

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:17-80495-CIV-MARRA

CONSUMER FINANCIAL PROTECTION  
BUREAU,

Plaintiff,

v.

OCWEN FINANCIAL CORPORATION;  
OCWEN MORTGAGE SERVICING, INC.;;  
and OCWEN LOAN SERVICING, LLC ,

Defendants.

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**ORDER GRANTING MOTION TO INVITE THE VIEWS OF ATTORNEY GENERAL,  
AND CERTIFICATION TO THE ATTORNEY GENERAL  
WITH PERMISSION TO INTERVENE**

This matter is before the Court on Defendants' Motion to Invite the Views of the Attorney General of the United States (DE 10). Defendants ask the Court to invite the views of the Attorney General on Defendants' constitutional challenges to the Consumer Financial Protection Act, 12 U.S.C. §§ 5481 *et seq.* As explained in Defendants' pending Motion to Dismiss (DE 31), Defendants contend that the structure of the Consumer Financial Protection Bureau ("the Bureau") is unconstitutional because, they assert, the Director's position unconstitutionally restricts the President's powers and the Bureau operates without constitutionally-required oversight. In light of Defendants' constitutional concerns, the Court finds that is appropriate and prudent to ask the Attorney General of the United States to share with the Court with its views on the issues raised in Defendants' motion (DE 31) and the response thereto (DE 35).

Accordingly, it is hereby **ORDERED AND ADJUDGED** that Defendants' Motion to Invite the Views of the Attorney General of the United States (DE 10) is **GRANTED**.

Pursuant to 28 U.S.C. § 2403 and Federal Rule of Civil Procedure 5.1, the Court certifies to the Attorney General of the United States that a statute has been questioned and permits the United States to intervene. The Attorney General of the United States is invited to submit a brief no longer than twenty (20) pages in length on or before **October 2, 2017**, addressing the constitutional challenge(s) raised by Defendants in their Motion to Dismiss (DE 31) and the response thereto (DE 35), for the Court's consideration. Plaintiff may file a response brief no longer than twenty (20) pages in length on or before **October 16, 2017**. The Attorney General may file a reply brief no longer than twelve (12) pages in length on or before **October 23, 2017**. The Clerk of this Court is directed to send a copy of this Order to the Attorney General of the United States.

**DONE AND ORDERED** in chambers at West Palm Beach, Palm Beach County, Florida,  
this 1<sup>st</sup> day of August, 2017.

  
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KENNETH A. MARRA  
United States District Judge