave to exceed the 15-page limit for reply briefs. Respondents seek a maximum of five (5) additional pages, for a total of 20 pages. Respondents respectfully request an expedited review and decision on this Motion by December 7, 2016, given the impending deadline for reply briefs, which are due on December 12, 2016.

In support of this Motion, Respondents state as follows:

1. Respondents seek relief from Rule 403(b) of the Bureau’s Rules of Practice for Adjudicative Proceedings, which limits reply briefs to 15 pages. *See* 12 C.F.R. § 108.403(b). While Respondents recognize that briefs in excess of this page limitation are disfavored, the issues in this appeal are uniquely complex, and the record voluminous. Following a three-day hearing, the Administrative Law Judge in this matter issued an 81-page Recommended Decision (*see* Dkt. 176). Prior to that, the ALJ issued a 44-page Summary Disposition Order (*see* Dkt. 111) and a 32-page Order Denying Respondents’ Motion to Dismiss (*see* Dkt. 75). Respondents’ Opening Brief (*see* Dkt. 184) raised nine categories of issues for appeal, including several

Constitutional arguments. Thus, Respondents seek a modest increase of five (5) pages, for a total of 20 pages.

2. The parties' answering briefs are due today, December 5, 2016. Reply briefs are due on December 12, 2016, thus this Motion is filed well in advance of the return date.

3. Accordingly, Respondents respectfully move for leave to file a reply brief of 20 double-spaced pages in length, excluding the table of contents, table of authorities, and any addendum that consists solely of copies of applicable cases, pertinent legislative provisions or rules, and exhibits.

4. Enforcement Counsel has informed Respondents that it does not consent to the relief sought herein.

WHEREFORE, Respondents respectfully request for leave to file a reply brief of no more than 20 double-spaced pages. A proposed order to this effect is attached hereto as **Exhibit A**.

Respectfully submitted,

Dated: December 5, 2016

By: /s/ Allyson B. Baker

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**RULE 205(f) CERTIFICATION FOR RESPONDENTS' MOTION  
FOR LEAVE TO EXCEED THE PAGE LIMIT FOR RESPONDENTS' REPLY BRIEF**

Pursuant to Rule 205(f) of the Bureau's Rules of Practice for Adjudicative Proceedings, 12 C.F.R. § 1081.205(f), counsel for Respondents certify that on December 5, 2016 they conferred with Enforcement Counsel in a good faith effort to resolve the issues raised by this Motion for Leave to Exceed the Page Limit for Respondents' Reply Brief and have been unable to resolve the matter by agreement.

/s/ Andrew T. Hernacki  
Andrew T. Hernacki, Esq.

**CERTIFICATION OF SERVICE**

I hereby certify that on the 5th day of December, 2016, I caused a copy of the foregoing Motion for Leave to Exceed the Page Limit for Respondents' Reply Brief to be filed by electronic transmission (e-mail) with the CFPB's Office of Administrative Adjudication ([CFPB\\_Electronic\\_Filings@cfpb.gov](mailto:CFPB_Electronic_Filings@cfpb.gov)). A copy of this brief is provided by electronic mail to U.S. Coast Guard Hearing Docket Clerk ([aljocketcenter@uscg.mil](mailto:aljocketcenter@uscg.mil)), Heather L. MacClintock ([Heather.L.MacClintock@uscg.mil](mailto:Heather.L.MacClintock@uscg.mil)), and Administrative Law Judge Parlen L. McKenna ([cindy.j.melendres@uscg.mil](mailto:cindy.j.melendres@uscg.mil)), and served by electronic mail on the following parties who have consented to electronic service:

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/s/ Andrew T. Hernacki  
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