

UNITED STATES OF AMERICA
Before the
CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING)
File No. 2014-CFPB-0002)

In the matter of:)

PHH CORPORATION, PHH MORTGAGE)
CORPORATION, PHH HOME LOANS,)
LLC, ATRIUM INSURANCE)
CORPORATION, AND ATRIUM)
REINSURANCE CORPORATION)

**REQUEST FOR ISSUANCE OF A SUBPOENA DUCES
TECUM TO THE CONSUMER FINANCIAL PROTECTION BUREAU**

Pursuant to 12 C.F.R. § 1081.208, Respondents PHH Corporation, PHH Mortgage Corporation, PHH Home Loans, LLC, Atrium Insurance Corporation, and Atrium Reinsurance Corporation (collectively, “Respondents”) request this Tribunal to issue a subpoena to the Consumer Financial Protection Bureau (the “Bureau”) in connection with the above-captioned administrative proceeding. Respondents have attached hereto as Exhibit A the proposed subpoena, with the document request attached thereto as Attachment A to Exhibit A.

The plain language of Administrative Adjudication Rule 208(a) empowers Respondents to seek the issuance of one or more subpoenas requiring the production of documents from another party. *See* Rule 208(a); May 15, 2014 Order at 1. Respondents respectfully request this Tribunal to issue the proposed subpoena seeking communications between the Bureau and any mortgage insurance company (“MI”) since July 21, 2011 regarding: (1) the resumption of prior captive mortgage reinsurance arrangements with Respondents, (2) the initiation of new captive mortgage reinsurance arrangements with Respondents, and (3) settlement terms and negotiations in cases brought by the Bureau against United Guaranty Corp., Republic Mortgage, Inc., Radian

Guaranty, Inc., Mortgage Guaranty Ins. Corp., and Genworth Mortgage Insurance Corp. in the Southern District of Florida, to the extent not already produced. The document requests are reasonable in scope and relevant to, among other things, the Bureau's claim that injunctive relief is appropriate and Respondents' defenses to such claim.

Any privilege that may have once attached to settlement communications between the Bureau and the MIs has been waived by Enforcement Counsel, who have turned over to Respondents dozens of communications evidencing settlement negotiations between the Bureau and the MIs.

Dated: May 16, 2014

Respectfully submitted,

WEINER BRODSKY KIDER PC

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

CERTIFICATION OF SERVICE

I hereby certify that on the 16th day of May, 2014, I caused a copy of the foregoing Request for Issuance of Subpoena *Duces Tecum*, in addition to a Proposed Subpoena for Documents, to be filed with the Office of Administrative Adjudication and served by electronic mail on the following parties:

<p>Lucy Morris Lucy.Morris@cfpb.gov</p> <p>Sarah Auchterlonie Sarah.Auchterlonie@cfpb.gov</p> <p>Donald Gordon Donald.Gordon@cfpb.gov</p> <p>Kim Ravener Kim.Ravener@cfpb.gov</p> <p>Navid Vazire Navid.Vazire@cfpb.gov</p> <p>Thomas Kim Thomas.Kim@cfpb.gov</p> <p>Kimberly Barnes Kimberly.Barnes@cfpb.gov</p> <p>Fatima Mahmud Fatima.Mahmud@cfpb.gov</p> <p>Jane Byrne janebyrne@quinnemanuel.com</p> <p>William Burck williamburck@quinnemanuel.com</p> <p>Scott Lerner scottlerner@quinnemanuel.com</p>	<p>David Smith dsmith@schnader.com</p> <p>Stephen Fogdall sfogdall@schnader.com</p> <p>William L. Kirkman billk@bourlandkirkman.com</p> <p>Reid L. Ashinoff reid.ashinoff@dentons.com</p> <p>Melanie McCammon melanie.mccammon@dentons.com</p> <p>Ben Delfin ben.delfin@dentons.com</p> <p>Jay N. Varon jvaron@foley.com</p> <p>Jennifer M. Keas jkeas@foley.com</p>
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/s/ Michael S. Trabon _____
Michael S. Trabon