IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

COMMUNITY FINANCIAL SERVICES ASSOCIATION OF AMERICA, LTD., and CONSUMER SERVICE ALLIANCE OF TEXAS,

Civil Action No. 1:18-cv-295

Plaintiffs,

v.

CONSUMER FINANCIAL PROTECTION BUREAU and JOHN MICHAEL MULVANEY, in his official capacity as Acting Director, Consumer Financial Protection Bureau,

Defendants.

JOINT STATUS REPORT

Plaintiffs Community Financial Services Association of America, Ltd., and Consumer Service Alliance of Texas, together with Defendants the Bureau of Consumer Financial Protection (Bureau) and John Michael Mulvaney, in his official capacity as Acting Director of the Bureau, (collectively, the "Parties") submit this Joint Status Report pursuant to the Court's Order dated June 12, 2018.

In this litigation, Plaintiffs challenge the Bureau's "Payday, Vehicle Title, and Certain High-Cost Installment Loans" rule ("Payday Rule" or "Rule"). As previously reported to the Court, the Bureau intends to engage in a rulemaking process to reconsider that Rule. The Bureau is engaged in ongoing work to prepare a notice of proposed rulemaking to reconsider the Payday Rule and expects to issue that notice of proposed rulemaking by early 2019. Plaintiffs represent that Plaintiffs' members continue to face substantial costs in preparation for compliance with the

Payday Rule.

Dated: August 17, 2018

Respectfully submitted,

MARY McLEOD General Counsel

JOHN R. COLEMAN Deputy General Counsel

STEVEN Y. BRESSLER Assistant General Counsel

<u>/s/ Kristin Bateman</u> KRISTIN BATEMAN (Cal. Bar No. 270913) KEVIN FRIEDL (NY Bar No. 5240080) NANDAN JOSHI (DC Bar No. 456750) Attorneys Consumer Financial Protection Bureau 1700 G Street, NW Legal Division Washington, D.C. 20552 Telephone: (202) 435-7821 Fax: (202) 435-7024 Kristin.Bateman@cfpb.gov

Counsel for Defendants Consumer Financial Protection Bureau and John Michael Mulvaney /s/ Michael A. Carvin MICHAEL A. CARVIN D.C. Bar No. 366784 Admitted pro hac vice macarvin@jonesday.com CHRISTIAN G. VERGONIS D.C. Bar No. 483293 Admitted pro hac vice cvergonis@jonesday.com JONES DAY 51 Louisiana Avenue NW Washington, DC 20001 Telephone: (202) 879-3939 Facsimile: (202) 626-1700

LAURA JANE DURFEE Texas Bar No. 24069653 Idurfee@jonesday.com **JONES DAY** 2727 North Hardwood Street Dallas, TX 75201 Telephone: (214) 220-3939 Facsimile: (214) 969-5100

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Michael A. Carvin Christian G. Vergonis Jones Day 51 Louisiana Ave., NW Washington, DC 20001-2113

Laura Jane Durfee Jones Day 2727 N. Harwood Dallas, TX 75201

> <u>/s/ Kristin Bateman</u> Kristin Bateman *Counsel for Defendants*