UNITED STATES OF AMERICA Before the CONSUMER FINANCIAL PROTECTION BUREAU

File No. 2015-CFPB-0029	
In the Matter of:)))
INTEGRITY ADVANCE, LLC and JAMES R. CARNES,) RESPONDENTS' MOTION TO) OPEN RECORD FOR A NEW) HEARING)
Respondents.))

ADMINISTRATIVE PROCEEDING

RESPONDENTS' MOTION TO OPEN RECORD FOR A NEW HEARING

Pursuant to 12 C.F.R. § 1081.205 and the May 28, 2019 Order Directing a Remand to the Bureau's Administrative Law Judge P, Respondents Integrity Advance, LLC and James R. Carnes respectfully request that the Administrative Law Judge open the factual record, permit discovery, and set this matter for a new hearing in accordance with 12 C.F.R. Part 1081. *See* Dkt. 216 at 2. In support thereof, Respondents incorporate by reference the accompanying memorandum of law.

Counsel for Respondents certify pursuant to 12 C.F.R. § 1081.205(f) that on August 6, 2019, they conferred with Enforcement Counsel in a good faith effort to resolve the issues raised by this Motion and have not been able to resolve this matter by agreement.

Respectfully submitted,

Richard J. Zack

Richard J. Zack, Esq. zackr@pepperlaw.com 215.981.4726

Michael A. Schwartz, Esq. 215.981.4494 schwarma@pepperlaw.com

Christen M. Tuttle, Esq. tuttlec@pepperlaw.com 215.981.4285

PEPPER HAMILTON LLP 3000 Two Logan Square Eighteenth & Arch Streets Philadelphia, PA 19103-2799 215.981.4000

Counsel for Respondents Integrity Advance LLC and James R. Carnes

Dated: August 14, 2019

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of August, 2019, I caused a copy of the foregoing Motion to Open Record for a New Hearing, the accompanying memorandum of law in support, and proposed order, to be filed by electronic transmission (e-mail) with the Office of Administrative Adjudication (CFPB_electronic_filings@cfpb.gov), and served by email on the following parties:

Stephen C. Jacques, Esq. Stephen.jacques@cfpb.gov

Benjamin J. Clark Benjamin.clark@cfpb.gov

Deborah Morris, Esq. <u>Deborah.Morris@cfpb.gov</u>

Alusheyi J. Wheeler, Esq. Alusheyi.Wheeler@cfpb.gov

<u>Christen M. Tuttle</u> Christen M. Tuttle, Esq.