

“The CFPB’s charges today against CashCall fly in the face of Congress’ clear intent when it plainly and simply declared out of bounds any effort by the CFPB to impose interest rate caps. Today’s action also raises serious questions of what the CFPB is seeking to accomplish by expending resources to file an action that needlessly duplicates and interferes with ongoing state enforcement efforts, and what its Director meant when he acknowledged that the CFPB would leave enforcement of state laws governing high interest rate loans to the states.¹ The CFPB action is also an affront to the Indian tribes’ sovereign right to regulate their own economic affairs. The charges against CashCall are without merit, we will fight them in court, and CashCall will be vindicated.” – **Neil Barofsky and Katya Jestin, Jenner & Block, Attorneys for CashCall**

Section 1027 of Dodd-Frank, entitled “Limitations on authorities of the Bureau; preservation of authorities” states:

No authority to impose usury limit. No provision of this title shall be construed as conferring authority on the Bureau to establish a usury limit applicable to an extension of credit offered or made by a covered person to a consumer, unless explicitly authorized by law.

12 U.S.C. § 5517(o) (“Section 5517(o”).

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¹ <http://online.wsj.com/news/articles/SB10001424127887323980604579029211688122516>