UNITED STATES OF AMERICA Before the CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING File No. 2014-CFPB- <u>0002</u>)))
In the matter of:	ORAL ARGUMENT REQUESTED
PHH CORPORATION, PHH MORTGAGE CORPORATION, PHH HOME LOANS, LLC, ATRIUM INSURANCE CORPORATION, AND ATRIUM REINSURANCE CORPORATION))))))))

MOTION OF PHH CORPORATION, PHH MORTGAGE CORPORATION, PHH HOME LOANS, LLC, ATRIUM INSURANCE CORPORATION, AND ATRIUM REINSURANCE CORPORATION TO DISMISS THE NOTICE OF CHARGES OR, IN THE ALTERNATIVE, FOR SUMMARY DISPOSITION

Pursuant to 12 C.F.R. § 1081.212, respondents PHH Corporation, PHH Mortgage

Corporation, PHH Home Loans, LLC, Atrium Insurance Corporation, and Atrium Reinsurance

Corporation (collectively "Respondents"), move to dismiss the Notice of Charges ("Notice"), or

in the alternative, for summary disposition. The Notice fails to state a claim under the Real

Estate Settlement Procedures Act ("RESPA") upon which relief may be granted, and

Respondents are entitled to dismissal as a matter of law. In the alternative, there is no genuine

issue as to any material facts regarding the Consumer Financial Protection Bureau's claims

brought under RESPA, and Respondents are entitled to summary disposition as a matter of law.

This Motion is based upon the accompanying Brief in Support of Respondents' Motion to Dismiss or, in the Alternative Motion for Summary Disposition, all pleadings and other papers filed in this proceeding, and such other matters as may be presented to the tribunal at the time of any hearing.

Dated: January 31, 2014 Respectfully submitted,

WEINER BRODSKY KIDER PC

By: /s/ David M. Souders

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