

# EXHIBIT A

**From:** Vazire, Navid (CFPB)  
**To:** "[syoung@soleburylg.com](mailto:syoung@soleburylg.com)"  
**Cc:** [Ridder, Theresa \(CFPB\)](#)  
**Subject:** CFPB interview  
**Date:** Wednesday, February 26, 2014 10:05:00 AM

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Dear Mr. Young,

I am an Enforcement Attorney with the Consumer Financial Protection Bureau. As my colleague Theresa Ridder may have told you, we would like to speak to you about your work at Radian Guaranty. If you are available for a voluntary interview, I can arrange a time for us to speak on the phone. Please feel free to contact me at [navid.vazire@cfpb.gov](mailto:navid.vazire@cfpb.gov) or 202-725-8397.

Thank you,

**Navid Vazire**

Enforcement Attorney  
Consumer Financial Protection Bureau

Tel: 202 725 8397

[consumerfinance.gov](http://consumerfinance.gov)

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

# EXHIBIT B

**From:** Vazire, Navid (CFPB)  
**To:** "[syoung@soleburylg.com](mailto:syoung@soleburylg.com)"  
**Cc:** [Ridder, Theresa \(CFPB\)](#)  
**Subject:** RE: CFPB interview  
**Date:** Wednesday, February 26, 2014 2:44:00 PM  
**Attachments:** [Notice to Persons Supplying Information Form.pdf](#)

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Mr. Young,

Thank you for getting in touch with me. We agreed to speak on the phone tomorrow afternoon. Does 1:30 pm Eastern work for you? If so, please use the following dial-in line: 888-806-7345, Passcode: 11845902

Also, please read the attached notice before we speak.

Best,  
Navid

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**From:** Vazire, Navid (CFPB)  
**Sent:** Wednesday, February 26, 2014 10:05 AM  
**To:** 'syoung@soleburylg.com'  
**Cc:** Ridder, Theresa (CFPB)  
**Subject:** CFPB interview

Dear Mr. Young,

I am an Enforcement Attorney with the Consumer Financial Protection Bureau. As my colleague Theresa Ridder may have told you, we would like to speak to you about your work at Radian Guaranty. If you are available for a voluntary interview, I can arrange a time for us to speak on the phone. Please feel free to contact me at [navid.vazire@cfpb.gov](mailto:navid.vazire@cfpb.gov) or 202-725-8397.

Thank you,

**Navid Vazire**

Enforcement Attorney  
Consumer Financial Protection Bureau

Tel: 202 725 8397

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# EXHIBIT C

**CONSUMER FINANCIAL PROTECTION BUREAU  
Washington, D.C. 20552**

**Notice to Persons Supplying Information**

You have been asked to supply information or speak voluntarily, or directed to provide sworn testimony, documents, or answers to questions in response to a civil investigative demand (CID) from the Consumer Financial Protection Bureau (Bureau). This notice discusses certain legal rights and responsibilities. Unless stated otherwise, the information below applies whether you are providing information voluntarily or in response to a CID.

**A. False Statements; Perjury**

*False Statements.* Section 1001 of Title 18 of the United States Code provides as follows:

[W]hoever, in any matter within the jurisdiction of the executive ... branch of the Government of the United States, knowingly and willfully-- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title ...[or] imprisoned not more than 5 years ..., or both.

*Perjury.* Section 1621 of Title 18 of the United States Code provides as follows:

Whoever ... having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly or that any written testimony, declaration, deposition, or certificate by him subscribed, is true willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true ... is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

**B. The Fifth Amendment; Your Right to Counsel**

*Fifth Amendment.* Information you provide may be used against you in any federal, state, local or foreign administrative, civil or criminal proceeding brought by the Bureau or any other agency. If you are an individual, you may refuse, in accordance with the rights guaranteed to you by the Fifth Amendment to the Constitution of the United States, to give any information that may tend to incriminate you or subject you to criminal liability, including fine, penalty or forfeiture.

*Counsel.* You have the right to be accompanied, represented and advised by counsel of your choice. For further information, you should consult Bureau regulations at 12 C.F.R. § 1080.9(b).

**C. Effect of Not Supplying Information**

*Persons Directed to Supply Information Pursuant to CID.* If you fail to comply with the CID, the Bureau may seek a court order requiring you to do so. If such an order is obtained and you still fail to supply the information, you may be subject to civil and criminal sanctions for contempt of court.

*Persons Requested to Supply Information Voluntarily.* There are no sanctions for failing to provide all or any part of the requested information. If you do not provide the requested information, the Bureau may choose to send you a CID or subpoena.

**D. Privacy Act Statement**

The information you provide will assist the Bureau in its determinations regarding violations of Federal consumer financial laws. The information will be used by and disclosed to Bureau personnel and contractors or other agents who need the information to assist in activities related to enforcement of Federal consumer financial laws. The information may also be disclosed for statutory or regulatory purposes, or pursuant to the Bureau's published Privacy Act system of records notice, to:

- a court, magistrate, administrative tribunal, or a party in litigation;
- another federal or state agency or regulatory authority;
- a member of Congress; and
- others as authorized by the Bureau to receive this information.

This collection of information is authorized by 12 U.S.C. §§ 5511, 5562.

# EXHIBIT E



**Ridder, Theresa (CFPB)**

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**From:** Ridder, Theresa (CFPB)  
**Sent:** Friday, March 07, 2014 4:18 PM  
**To:** 'ffilipps@gmail.com'  
**Subject:** Consumer Financial Protection Bureau Inquiry

Dear Mr. Filipps,

I am an investigator with the Consumer Financial Protection Bureau, and I received your email address from your secretary. If it would be possible to arrange to speak by phone, please provide me with a number and a convenient time to reach you next week.

I look forward to hearing from you. If you have any questions, you can reach me at (202) 435-7919, (202) 578-1668 or via email.

Regards,

Theresa Ridder  
Investigator  
Consumer Financial Protection Bureau  
Supervision, Enforcement,  
Fair Lending & Equal Opportunity

# EXHIBIT F

**From:** [Ravener, Kim \(CFPB\)](#)  
**To:** "[Fogdall, Stephen](#)"  
**Subject:** RE: Frank Filippis  
**Date:** Monday, March 17, 2014 3:03:00 PM  
**Attachments:** [Notice to Persons Supplying Information Form.pdf](#)

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Yes, thank you. I will get a conference line out to you by tomorrow.

In the meantime, please ensure that he receives a copy of the attached document in advance of the call.

**Kimberly J. Ravener**  
Enforcement Attorney  
Consumer Financial Protection Bureau  
Tel: (212) 328-7007  
Email: [Kim.Ravener@cfpb.gov](mailto:Kim.Ravener@cfpb.gov)  
[consumerfinance.gov](http://consumerfinance.gov)

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**From:** Fogdall, Stephen [mailto:[SFogdall@Schnader.com](mailto:SFogdall@Schnader.com)]  
**Sent:** Monday, March 17, 2014 2:26 PM  
**To:** Ravener, Kim (CFPB)  
**Subject:** Frank Filippis

Kim, Frank Filippis is available at 10am on Wednesday. Will you be providing a conference line?

**Stephen Fogdall**  
**Schnader Harrison Segal & Lewis LLP**  
1600 Market Street, Suite 3600  
Philadelphia, PA 19103  
(215) 751-2581

**CONSUMER FINANCIAL PROTECTION BUREAU  
Washington, D.C. 20552**

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[W]hoever, in any matter within the jurisdiction of the executive ... branch of the Government of the United States, knowingly and willfully-- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title ...[or] imprisoned not more than 5 years ..., or both.

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Whoever ... having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly or that any written testimony, declaration, deposition, or certificate by him subscribed, is true willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true ... is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

**B. The Fifth Amendment; Your Right to Counsel**

*Fifth Amendment.* Information you provide may be used against you in any federal, state, local or foreign administrative, civil or criminal proceeding brought by the Bureau or any other agency. If you are an individual, you may refuse, in accordance with the rights guaranteed to you by the Fifth Amendment to the Constitution of the United States, to give any information that may tend to incriminate you or subject you to criminal liability, including fine, penalty or forfeiture.

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- a court, magistrate, administrative tribunal, or a party in litigation;
- another federal or state agency or regulatory authority;
- a member of Congress; and
- others as authorized by the Bureau to receive this information.

This collection of information is authorized by 12 U.S.C. §§ 5511, 5562.

# EXHIBIT H

**Schnader**  
ATTORNEYS AT LAW

1600 MARKET STREET SUITE 3600  
PHILADELPHIA, PA 19103-7286  
215.751.2000 FAX 215.751.2205 schnader.com

March 21, 2014

**DAVID SMITH**  
Direct Dial: 215-751-2190  
Direct Fax: 215-972-7409  
E-mail: dsmith@schnader.com

**CONFIDENTIAL**

**VIA ELECTRONIC MAIL**

Kimberly Ravener, Esquire  
Consumer Financial Protection Bureau  
1700 G Street NW  
Washington, DC 20552

**RE: *In re PHH Corp.*, File No. 2014-CFPB-0002**

Dear Ms. Ravener:

This will provide a written response to the assertion by you and your colleague Donald Gordon in a telephone conversation with my colleague Stephen Fogdall yesterday that my Firm's representation of Steve Young and Frank Filippis, two former employees of Radian Guaranty Inc. ("Radian") who have been identified by the Bureau on its witness list in this matter, somehow implicates 12 C.F.R. § 1081.109.

12 C.F.R. § 1081.109, which is titled "Conflict of Interest," provides in relevant part that "No person shall appear as counsel for another person in an adjudication proceeding if it reasonably appears that such representation may be materially limited by that counsel's responsibilities to a third person or by the counsel's own interest." 12 C.F.R. § 1081.109(a). There is no basis to assert, as I understand you did yesterday, that the interests of Messrs. Young and Filippis are not "aligned" with those of our client Radian. In any event, that is not the test in the Federal Regulations. The test is whether our representation is "materially limited." All three of our clients are released by the Final Consent Judgment and Order in *Consumer Financial Protection Bureau v. Radian Guaranty Inc.*, Case No. 1:13-cv-21188-JAL entered by the United States District Court for the Southern District of Florida on April 9, 2013. Indeed, you have stated repeatedly that your interest in Messrs. Young and Filippis is solely as witnesses in this matter, or as sources of information in your investigation against other parties. Accordingly, there can be no basis for any supposed conflict, and you offered nothing to the contrary.

While it is not implicated by the facts here and without waiving attorney-client privilege, I hereby represent that we have complied with 12 C.F.R. § 1081.109(b)(1) in that "counsel has fully discussed the possibility of conflicts of interest with each such party and non-party." 12 C.F.R. § 1081.109(b)(2) has no application here, as all of our clients have been released by the CFPB. However, if you would like waivers, we will provide them.

Kimberly Ravener, Esquire  
March 21, 2014  
Page 2

I understand that you commented to Mr. Fogdall that you believe that witnesses associated with Radian have not been as “forthcoming” as other witnesses. I have not been present at your interviews of other witnesses, so I cannot comment on their candor. However, I can comment that the witnesses associated with Radian whose interviews I attended provided candid and responsive answers to the questions you and your colleagues asked. A witness’s inability to recall events that occurred seven to fifteen, or more, years ago is not an indication of a lack of candor or unresponsiveness. It might be, as you suggested in one of your questions of Mr. Filippis, that a witness’s memory could be refreshed by preparation, including review of documents. However, the witnesses associated with Radian whose interviews I attended did not have the benefit of such preparation. One final comment on this point: I understand that you are preparing for trial and were hopeful that the witnesses you interviewed would be helpful on some of the disputed issues of fact. However, the witnesses would do you (and themselves) no favor by responding to your interview questions with generalized perceptions and assumptions, when the law requires that their interview responses and subsequent testimony must be based on their actual knowledge and their testimony will be subjected to cross-examination that undoubtedly would expose their lack of memory of actual facts.

I also understand that you voiced an objection to Mr. Fogdall regarding the presence of Radian’s General Counsel, Timothy Hunter, during the March 19, 2014 voluntary telephone interview of Mr. Filippis. However, you will recall (and if you recorded the interview, the recording will disclose) that I announced at the very beginning of the call that Mr. Fogdall and I were present as counsel to Mr. Filippis and that Mr. Hunter was running late, but would be joining us for the call. You made no objection. When Mr. Hunter arrived, we informed you of that fact. Again, you did not object. Nor could you have, because there simply is nothing inappropriate about Radian’s General Counsel attending an informal, voluntary interview of Radian’s former CEO. Indeed, this is particularly the case here, when the Bureau has agreed to the entry of a protective order in this matter that protects, among other things, Radian’s confidential commercial and financial information.

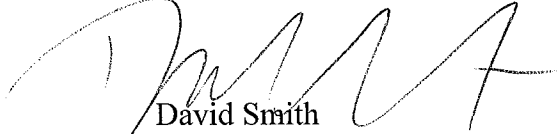
While not a topic of discussion yesterday, I note that you have provided copies of your summaries of your interviews with Radian’s current and former employees to PHH’s counsel, who in turn included these notes on PHH’s exhibit list. Those interview notes contain Radian’s confidential commercial and financial information. Accordingly, we asked PHH’s counsel to provide copies of the summaries to us, so that we could evaluate Radian’s interests with respect to them under the protective order. The summaries relating to the interviews of Lora Wasson and Michael Dziuba contain the statement (in bold typeface) that the Bureau provided their counsel with a “Notice to Persons Supplying Information” prior to their interviews and that they were asked by the interviewer if they “had an opportunity to review the document, and understood its provisions.” Although you did provide the Notice to Mr. Filippis and asked him if he reviewed and understood it, you did not do so with respect to Ms. Wasson and Mr. Dziuba.



Kimberly Ravener, Esquire  
March 21, 2014  
Page 3

We are available to discuss all of these issues further with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'D Smith', written over the printed name 'David Smith'.

David Smith

For SCHNADER HARRISON SEGAL & LEWIS LLP

cc: Stephen Fogdall, Esquire  
David Souders, Esquire

# EXHIBIT I

**From:** [Ravener, Kim \(CFPB\)](#)  
**To:** ["Smith, David"](#); ["Fogdall, Stephen"](#)  
**Cc:** [Gordon, Donald \(CFPB\)](#); [Vazire, Navid \(CFPB\)](#); [Kim, Thomas \(CFPB\)](#); [Auchterlonie, Sarah \(CFPB\)](#)  
**Subject:** RE: In re PHH Corp.  
**Date:** Monday, March 24, 2014 10:16:00 AM

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Dear Mr. Smith and Mr. Fogdall,

We are in receipt of your letter. As you are aware, 12 CFR 1081.109 applies to anyone appearing as counsel for a person in an adjudication proceeding. Each of you filed Notices of Appearance on behalf of Radian Guaranty in this matter on February 14, 2014. Further, Mr. Fogdall has confirmed that your firm also represents two former employees of Radian, each in their individual capacities: Mr. Filipps and Mr. Young. Mr. Fogdall confirmed that these were three separate representations.

Therefore, we expect that you will make the required certification to the Hearing Officer, Judge Elliott.

**Kimberly J. Ravener**  
Enforcement Attorney  
Consumer Financial Protection Bureau  
Tel: (212) 328-7007  
Email: [Kim.Ravener@cfpb.gov](mailto:Kim.Ravener@cfpb.gov)  
[consumerfinance.gov](http://consumerfinance.gov)

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**From:** Smith, David [mailto:DSmith@schnader.com]  
**Sent:** Friday, March 21, 2014 4:59 PM  
**To:** Ravener, Kim (CFPB)  
**Cc:** Fogdall, Stephen  
**Subject:** In re PHH Corp.

Please see the attached correspondence.

# EXHIBIT J

**From:** [Fogdall, Stephen](#)  
**To:** [Mitch Kider](#); "[David Souders](#)"; [Sandra Vipond](#); [Rosanne Rust](#); "[Trabon@thewbkfirm.com](#)"; [Morris, Lucy \(CFPB\)](#); [Auchterlonie, Sarah \(CFPB\)](#); [Gordon, Donald \(CFPB\)](#); [Ravener, Kim \(CFPB\)](#); [Vazire, Navid \(CFPB\)](#); "[billk@BourlandKirkman.com](#)"; "[reid.ashinoff@dentons.com](#)"; [McCammon, Melanie A.](#); "[ben.delfin@dentons.com](#)"; "[JVaron@foley.com](#)"; "[jkeas@foley.com](#)"; "[JaneByrne@QuinnEmanuel.com](#)"; "[WilliamBurck@quinnemanuel.com](#)"; "[ScottLerner@quinnemanuel.com](#)"  
**Cc:** [Smith, David](#)  
**Subject:** FW: 2014-CFPB-0002, 1 PDF file attached  
**Date:** Friday, March 28, 2014 12:19:29 AM  
**Attachments:** [certification pursuant to 12 CFR 1081.109\(b\).pdf](#)

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The attached was submitted to the OAA tonight for filing.

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**From:** Fogdall, Stephen  
**Sent:** Friday, March 28, 2014 1:12 AM  
**To:** 'CFPB\_electronic\_filings@cfpb.gov'  
**Subject:** 2014-CFPB-0002, 1 PDF file attached

Attached for filing in matter number 2014-CFPB-0002 is 1 PDF file containing a certification pursuant to 12 C.F.R. § 1081.109(b).

**Stephen Fogdall**  
**Schnader Harrison Segal & Lewis LLP**  
**1600 Market Street, Suite 3600**  
**Philadelphia, PA 19103**  
**(215) 751-2581**

**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** )  
\_\_\_\_\_ )

**CERTIFICATION PURSUANT TO 12 C.F.R. § 1081.109(b)**

The undersigned counsel represent intervenor Radian Guaranty Inc. (“Radian”), as well as Mr. Steve Young and Mr. Frank Filippis, who have been identified on Enforcement Counsel’s witness list in this matter. Pursuant to 12 C.F.R. § 1081.109(b), and without waiver of the attorney-client privilege, undersigned counsel certify that they have personally and fully discussed the possibility of conflicts of interest with Radian, and with Mr. Young and Mr. Filippis. Radian, Mr. Young and Mr. Filippis waive any right they might otherwise have had to assert any known conflicts of interest or to assert any conflicts of interest during the course of the proceeding.

Respectfully submitted,

/s/ Stephen A. Fogdall  
David Smith  
Stephen A. Fogdall  
Schnader Harrison Segal & Lewis LLP  
1600 Market Street, Suite 3600  
Philadelphia, PA 19103  
Telephone: 215-751-2581  
Facsimile: 215-751-2205  
dsmith@schnader.com  
sfogdall@schnader.com  
Counsel for Radian Guaranty Inc.

Dated: March 28, 2014

## CERTIFICATE OF SERVICE

I, Stephen A. Fogdall, hereby certify that I have on this date served a copy of the foregoing Certification Pursuant to 12 C.F.R. § 1081.109(b) on the following by electronic mail:

Mitchel H. Kider  
[kider@thewbkfirm.com](mailto:kider@thewbkfirm.com)

William L. Kirkman  
[billk@bourlandkirkman.com](mailto:billk@bourlandkirkman.com)

David M. Souders  
[souders@thewbkfirm.com](mailto:souders@thewbkfirm.com)

Reid L. Ashinoff  
[reid.ashinoff@dentons.com](mailto:reid.ashinoff@dentons.com)

Sandra B. Vipond  
[vipond@thewbkfirm.com](mailto:vipond@thewbkfirm.com)

Melanie McCammon  
[melanie.mccammon@dentons.com](mailto:melanie.mccammon@dentons.com)

Roseanne Rust  
[rust@thewbkfirm.com](mailto:rust@thewbkfirm.com)

Ben Delfin  
[ben.delfin@dentons.com](mailto:ben.delfin@dentons.com)

Michael S. Trabon  
[trabon@thewbkfirm.com](mailto:trabon@thewbkfirm.com)

Jay N. Varon  
[jvaron@foley.com](mailto:jvaron@foley.com)

Lucy Morris  
[Lucy.Morris@cfpb.gov](mailto:Lucy.Morris@cfpb.gov)

Jennifer M. Keas  
[jkeas@foley.com](mailto:jkeas@foley.com)

Sarah Auchterlonie  
[Sarah.Auchterlonie@cfpb.gov](mailto:Sarah.Auchterlonie@cfpb.gov)

Jane Byrne  
[janebyrne@quinnemanuel.com](mailto:janebyrne@quinnemanuel.com)

Donald Gordon  
[Donald.Gordon@cfpb.gov](mailto:Donald.Gordon@cfpb.gov)

William Burck  
[williamburck@quinnemanuel.com](mailto:williamburck@quinnemanuel.com)

Kim Ravener  
[Kim.Ravener@cfpb.gov](mailto:Kim.Ravener@cfpb.gov)

Scott Lerner  
[scottlerner@quinnemanuel.com](mailto:scottlerner@quinnemanuel.com)

Navid Vazire  
[Navid.Vazire@cfpb.gov](mailto:Navid.Vazire@cfpb.gov)

/s/ Stephen A. Fogdall

Stephen A. Fogdall

Dated: March 28, 2014