

UNITED STATES OF AMERICA
Before the
CONSUMER FINANCIAL PROTECTION BUREAU
September 6, 2013

ADMINISTRATIVE PROCEEDING
File No. 2013-CFPB-0002

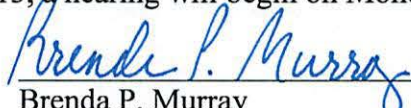
In the Matter of :
: ORDER FOLLOWING PREHEARING
3D Resorts-Bluegrass, LLC : CONFERENCE
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This proceeding began on June 14, 2013, when the Consumer Financial Protection Bureau (CFPB) filed a Notice of Charges Seeking Rescission, Restitution, Civil Money Penalties, and Other Legal and Equitable Relief (Notice of Charges) alleging that 3D Resorts-Bluegrass, LLC (3D Resorts-Bluegrass), violated various provisions of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. §§ 1701-1720. 3D Resorts-Bluegrass filed a petition under Chapter 7 of the Bankruptcy Code in the United States Bankruptcy Court, Western District of Texas, on November 16, 2011, 3D Resorts-Bluegrass, LLC, No. 11-5401. The proceeding was transferred to the U.S. Bankruptcy Court for the Western District of Kentucky, No. 11-4159, and converted to a Chapter 11 proceeding on December 8, 2011.

3D Resorts-Bluegrass, by and through Thomas M. Duddy, the Chapter 11 Bankruptcy Trustee, and William Palmer, attorney for the named entity that acknowledges the Bankruptcy Trustee as sole representative of the bankruptcy estate, filed Answers to the Notice of Charges on July 1, 2013. A scheduling conference was held on July 2, 2013, and the hearing scheduled to begin on August 14, and later August 19, 2013, was postponed at the parties' request based on pending settlement negotiations. 12 C.F.R. §§ 1081.203, .300. At a prehearing conference on September 5, 2013, the parties represented they have made progress towards a four-way settlement, which, if successful, will be presented to the Bankruptcy Court. One of the parties in the settlement negotiations is the Commonwealth of Kentucky.

Order

Based on the discussion at the prehearing conference and the requirement that I issue a recommended decision no later than April 10, 2014, I ORDER that the parties shall inform my Office by close of business on September 30, 2013, whether they have agreed on a filing with the Bankruptcy Court that, pending Court approval, will allow submission of an Offer of Settlement that CFPB Enforcement attorneys will recommend that the CFPB Director accept. If the parties have not reached an agreement by September 30, 2013, a hearing will begin on Monday, October 28, 2013.



Brenda P. Murray
Administrative Law Judge