

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

ORDER GRANTING  
RESPONDENTS' MOTION TO  
STRIKE BUREAU'S RESPONSE  
TO RESPONDENTS' PROPOSED  
FINDINGS OF FACT

Hon. Parlen L. McKenna

On September 14, 2016, Respondents filed a motion to strike the Bureau's response to Respondents' proposed findings of fact and conclusions of law. Respondents maintain that the Bureau's filing was unauthorized, as the CFPB's Rules of Practice do not contemplate this type of pleading and my July 29, 2016 Order Scheduling Post-Hearing Submissions stated that the parties could file a responsive brief but reply briefs were not authorized. *See Rule 305(b); Dkt. 149.* The Bureau did not file a response to this motion.

The Bureau could have included its response to Respondents' proposed findings of fact in its brief, but instead chose to submit it as a separate pleading. The Bureau has not articulated any reasons why it believes this was authorized either under the Rules or my July 9, 2016 Order. I therefore GRANT Respondents' Motion to Strike. However, I note that I had independently identified many of the points the Bureau raised in that pleading prior to its submission, and have discussed them in the Recommended Decision as I deem appropriate. I have not incorporated

any points raised by the Bureau that I did not identify prior to reviewing the Bureau's response to Respondents' proposed findings of fact and conclusions of law.

**IT IS SO ORDERED.**



Hon. Parlen L. McKenna  
Administrative Law Judge  
United States Coast Guard

**DONE AND DATED** this 27<sup>th</sup> day in September, 2016  
**Alameda, California**

**CERTIFICATE OF SERVICE**

I hereby certify that I have served the *Order Granting Respondents' Motion to Strike Bureau's Response to Respondents' Proposed Findings of Fact* in 2015-CFPB-0029, upon the following parties and entities in this proceeding as indicated in the manner described below:

**Via Fax and email: D05-PF-ALJBALT-ALJDocket**

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Done and dated this 27<sup>th</sup> day in September, 2016  
Alameda, California

  
Cindy June Melendres  
Paralegal Specialist to the  
Hon. Parlen L. McKenna