

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' MEMORANDUM IN SUPPORT OF
THEIR MOTION TO AMEND THEIR EXHIBIT LIST FOR GOOD CAUSE**

Pursuant to 12 C.F.R. § 1081.215(c), Respondents PHH Corporation, PHH Mortgage Corporation, PHH Home Loans, LLC, Atrium Insurance Corporation, and Atrium Reinsurance Corporation (collectively, "Respondents"), move to add four exhibits (listed and described below) to their Exhibit List. Administrative Adjudication Rule 215(c) specifically provides that additional exhibits may be introduced following the prehearing submission by the parties, where good cause is shown. Also, on the first day of the Hearing, the Tribunal specifically envisioned the inclusion of such exhibits later deemed relevant by either party upon a showing of good cause. Transcript of March 24, 2014 hearing, at 43-44. Respondents respectfully move, for good cause, to admit the following four documents as exhibits:

1. Respondents' Exhibit 2002: United Guaranty Residential Insurance Company Reinsurance Structure Analysis for Book Year 2008B Preliminary Draft Results (previously produced to the Bureau as CONFIDENTIAL PHH MUNOZ 04133-04147);
2. Respondents' Exhibit 2003: Atrium Insurance Corporation Book Year 2008 CMG/UGI Comparison, Preliminary Draft Results (previously produced to the Bureau as CONFIDENTIAL PHH MUNOZ 04148-04163);

3. Respondents' Exhibit 2004: Reinsurance Performance Metrics for Atrium Reinsurance Corporation, 1st Quarter 2012; and
4. Respondents' Exhibit 2005: Mortgage Guaranty Insurance Corporation ("MGIC") Report to the Consumer Financial Production Bureau on April 2, 2014, pursuant to the Final Consent Judgment and Order entered in the lawsuit entitled *CFPB v. Mortgage Guaranty Insurance Corporation*, Case No. 1:13-cv-21187 (S.D. Fla. 2013).

In light of the Tribunal's May 23, 2014 Order on Dispositive Motions, which significantly focuses the remaining issues in this case, Respondents note that Exhibits 2002 through 2004 are highly relevant to Respondents' reinsurance arrangements during the pertinent time frame. These documents were previously produced to the Bureau, so there is no prejudice to the Bureau by their inclusion into the record in this matter.

In addition, the Performance Metrics for Atrium Reinsurance Corporation, 1st Quarter 2012, is similar to other such reports that Respondents have already put into the record. For example, Respondents' Exhibit 0007 is the Reinsurance Performance Metrics for Atrium Reinsurance Corporation, 4th Quarter 2011. However, since the Genworth reinsurance agreement was commuted on April 1, 2012, *see* Order dated March 13, 2014, at 18, ¶ 10, the last report containing the information for the Genworth reinsurance agreement is the 1st Quarter 2012. Further, Exhibit 2005 was not produced to Respondents from the Bureau until Wednesday, May 21, 2014.

As previously noted, each of the proposed exhibits – or drafts thereof – were already in the Bureau's possession.¹ As a result of the Tribunal's Order on the dispositive motions filed by the parties, these additional proposed exhibits bear relevance to central issues remaining for

¹ The Bureau previously designated a draft version of proposed Respondents' Exhibit 2004 as ECX 656.

disposition. As such, Respondents respectfully move to amend their exhibit list to include Respondents' Exhibits 2002 – 2005.

Dated: May 25, 2014

Respectfully submitted,

WEINER BRODSKY KIDER PC

By: /s/ David M. Souders
Mitchel H. Kider, Esq.
David M. Souders, Esq.
Sandra B. Vipond, Esq.
Leslie A. Sowers, Esq.
Rosanne L. Rust, Esq.
Michael S. Trabon, Esq.
1300 19th Street, N.W., Fifth Floor
Washington, D.C. 20036
(202) 628-2000

Attorneys for Respondents
PHH Corporation, PHH Mortgage Corporation, PHH Home
Loans, LLC, Atrium Insurance Corporation, and Atrium
Reinsurance Corporation

CERTIFICATION OF SERVICE

I hereby certify that on the 25th day of May, 2014, I caused a copy of the foregoing Respondents' Motion to Amend their Exhibit List be filed with the Office of Administrative Adjudication and served by electronic mail on the following parties:

Lucy Morris Lucy.Morris@cfpb.gov	David Smith dsmith@schnader.com
Sarah Auchterlonie Sarah.Auchterlonie@cfpb.gov	Stephen Fogdall sfogdall@schnader.com
Donald Gordon Donald.Gordon@cfpb.gov	William L. Kirkman billk@bourlandkirkman.com
Kim Ravener Kim.Ravener@cfpb.gov	Reid L. Ashinoff reid.ashinoff@dentons.com
Navid Vazire Navid.Vazire@cfpb.gov	Melanie McCammon melanie.mccammon@dentons.com
Thomas Kim Thomas.Kim@cfpb.gov	Ben Delfin ben.delfin@dentons.com
Kimberly Barnes Kimberly.Barnes@cfpb.gov	Jay N. Varon jvaron@foley.com
Fatima Mahmud Fatima.Mahmud@cfpb.gov	Jennifer M. Keas jkeas@foley.com
Jane Byrne janebyrne@quinnemanuel.com	
William Burck williamburck@quinnemanuel.com	
Scott Lerner scottlerner@quinnemanuel.com	

/s/ Michael S. Trabon
Michael S. Trabon