

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)

**RESPONDENTS' MOTION FOR
EXTENSION OF TIME TO FILE
OPENING APPEAL BRIEF**

Pursuant to 12 C.F.R. § 1081.115, Respondents PHH Corporation, PHH Mortgage Corporation, PHH Home Loans, LLC, Atrium Insurance Corporation, and Atrium Reinsurance Corporation (“Respondents”), hereby move for an extension of time to file their opening appeal brief. Specifically, Respondents seek an additional eight business days in which to file their brief. If this motion is granted, Respondents’ opening appeal brief will be due on January 9, 2015, instead of December 29, 2014.

On December 4, 2014, Respondents timely filed a Notice of Appeal regarding the Recommended Decision issued on November 25, 2014. In order to perfect their appeal, Respondents must file an opening appeal brief by December 29, 2014. 12 C.F.R. § 1081.402(a)(2) (stating that parties appealing a recommended decision must file their “opening appeal brief within 30 days of service of the recommended decision”).¹ Given that the current deadline occurs during the upcoming holiday period, Respondents respectfully request a brief extension of eight business days.

¹ The original due date of December 26, 2014, is now December 29, 2014, by virtue of President Obama’s Executive Order closing the federal government on December 26, 2014.

There is good cause for granting this motion. Respondents and their counsel have previously-scheduled vacations and family obligations, many of which entail out-of-town travel plans. Respondents have not previously requested any filing extensions during the course of these proceedings. Additionally, the extension of time requested is less than the additional time generally permitted under the rules. *See* 12 C.F.R. § 1081.115(c) (stating that “extensions of time for filing papers shall not exceed 21 days . . .”). Further, Enforcement Counsel will not be prejudiced if the extension is granted, but instead will receive the benefit of their 30-day response time starting after the holidays. Finally, the Director will not be hampered in issuing his final decision and order inasmuch as the 90-day time period allotted to him does not commence under after the expiration of the time for filing reply briefs. *See* 12 C.F.R. § 1081.405(d).

Undersigned counsel has met and conferred with Enforcement Counsel regarding this request for more time. According to Enforcement Counsel, they intend to file a notice of appeal as well and support a request for an extension for the filing of both parties’ initial briefs until January 9, 2015.

Based on the foregoing, Respondents respectfully request an extension of time, until January 9, 2015, for the filing of opening appeal briefs.

Dated: December 9, 2014

Respectfully submitted,

WEINER BRODSKY KIDER PC

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CERTIFICATION OF SERVICE

I hereby certify that on the 9th day of December, 2014, I caused a copy of the foregoing Respondents' Motion for Extension of Time to File Opening Appeal Brief to be filed with the Office of Administrative Adjudication and served by electronic mail on the following parties who have consented to electronic service:

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/s/ Hazel Berkoh

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