

EXHIBIT A



Consumer Financial
Protection Bureau

1700 G Street NW, Washington, DC 20552

February 24, 2014

Via Email

David Souders, Esq.
Weiner Brodsky Kider P.C.
1300 19th Street NW 5th Floor
Washington, DC 20036-1609
SOUDEERS@thewbkfirm.com

Re: *In re PHH Corporation et. al.*—February 19, 2014 letter to Mr. Gordon

Dear Counsel:

I write in response to your letter of February 19, 2014 to Enforcement Counsel, Donald Gordon. In that letter you requested that CFPB produce documents responsive to certain categories of information. Your letter follows a telephone conference we held on February 12, 2014, in which Enforcement Counsel stated that it will produce to PHH its entire investigative file in accordance with 12 C.F.R. § 1081.206 related to the matter *In re PHH Corporation et. al.* as soon as practicable after the Hearing Officer enters a protective order.

It is our intention that PHH have a meaningful opportunity to prepare its defense. For that reason, the Office of Enforcement initially proposed to both PHH and the Hearing Officer that the hearing not begin until August 4, 2014, (Feb. 14, 2014 Hearing Tr. 4:25-5:2), to which PHH replied that it preferred a hearing within or around 60 days after receipt of the Notice of Charges. (Tr. 8:12-16). If PHH's preferences on this matter change, please inform us if you would like to discuss a stipulated postponement to the hearing starting date of March 24, 2014.

For your convenience, I restate below your requests along with the Office of Enforcement's specific response to the request.

Requests for Information

- (1) Pursuant to 12 C.F.R. § 1081.207, any witness statement of a person the CFPB plans to call as a witness in support of its Notice of Charges issued to respondents.

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Response: to the extent such information has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as soon as practicable after the Hearing Officer enters a protective order.

- (2) All final examination or inspection reports related to the private mortgage insurance ("PMI") companies with whom Atrium and Atrium Re had contracts for reinsurance, including: (i) Genworth Mortgage Insurance Corporation; (ii) United Guaranty Corporation; (iii) CMG Mortgage Insurance Company; and (iv) Radian Guaranty, Inc.

Response: no such documents exist.

- (3) All final examination or inspection reports related to the other PMI companies specifically referenced in the CFPB's Notice of Charges: (i) MGIC; (ii) RMIC; and (iii) Triad.

Response: no such documents exist.

- (4) All documents or other information that would tend to contradict or disprove any of the allegations in the Notice of Charges, or that would tend to exculpate Respondents, or any of them, including but not limited to:
- a. Any such documents or information in the possession of the CFPB, Office of Enforcement;

Response: to the extent such information exists and has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as soon as practicable after the Hearing Officer enters a protective order.

- b. Any such documents or information in the possession of CFPB employees, offices, divisions or departments other than the Office of Enforcement;

Response: to the best of Enforcement Counsel's knowledge, no such documents exist.

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- c. Any such documents or information in the possession of any other government agency involved in any way in any stage of the underlying investigation, including specifically the U.S. Department of Housing and Urban Development ("HUD") and the HUD Office of Inspector General;

Response: to the extent such information exists and has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as soon as practicable after the Hearing Officer enters a protective order.

- d. Any such documents or information contained in the proffer by HUD or the CFPB to the U.S. Department of Justice ("DOJ") that it bring a case against Respondents, or any of them;

Response: no such documents exist.

- e. Any such documents or information that do not mention Respondents specifically, but which may tend to contradict or disprove any of the allegations in the Notice of Charges, or that would tend to exculpate Respondents, or any of them.

Response: to the extent such information has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as soon as practicable after the Hearing Officer enters a protective order.

- (5) All documents or information relating in any way to promises, consideration, or inducements made to any potential witness or person providing information used in the investigation, whether directly to the witness or person, or indirectly to the witness or person's attorney, employer or business associate.

Response: to the extent such information has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as

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soon as practicable after the Hearing Officer enters a protective order.

- (6) All documents or information relating to any inconsistency in statements given by any potential witness for the CFPB, or which would tend to impeach the credibility of any such witness, or bearing adversely on the character or reputation of any such witness.

Response: to the extent such information has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as soon as practicable after the Hearing Officer enters a protective order.

- (7) All reports and documents submitted pursuant to the Consent Orders with the four PMI Companies, filed in the Southern District of Florida ("Consent Orders"), in addition to any deposition transcripts of designated representatives. See CFPB v. Genworth Mortg. Ins. Corp., No. 1:13-cv-21183-JLK (S.D. Fla., Apr. 4, 2013); CFPB v. Mortg. Guaranty Ins. Corp., No. 1:13-cv-21187-DLG (S.D. Fla., Apr. 4, 2013); CFPB v. Radian Guaranty, Inc., No. 1:13-cv-21188-JAL (S.D. Fla., Apr. 4, 2013); CFPB v. United Guaranty Corp., No. 1:13-cv-21189-KMW (S.D. Fla., Apr. 4, 2013).

Response: to the extent such information has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as soon as practicable after the Hearing Officer enters a protective order.

- (8) All documents that disclose or relate to: (i) the number of mortgage reinsurance agreements that the CFPB permitted the PMI companies to leave in place following the Consent Orders with such PMI companies, or afterward; or (ii) the amount of money paid by the PMI companies pursuant to such agreements, which was reported pursuant to the Consent Orders' reporting requirements.

Response: to the extent such information exists or has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control

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as soon as practicable after the Hearing Officer enters a protective order.

- (9) All documents concerning or relating to the question whether the CFPB or a federal district court could or should permit a PMI company to make ceding payments to captive reinsurers following entry of the Consent Order, including any discussion of the CFPB or a court releasing the PMI companies from liability prospectively.

Response: to the extent such information has not already been provided to PHH or is not privileged, Enforcement Counsel will produce such information that is within its custody and control as soon as practicable after the Hearing Officer enters a protective order.

Respondents also requested that the CFPB produce a list of items the agency has withheld from production. See 12 C.F.R. § 1081.206(c). The Office of Enforcement will comply with this subsection.

Once we have a protective order in place, I will contact you to provide estimates of the dates you can expect to receive the information you requested above as well as the additional information that the Office of Enforcement will produce pursuant to 12 C.F.R. § 1081.206.

Please let me know if you have any additional questions or concerns.

Sincerely,

/s/ Sarah J. Auchterlonie

Sarah J. Auchterlonie
Assistant Litigation Deputy