

# **EXHIBIT B**

**Michael Trabon**

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**From:** Kim, Thomas (CFPB) [Thomas.Kim@cfpb.gov]  
**Sent:** Monday, July 21, 2014 8:30 PM  
**To:** Michael Trabon  
**Cc:** David Souders; Mitch Kider; Leslie A. Sowers; Sandra Vipond; Auchterlonie, Sarah (CFPB); Gordon, Donald (CFPB); Vazire, Navid (CFPB); Ravener, Kim (CFPB); Mahmud, Fatima (CFPB); Rappe, Samuel (CFPB)  
**Subject:** RE: In re PHH Corp.

Dear Michael:

I write in response to your letter of July 11, 2014 requesting that the Bureau pay the fees charged by PHH's expert, Vincent Burke, for time spent at his deposition. We do not believe the Bureau's Rules or the Tribunal's May 16, 2014 Order requires the Bureau to pay Burke's fees. Your letter refers to Rule 116, but that rule only applies to "witnesses subpoenaed for testimony or depositions," and no subpoena was issued for Mr. Burke's deposition. The Rules are silent on the issue of which party pays for an expert's deposition taken without a subpoena. Because there is no provision providing for the shifting of the expert's fees, we believe each party should bear its own costs for the depositions of their respective experts.

Please note that my email address is [thomas.kim@cfpb.gov](mailto:thomas.kim@cfpb.gov), rather than [Kim.Thomas@cfpb.gov](mailto:Kim.Thomas@cfpb.gov) (as indicated in your email).

Please let us know if you have any questions.

Regards,

Tom

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**From:** Michael Trabon [<mailto:Trabon@thewbkfirm.com>]  
**Sent:** Friday, July 11, 2014 6:10 PM  
**To:** 'Kim.Thomas@cfpb.gov'; Auchterlonie, Sarah (CFPB); Ravener, Kim (CFPB); Vazire, Navid (CFPB); Rappe, Samuel (CFPB); Gordon, Donald (CFPB); Mahmud, Fatima (CFPB)  
**Cc:** David Souders; Rosanne Rust; Sandra Vipond; Mitch Kider; Michael Trabon; Leslie A. Sowers  
**Subject:** In re PHH Corp.

Dear Mr. Kim:

Please see the attached correspondence regarding the payment of experts fees incurred during Enforcement Counsel's deposition of Vincent Burke on May 20, 2014.

Thank you for your attention to this matter.

**Michael Trabon**  
**Weiner Brodsky Kider PC**

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