

UNITED STATES OF AMERICA
Before the
CONSUMER FINANCIAL PROTECTION BUREAU

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|----------------------------|---|-------------------------------|
| ADMINISTRATIVE PROCEEDING |) | [PROPOSED] ORDER |
| File No. 2015-CFPB-0029 |) | |
| |) | |
| In the matter of: |) | |
| |) | |
| INTEGRITY ADVANCE, LLC and |) | |
| JAMES R. CARNES |) | Hon. Parlen L. McKenna |
| |) | |

[PROPOSED] ORDER

Upon consideration of the entirety of the record in this matter, including the trial record and all post-trial briefing, entry of the following order is RECOMMENDED:

It is ORDERED that as to Count I (against Integrity Advance) for violations of the Truth in Lending Act (TILA), 15 U.S.C. §§ 1631, 1638, and Regulation Z, 12 C.F.R. § 1026.17 and 1026.18, judgment is entered in favor of Respondent Integrity Advance.

It is FURTHER ORDERED that as to Count II (against Integrity Advance) for violations of the Consumer Financial Protection Act (CFPA), 12 U.S.C. § 5481(12)(O), judgment is entered in favor of Respondent Integrity Advance.

It is FURTHER ORDERED that as to Count III (against Integrity Advance and James R. Carnes) for violations of the CFPA, 12 U.S.C. §§ 5531(a) and 5536(a)(1)(b), judgment is entered in favor of Respondents Integrity Advance and Mr. Carnes.

It is FURTHER ORDERED that as to Count V (against Integrity Advance) for violations of the Electronic Fund Transfer Act (EFTA), 15 U.S.C. § 1693k, and Regulation E, 12 C.F.R. § 1005.10(e), judgment is entered in favor of Respondent Integrity Advance.

It is FURTHER ORDERED that as to Count VI (against Integrity Advance) for violations of the CFPA, 12 U.S.C. § 1036(a)(1)(A), judgment is entered in favor of Respondent Integrity Advance.

It is FURTHER ORDERED that as to Count VII (against Integrity Advance and James R. Carnes) for violations of the CFPA, 12 U.S.C. §§ 5531(c) and 5536(a)(1)(b), judgment is entered in favor of Respondents Integrity Advance and Mr. Carnes.

It is FURTHER ORDERED that Enforcement Counsel's request for injunctive relief is DENIED as to all counts.

A notice of appeal may be filed within ten (10) days after service of this Recommended Decision. 12 C.F.R. § 1081.400(c)(1). Unless a party timely files and perfects a notice of appeal of the Recommended Decision, the Director of the Consumer Financial Protection Bureau may adopt the Recommended Decision as the final decision and order of the Consumer Financial Protection Bureau without further opportunity for briefing or argument.

SO ORDERED.

Parlen L. McKenna
Administrative Law Judge
United States Coast Guard

CERTIFICATION OF SERVICE

I hereby certify that on the 29th day of August, 2016, I caused a copy of the foregoing proposed order to be filed by electronic transmission (e-mail) with the U.S. Coast Guard Hearing Docket Clerk (aljdocketcenter@uscg.mil), Heather L. MacClintock (Heather.L.MacClintock@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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