

UNITED STATES OF AMERICA  
Before the  
CONSUMER FINANCIAL PROTECTION BUREAU

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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. )

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**RESPONDENTS' MOTION FOR FEES OF EXPERT  
WITNESS VINCENT BURKE INCURRED IN RESPONDING  
TO DISCOVERY REQUESTED BY ENFORCEMENT COUNSEL**

Respondents PHH Corporation, PHH Mortgage Corporation, PHH Home Loans, LLC, Atrium Insurance Corporation, and Atrium Reinsurance Corporation (“Respondents”), seek reimbursement of fees incurred in connection with the deposition of Respondents’ rebuttal expert witness, Vincent R. Burke, by Office of Enforcement (“Enforcement Counsel”). Specifically, Respondents seek \$4,050.00 from the Consumer Financial Protection Bureau (“Bureau”) to cover fees charged by Mr. Burke in connection with his appearance and testimony at a deposition on May 20, 2014. Enforcement Counsel have refused to pay Mr. Burke’s fee, and take the position that Respondents should bear the cost of this discovery. Rule 116 of the Bureau’s Rules of Practice for Adjudication Proceedings (“Rules”) incorporates the standard witness fee rules applied in United States district courts, which obligate the Bureau to pay Mr. Burke a “reasonable” fee for attending the expert deposition. *See* 12 C.F.R. § 1081.116; Fed. R. Civ. P. 26(b)(4)(E). In light of Mr. Burke’s qualifications and relevant experience, his standard hourly fee is reasonable. Therefore, as more fully explained in the accompanying memorandum,

Respondents hereby move the Tribunal to issue an order requiring the Bureau to reimburse Respondents for the fees incurred in connection with Mr. Burke's appearance at the deposition.

Dated: July 29, 2014

Respectfully submitted,

WEINER BRODSKY KIDER PC

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