



Consumer Financial  
Protection Bureau

---

IN RE FRANCESCA GIAMPICCOLO

2015-CFPB-GIAMPICCOLO-0001

---

**DECISION ON REQUEST FOR CONFIDENTIAL TREATMENT  
OF PETITION TO SET ASIDE CIVIL INVESTIGATIVE DEMAND<sup>1</sup>**

This matter comes before the Consumer Financial Protection Bureau (Bureau) on a request by Francesca Giampiccolo (Petitioner) for confidential treatment associated with a petition to set aside a civil investigative demand (CID) issued by the Bureau for her oral testimony. For the reasons set forth below, the request for confidential treatment is granted in part, and denied in part, as Petitioner has demonstrated good cause for omitting from the public record those portions of her petition or the Director's order in response thereto that discuss sensitive medical information.

**STATEMENT OF FACTS**

On February 3, 2015, the Office of Enforcement issued a CID to the Petitioner, a former employee of NCO Financial Systems (now known as Transworld Systems, Inc., or "TSI"), seeking her oral testimony. On February 19, 2015, Petitioner filed a Petition to Set Aside Civil Investigative Demand and Request for Confidential Treatment, requesting confidential treatment of the petition pursuant to 12 C.F.R. § 1080.6(g), and advance notice should the Bureau determine that it will disclose or release the Petition or any order. Petitioner included a redacted version of her petition with certain medical and employment-related information blocked out. Petitioner requests that the information contained in the Petition that contains sensitive medical information should be redacted from public disclosure.

**LEGAL DISCUSSION**

Petitioners bear the burden of showing good cause for confidential treatment of a petition or an order in response thereto under the Bureau's regulations. 12 C.F.R.

---

<sup>1</sup> This order is issued by the Associate Director for Supervision, Enforcement, and Fair Lending pursuant to delegated authority.

§ 1080.6(g) (providing that petitions and orders in response thereto are part of the public records of the Bureau unless it “determines otherwise for good cause shown”).

In evaluating whether a petitioner has shown good cause for confidential treatment of all or a portion of a petition to modify or set aside a CID, the Bureau generally employs the standards for withholding information from public disclosure established by the FOIA amendments to the Administrative Procedure Act, 5 U.S.C. § 552. However, in particular cases and consistent with 12 C.F.R. § 1080.6(g), the Bureau retains discretion to withhold all or portions of a petition from public disclosure when there is good cause and when the withheld information is not otherwise required by law to be disclosed.

Section 1080.6 grants the Bureau discretion to keep information confidential that is not otherwise required by law to be disclosed even if it does not fall under a FOIA exemption. In this case, there is good cause to withhold sensitive medical information contained in the Petition from public disclosure because it would unnecessarily invade the personal privacy of the Petitioner and disclosure of Petitioner’s private medical information would not advance the public interest.<sup>2</sup>

There are several redactions proposed by Petitioner, however, that do not contain sensitive medication information. Petitioner has failed to proffer any arguments justifying the withholding of information regarding her employment history, job title, or duties, and the Bureau finds no reasons to withhold this information.

For the foregoing reasons, Petitioner’s request for confidential treatment of her petition to set aside the CID is granted in part, and denied in part. In order to furnish Petitioner with an opportunity to consider her response to this Decision, notice is hereby given that neither this Decision nor redacted petition, nor any Decision and Order on the petition, shall be published until at least ten (10) calendar days from the date of this Decision.



---

Steven L. Antonakes  
Associate Director  
Director of Supervision, Enforcement & Fair Lending

May 19, 2015

---

<sup>2</sup> Because the Bureau finds that good cause exists to withhold the sensitive medical information in this case, it need not reach the question of whether the information could be withheld under exemption six of the Freedom of Information Act, 5 U.S.C. § 552(b)(6).