

UNITED STATES OF AMERICA
Before the
CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING
File No. 2015-CFPB-0029

In the Matter of:

)
)
) **DECLARATION OF**
) **VIVIAN W. CHUM**
)
)
)

INTEGRITY ADVANCE, LLC and
JAMES R. CARNES,

Respondents.
)
)
)

DECLARATION OF VIVIAN W. CHUM

District of Columbia:

1. I am counsel for the Consumer Financial Protection Bureau (“Bureau”) in the above-captioned matter.
2. Enforcement Counsel served the subpoena authorized by the Administrative Law Judge on Respondents on February 19, 2016.
3. The subpoena requested, among other things, consumer transaction data for all consumers who originated a loan with Integrity Advance pertaining to: 1(a) The date on which the consumer revoked his or her ACH authorization (null if the consumer did not revoke his or her ACH authorization); and 1(b) Whether Integrity Advance used a demand draft to collect funds from the consumer.
4. Allyson Baker, counsel for Respondents, stated in an email to Enforcement Counsel on March 31, 2016 that the data fields “LoanStatus,” “Payment_Status,”

and “Return Date” in Respondents’ forthcoming production would capture ACH revocations and the use of demand drafts. Ex. A.

5. In response to the Subpoena, Respondents provided Enforcement Counsel with data on April 1, 2016.
6. On April 14, 2016, I emailed Ms. Baker and others to ask how the three previously identified data fields “LoanStatus,” “Payment_Status,” and “Return Date,” can be used to determine whether Integrity Advance used demand drafts to collect funds from consumers. I also asked for an updated production that corrected the “LoanStatus” field, which had been produced with no data. Ex. B.
7. Ms. Baker replied by email that responses to my requests would be provided by April 15, 2016 or early the following week. Ex. C.
8. Having received no response from Respondents’ counsel by early the following week, I called Ms. Baker on April 19, 2016. During the call, Ms. Baker represented for the first time that the person with the most knowledge of the data was dealing with a sick mother.
9. In a second email to Ms. Baker and others, dated April 20, 2016, I requested answers to the two questions by April 25, 2016. Ex. D.
10. Ms. Baker responded by email that a response would be provided as quickly as possible. Ex. E.
11. In a phone call between Ms. Baker and Enforcement Counsel on Monday, April 25, 2016, Ms. Baker indicated that counsel for Respondents would provide the requested information by Wednesday, April 27, 2016.
12. In a third email to Ms. Baker and others on April 28, 2016, I stated that the information initially requested April 14, 2016 had not been produced on April 27,

2016 as promised, and I requested that the information be provided by the end of the day. Ex. F.

13. Ms. Baker responded by email on April 28, 2016 that she would check and get back to Enforcement Counsel. Ex. G.

14. In a fourth email to Ms. Baker and others on May 2, 2016, I indicated that Enforcement Counsel, having not received the information requested April 14, 2016, may be left with no choice but to file a motion. Ex. H.

15. Ms. Baker responded by email on April 28, 2016 that counsel would do her best to get an answer by May 3, 2016. Ex. I.

16. On May 3, 2016, in a phone call between Ms. Baker and me, Ms. Baker indicated that she would provide me the information within about an hour or no later than the end of the day. She represented that a column in the data contains the demand draft data but did not identify the column.

17. On May 4, 2016, I emailed Ms. Baker and others to inform her that Enforcement Counsel would file today unless we received the requested information. Ex. J.

18. Ms. Baker responded by email on May 4, 2016 that information about the demand draft column would be provided later today and the "LoanStatus" column is pro forma and has no value. Ex. K.

19. Ms. Baker subsequently called me on May 4, 2016 to state that there is no specific column in the consumer transaction-level data in our possession that provides the demand draft data we seek. She did not inform me how, if at all, the consumer transaction-level data in our possession can be used to determine whether Integrity Advance used demand drafts to collect funds from consumers.

20. In an email on May 4, 2016, Ms. Baker provided a spreadsheet containing aggregated, monthly demand draft data but no consumer transaction-level data. She did not inform me how the consumer transaction data in our possession can be used to determine whether Integrity Advance used demand drafts to collect funds from consumers. Ex. L
21. Despite numerous email correspondences (Exs. A-M) and phone calls between counsel since April 14, 2016, Respondents, to date, have not described how the consumer transaction-level data provided can be used to determine whether Integrity Advance used demand drafts to collect funds from consumers.
22. The following Exhibits are true and correct copies of the documents in question:
- a. Email from Allyson Baker to Alusheyi Wheeler, dated March 31, 2016, indicating that the three fields “LoanStatus,” “Payment_Status,” and “Return Date,” capture ACH revocations and the use of demand drafts.
 - b. Email from Vivian Chum to Allyson Baker and others, dated April 14, 2016, inquiring how the three fields “LoanStatus,” “Payment_Status,” and “Return Date,” are responsive to 1(b) and requesting missing “LoanStatus” data.
 - c. Email from Allyson Baker to Vivian Chum and others, dated April 14, 2016, replying that a response will be provided by April 15, 2016 or early the following week.
 - d. Email from Vivian Chum to Allyson Baker and others, dated April 20, 2016, inquiring into when Respondents will be able to provide answers to questions initially sent by email on April 14, 2016 and requesting answers by April 25, 2016.

- e. Email from Allyson Baker to Vivian Chum and others, dated April 20, 2016, replying that a response will be provided as quickly as possible.
- f. Email from Vivian Chum to Allyson Baker and others, dated April 28, 2016, indicating that the information initially requested April 14, 2016, had not been produced by April 27, 2016 as promised and requesting that the information be provided by the end of the day.
- g. Email from Allyson Baker to Vivian Chum and others, dated April 28, 2016, replying that counsel will check and get back to Enforcement Counsel.
- h. Email from Vivian Chum to Allyson Baker and others, dated May 2, 2016, indicating that Enforcement Counsel may be left with no choice but to file a motion pertaining to the requests sent April 14, 2016.
- i. Email from Allyson Baker to Vivian Chum and others, dated May 2, 2016, replying that counsel will do her best to get an answer tomorrow.
- j. Email from Vivian Chum to Allyson Baker and others, dated May 4, 2016, indicating that Enforcement Counsel intends to file today unless it receives the requested information.
- k. Email from Allyson Baker to Vivian Chum and others, dated May 4, 2016, replying that the demand draft column-identifying information will be provided later today and "LoanStatus" is a pro forma column.
- l. Email from Allyson Baker to Vivian Chum and others, dated May 4, 2016, providing aggregated, monthly demand draft data, but no transaction-level transaction data.

m. Email from Vivian Chum to Allyson Baker and others, dated May 4, 2016,
indicating that transaction-level demand draft data is still needed.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true
and correct.

Executed on May 4, 2016

/s/ Vivian W. Chum
Vivian W. Chum

Exhibit A

Wheeler, Alusheyi (CFPB)

From: Baker, Allyson B. <ABBaker@Venable.com>
Sent: Thursday, March 31, 2016 12:53 PM
To: Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance -data

Alusheyi: Please see the answers to your questions below.

- 1) Are you able to provide the “OrigAppl_No” field? It’s more useful as a unique identifier than “Cust_ID” field. Yes
- 2) There appear to be three new fields compared to the prior data production- “LoanStatus”, “Payment_Status”, and “Return Date”. We weren’t sure what these signify. Do they attempt to capture ACH revocations and the use of demand drafts? Yes If not, how will that information be reflected?
- 3) Will Respondents be providing a data dictionary defining the column headings? Yes
- 4) Will you be producing the entire data set in Excel? I was assuming there would be too many lines for Excel. I’m still working on the best way to transmit the data but I think that question may depend on how the data is being produced. .CSV file

Also, can you confirm that you will be able to furnish us with an FTP link to produce the data to you? Thanks very much. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Wheeler, Alusheyi (CFPB) [mailto:Alusheyi.Wheeler@cfpb.gov]
Sent: Thursday, March 31, 2016 11:25 AM
To: Baker, Allyson B. <ABBaker@Venable.com>
Subject: RE: Integrity Advance -data

Allyson,

Thank you for providing this sample. It was very helpful. We had a few questions:

- 1) Are you able to provide the “OrigAppl_No” field? It’s more useful as a unique identifier than “Cust_ID” field.
- 2) There appear to be three new fields compared to the prior data production- “LoanStatus”, “Payment_Status”, and “Return Date”. We weren’t sure what these signify. Do they attempt to capture ACH revocations and the use of demand drafts? If not, how will that information be reflected?
- 3) Will Respondents be providing a data dictionary defining the column headings?
- 4) Will you be producing the entire data set in Excel? I was assuming there would be too many lines for Excel. I’m still working on the best way to transmit the data but I think that question may depend on how the data is being produced.

Thanks,

Alusheyi J. Wheeler
Consumer Financial Protection Bureau
Enforcement Attorney
Tel: 202 435 7786
Mob: 202 713 8906
Email: Alusheyi.Wheeler@cfpb.gov

Exhibit B

Chum, Vivian (CFPB)

From: Chum, Vivian (CFPB)
Sent: Thursday, April 14, 2016 9:52 AM
To: Baker, Allyson B.
Cc: Wheeler, Alusheyi (CFPB)
Subject: Integrity Advance Data

Allyson,

I have a couple follow-up questions about the additional data fields “LoanStatus,” “Payment_Status,” and “Return Date,” which you previously identified in an email to Alusheyi on March 31 as capturing ACH revocations and the use of demand drafts (*i.e.* responsive to Data Requests 1(a) and 1(b)).

+Would you please explain how to determine from these data columns whether demand drafts were used to collect funds from the consumer?

+Also, I noticed that there is no data at all for “LoanStatus.” If there should be data in this field, would you please provide us with an updated production that includes this data?

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

Exhibit C

Chum, Vivian (CFPB)

From: Baker, Allyson B. <ABBaker@Venable.com>
Sent: Thursday, April 14, 2016 10:01 AM
To: Chum, Vivian (CFPB)
Cc: Wheeler, Alusheyi (CFPB); Frechette, Peter S.
Subject: RE: Integrity Advance Data

Vivian: One of us will work to get you some answers to these questions either tomorrow or early next week. Thanks very much. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [<mailto:Vivian.Chum@cfpb.gov>]
Sent: Thursday, April 14, 2016 9:52 AM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: Integrity Advance Data

Allyson,

I have a couple follow-up questions about the additional data fields “LoanStatus,” “Payment_Status,” and “Return Date,” which you previously identified in an email to Alusheyi on March 31 as capturing ACH revocations and the use of demand drafts (*i.e.* responsive to Data Requests 1(a) and 1(b)).

+Would you please explain how to determine from these data columns whether demand drafts were used to collect funds from the consumer?

+Also, I noticed that there is no data at all for “LoanStatus.” If there should be data in this field, would you please provide us with an updated production that includes this data?

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Exhibit D

Chum, Vivian (CFPB)

From: Chum, Vivian (CFPB)
Sent: Wednesday, April 20, 2016 3:49 PM
To: 'Baker, Allyson B.'
Cc: Wheeler, Alusheyi (CFPB)
Subject: Integrity Advance Data

Allyson,

Per our phone call yesterday, you indicated to me that, while you previously identified the data columns "LoanStatus," "Payment_Status," and "Return Date" as capturing ACH revocations and the use of demand drafts (*i.e.* as responsive to Data Requests 1(a) and 1(b)), you do not have an understanding of what those data columns mean.

During our call, you were unable to explain how to determine from these three data columns whether demand drafts were used to collect funds from consumers (Data Request 1(b)). You were also unable to explain why there is no data at all in the "LoanStatus" column. These questions were initially set forth in an email to you last Thursday, April 14. You have represented that Respondents may not be able to provide answers to these two questions until early next week.

As time is of the essence, I am following up to find out whether you have any additional information about when Respondents will be able to provide answers to these two questions. Although you stated that the data person best able to answer these questions is currently out of the office, because my questions are so foundational, it seems they could be at least partially answered by anyone who worked on the data. I would greatly appreciate answers to these questions by COB next Monday, April 25.

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

From: Chum, Vivian (CFPB)
Sent: Thursday, April 14, 2016 9:52 AM
To: Baker, Allyson B.
Cc: Wheeler, Alusheyi (CFPB)
Subject: Integrity Advance Data

Allyson,

I have a couple follow-up questions about the additional data fields "LoanStatus," "Payment_Status," and "Return Date," which you previously identified in an email to Alusheyi on March 31 as capturing ACH revocations and the use of demand drafts (*i.e.* responsive to Data Requests 1(a) and 1(b)).

+Would you please explain how to determine from these data columns whether demand drafts were used to collect funds from the consumer?

+Also, I noticed that there is no data at all for "LoanStatus." If there should be data in this field, would you please provide us with an updated production that includes this data?

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617

vivian.chum@cfpb.gov

consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

Exhibit E

Chum, Vivian (CFPB)

From: Baker, Allyson B. <ABBaker@Venable.com>
Sent: Wednesday, April 20, 2016 8:40 PM
To: Chum, Vivian (CFPB)
Cc: Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data

Vivian: As I noted during our telephone call, the key person with knowledge about the data is dealing with an elderly mother who is in the hospital and very sick. You asked me if I know what the data fields mean and I told you, specifically, that I was not certain (and wanted to be certain), as I, like you, am not a data expert.

As you will recall, we originally provided you and your team with an opportunity to customize the data fields that you wanted, and you and your team declined that opportunity. As you also know, Integrity Advance is no longer operational and has had to incur additional costs to meet the Bureau's substantial and untimely data demand. Indeed, you and your team waited three years to request data that you contend is critical to your case and for which supplemental information is now also purportedly critical.

We have provided you with all of the data that your subpoena requests. Our team will do its best to provide you with further information, all of which is beyond the scope of the subpoena, as quickly as possible, and out of professional courtesy. And I trust that you will similarly engage and respect that exigent family health issues affect our ability to provide you with this supplemental information on demand.

Thank you very much for your courtesy. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [mailto:Vivian.Chum@cfpb.gov]
Sent: Wednesday, April 20, 2016 3:49 PM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: Integrity Advance Data

Allyson,

Per our phone call yesterday, you indicated to me that, while you previously identified the data columns "LoanStatus," Payment_Status," and "Return Date" as capturing ACH revocations and the use of demand drafts (*i.e.* as responsive to Data Requests 1(a) and 1(b)), you do not have an understanding of what those data columns mean.

During our call, you were unable to explain how to determine from these three data columns whether demand drafts were used to collect funds from consumers (Data Request 1(b)). You were also unable

to explain why there is no data at all in the "LoanStatus" column. These questions were initially set forth in an email to you last Thursday, April 14. You have represented that Respondents may not be able to provide answers to these two questions until early next week.

As time is of the essence, I am following up to find out whether you have any additional information about when Respondents will be able to provide answers to these two questions. Although you stated that the data person best able to answer these questions is currently out of the office, because my questions are so foundational, it seems they could be at least partially answered by anyone who worked on the data. I would greatly appreciate answers to these questions by COB next Monday, April 25.

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

From: Chum, Vivian (CFPB)
Sent: Thursday, April 14, 2016 9:52 AM
To: Baker, Allyson B.
Cc: Wheeler, Alusheyi (CFPB)
Subject: Integrity Advance Data

Allyson,

I have a couple follow-up questions about the additional data fields "LoanStatus," "Payment_Status," and "Return Date," which you previously identified in an email to Alusheyi on March 31 as capturing ACH revocations and the use of demand drafts (*i.e.* responsive to Data Requests 1(a) and 1(b)).

+Would you please explain how to determine from these data columns whether demand drafts were used to collect funds from the consumer?

+Also, I noticed that there is no data at all for "LoanStatus." If there should be data in this field, would you please provide us with an updated production that includes this data?

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Exhibit F

Chum, Vivian (CFPB)

From: Chum, Vivian (CFPB)
Sent: Thursday, April 28, 2016 10:16 AM
To: Baker, Allyson B.
Cc: 'Frechette, Peter S.'; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: Integrity Advance Data

Allyson,

During your phone call with Alusheyi on Monday, you indicated that the information pertaining to Data Requests 1(a) and 1(b), initially requested in an email to you on April 14, would be provided to us by Wednesday, April 27. We did not receive the requested information yesterday.

As time is of the essence, I'm following up again. Will this information be provided to us by COB today?

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

Exhibit G

Chum, Vivian (CFPB)

From: Baker, Allyson B. <ABBaker@Venable.com>
Sent: Thursday, April 28, 2016 10:16 AM
To: Chum, Vivian (CFPB)
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: Re: Integrity Advance Data

Let me check and get back to you, Vivian.

From: Chum, Vivian (CFPB) [<mailto:Vivian.Chum@cfpb.gov>]
Sent: Thursday, April 28, 2016 10:15 AM
To: Baker, Allyson B.
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: Integrity Advance Data

Allyson,

During your phone call with Alusheyi on Monday, you indicated that the information pertaining to Data Requests 1(a) and 1(b), initially requested in an email to you on April 14, would be provided to us by Wednesday, April 27. We did not receive the requested information yesterday.

As time is of the essence, I'm following up again. Will this information be provided to us by COB today?

Thank you,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Exhibit H

Chum, Vivian (CFPB)

From: Chum, Vivian (CFPB)
Sent: Monday, May 02, 2016 4:07 PM
To: Baker, Allyson B.
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: Integrity Advance Data

Allyson,

It is now one week before the Motion for Summary Disposition is due, and we have still not received the answers to follow-up questions pertaining to Data Requests 1(a) and 1(b) that I first emailed you over two weeks ago on April 14. You initially indicated on April 14 that you would get us answers to these questions by April 15 or early the following week.

We have been patient in light of your representation that the key person with knowledge about the data is dealing with a sick mother. However, as we have now asked for answers to our follow-up questions three times (on April 14, April 20, and April 28) to no avail and we are extremely close to our filing deadline, we may be left with no choice but to file a motion if we are unable to obtain answers quickly.

Regards,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

Exhibit I

Chum, Vivian (CFPB)

From: Baker, Allyson B. <ABBaker@Venable.com>
Sent: Monday, May 02, 2016 5:18 PM
To: Chum, Vivian (CFPB)
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data

Vivian: We are working on this. I am aware of the deadlines and will do my best to get you an answer tomorrow. Thanks very much. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [<mailto:Vivian.Chum@cfpb.gov>]
Sent: Monday, May 02, 2016 4:07 PM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Frechette, Peter S. <PSFrechette@Venable.com>; Profita, Hillary S. <HSProfit@Venable.com>; Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: Integrity Advance Data

Allyson,

It is now one week before the Motion for Summary Disposition is due, and we have still not received the answers to follow-up questions pertaining to Data Requests 1(a) and 1(b) that I first emailed you over two weeks ago on April 14. You initially indicated on April 14 that you would get us answers to these questions by April 15 or early the following week.

We have been patient in light of your representation that the key person with knowledge about the data is dealing with a sick mother. However, as we have now asked for answers to our follow-up questions three times (on April 14, April 20, and April 28) to no avail and we are extremely close to our filing deadline, we may be left with no choice but to file a motion if we are unable to obtain answers quickly.

Regards,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply

transmission and delete the message without copying or disclosing it.

Exhibit J

Chum, Vivian (CFPB)

From: Chum, Vivian (CFPB)
Sent: Wednesday, May 04, 2016 2:15 PM
To: Baker, Allyson B.
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: Integrity Advance Data

Allyson,

In an email sent to you on April 14, 2016, I inquired into how the data provided to us by Respondents pursuant to the subpoena issued February 19, 2016 can be used to determine whether demand drafts were used to collect funds from consumers (request 1(b)). In addition, I pointed out that there is no data in the "LoanStatus" column of the data provided to us and requested an updated production that includes the data.

We have made numerous requests for this information since April 14, 2016 to no avail. On May 2, 2016, I informed you that if we are unable obtain answers quickly, we may be left with no choice but to file a motion.

Yesterday, on May 3, 2016, you represented that one of the columns of data previously provided to us is responsive to request 1(b), but you could not identify which column. You stated that you would get us answers to our questions within about an hour and, at the latest, by the end of the day.

It is now May 4, 2016, and we still do not have answers to the questions first posed on April 14, 2016. As you know, we need these answers to in order to file our Motion for Summary Disposition, which is due on May 10, 2016.

We intend to file a motion today unless we receive the necessary information.

Regards,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

Exhibit K

Chum, Vivian (CFPB)

From: Baker, Allyson B. <ABBaker@Venable.com>
Sent: Wednesday, May 04, 2016 2:21 PM
To: Chum, Vivian (CFPB)
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data

Vivian: I am told that the demand draft column identifying-information will be provided to me later today; this should answer your question.

I have just learned that the "Loan Status" column was included in the data report, pro forma but that it has no value or relationship to any of the information that you have requested. I am told you can ignore it.

Thanks. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [<mailto:Vivian.Chum@cfpb.gov>]
Sent: Wednesday, May 04, 2016 2:15 PM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Frechette, Peter S. <PSFrechette@Venable.com>; Profita, Hillary S. <HSProfit@Venable.com>; Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: Integrity Advance Data

Allyson,

In an email sent to you on April 14, 2016, I inquired into how the data provided to us by Respondents pursuant to the subpoena issued February 19, 2016 can be used to determine whether demand drafts were used to collect funds from consumers (request 1(b)). In addition, I pointed out that there is no data in the "LoanStatus" column of the data provided to us and requested an updated production that includes the data.

We have made numerous requests for this information since April 14, 2016 to no avail. On May 2, 2016, I informed you that if we are unable obtain answers quickly, we may be left with no choice but to file a motion.

Yesterday, on May 3, 2016, you represented that one of the columns of data previously provided to us is responsive to request 1(b), but you could not identify which column. You stated that you would get us answers to our questions within about an hour and, at the latest, by the end of the day.

It is now May 4, 2016, and we still do not have answers to the questions first posed on April 14, 2016. As you know, we need these answers to in order to file our Motion for Summary Disposition, which is due on May 10, 2016.

We intend to file a motion today unless we receive the necessary information.

Regards,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Exhibit L

Chum, Vivian (CFPB)

From: Baker, Allyson B. <ABBaker@Venable.com>
Sent: Wednesday, May 04, 2016 4:38 PM
To: Chum, Vivian (CFPB)
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data
Attachments: Check_Drafts_Monthly_Totals.xlsx

Vivian: As discussed, please find the attached information. Thank you very much. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [mailto:Vivian.Chum@cfpb.gov]
Sent: Wednesday, May 04, 2016 2:25 PM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Frechette, Peter S. <PSFrechette@Venable.com>; Profita, Hillary S. <HSProfita@Venable.com>; Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: RE: Integrity Advance Data

Allyson,

What time today will the information be provided?

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

From: Baker, Allyson B. [mailto:ABBaker@Venable.com]
Sent: Wednesday, May 04, 2016 2:21 PM
To: Chum, Vivian (CFPB)
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data

Vivian: I am told that the demand draft column identifying-information will be provided to me later today; this should answer your question.

I have just learned that the "Loan Status" column was included in the data report, pro forma but that it has no value or relationship to any of the information that you have requested. I am told you can ignore it.

Thanks. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [<mailto:Vivian.Chum@cfpb.gov>]
Sent: Wednesday, May 04, 2016 2:15 PM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Frechette, Peter S. <PSFrechette@Venable.com>; Profita, Hillary S. <HSProfit@Venable.com>; Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: Integrity Advance Data

Allyson,

In an email sent to you on April 14, 2016, I inquired into how the data provided to us by Respondents pursuant to the subpoena issued February 19, 2016 can be used to determine whether demand drafts were used to collect funds from consumers (request 1(b)). In addition, I pointed out that there is no data in the "LoanStatus" column of the data provided to us and requested an updated production that includes the data.

We have made numerous requests for this information since April 14, 2016 to no avail. On May 2, 2016, I informed you that if we are unable obtain answers quickly, we may be left with no choice but to file a motion.

Yesterday, on May 3, 2016, you represented that one of the columns of data previously provided to us is responsive to request 1(b), but you could not identify which column. You stated that you would get us answers to our questions within about an hour and, at the latest, by the end of the day.

It is now May 4, 2016, and we still do not have answers to the questions first posed on April 14, 2016. As you know, we need these answers to in order to file our Motion for Summary Disposition, which is due on May 10, 2016.

We intend to file a motion today unless we receive the necessary information.

Regards,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Exhibit M

Chum, Vivian (CFPB)

From: Chum, Vivian (CFPB)
Sent: Wednesday, May 04, 2016 4:59 PM
To: 'Baker, Allyson B.'
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data

Allyson,

Am I to assume that each demand draft represented in this spreadsheet was issued after ACH authorization had been revoked or blocked by a consumer? If not, I still need to know how to use the loan-level data to determine when a demand draft was used on a consumer.

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

From: Baker, Allyson B. [<mailto:ABBaker@Venable.com>]
Sent: Wednesday, May 04, 2016 4:38 PM
To: Chum, Vivian (CFPB)
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data

Vivian: As discussed, please find the attached information. Thank you very much. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [<mailto:Vivian.Chum@cfpb.gov>]
Sent: Wednesday, May 04, 2016 2:25 PM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Frechette, Peter S. <PSFrechette@Venable.com>; Profita, Hillary S. <HSProfit@Venable.com>; Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: RE: Integrity Advance Data

Allyson,

What time today will the information be provided?

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau

Ph: 202-435-7565 c: 202-263-9617

vivian.chum@cfpb.gov

consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

From: Baker, Allyson B. [<mailto:ABBaker@Venable.com>]
Sent: Wednesday, May 04, 2016 2:21 PM
To: Chum, Vivian (CFPB)
Cc: Frechette, Peter S.; Profita, Hillary S.; Wheeler, Alusheyi (CFPB)
Subject: RE: Integrity Advance Data

Vivian: I am told that the demand draft column identifying-information will be provided to me later today; this should answer your question.

I have just learned that the "Loan Status" column was included in the data report, pro forma but that it has no value or relationship to any of the information that you have requested. I am told you can ignore it.

Thanks. Allyson.

Allyson B. Baker, Esq. | Venable LLP
t 202.344.4708 | f 202.344.8300
575 7th Street, NW, Washington, DC 20004

ABBaker@Venable.com | www.Venable.com

From: Chum, Vivian (CFPB) [<mailto:Vivian.Chum@cfpb.gov>]
Sent: Wednesday, May 04, 2016 2:15 PM
To: Baker, Allyson B. <ABBaker@Venable.com>
Cc: Frechette, Peter S. <PSFrechette@Venable.com>; Profita, Hillary S. <HSProfit@Venable.com>; Wheeler, Alusheyi (CFPB) <Alusheyi.Wheeler@cfpb.gov>
Subject: Integrity Advance Data

Allyson,

In an email sent to you on April 14, 2016, I inquired into how the data provided to us by Respondents pursuant to the subpoena issued February 19, 2016 can be used to determine whether demand drafts were used to collect funds from consumers (request 1(b)). In addition, I pointed out that there is no data in the "LoanStatus" column of the data provided to us and requested an updated production that includes the data.

We have made numerous requests for this information since April 14, 2016 to no avail. On May 2, 2016, I informed you that if we are unable obtain answers quickly, we may be left with no choice but to file a motion.

Yesterday, on May 3, 2016, you represented that one of the columns of data previously provided to us is responsive to request 1(b), but you could not identify which column. You stated that you would get us answers to our questions within about an hour and, at the latest, by the end of the day.

It is now May 4, 2016, and we still do not have answers to the questions first posed on April 14, 2016. As you know, we need these answers to in order to file our Motion for Summary Disposition, which is due on May 10, 2016.

We intend to file a motion today unless we receive the necessary information.

Regards,

Vivian W. Chum
Attorney-Advisor
Office of Enforcement
Consumer Financial Protection Bureau
Ph: 202-435-7565 c: 202-263-9617
vivian.chum@cfpb.gov
consumerfinance.gov

Confidentiality Notice: If you received this email by mistake, you should notify the sender of the mistake and delete the email and any attachments. An inadvertent disclosure is not intended to waive any privileges.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.
