

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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CONFERENCE OF STATE BANK SUPERVISORS,)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 1:18-CV-02449 (DLF)
OFFICE OF THE COMPTROLLER)	
OF THE CURRENCY,)	ORAL ARGUMENT
)	REQUESTED
and)	
)	
JOSEPH M. OTTING,)	
COMPTROLLER OF THE CURRENCY,)	
)	
Defendants.)	
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**PLAINTIFF’S ALTERNATIVE MOTION FOR LEAVE
TO CONDUCT JURISDICTIONAL DISCOVERY**

In the alternative to denying Defendants' Motion to Dismiss for Lack of Jurisdiction and For Failure to State a Claim (Doc. 12), the Conference of State Bank Supervisors (“CSBS”) respectfully moves the Court for entry of an Order granting CSBS leave to conduct discovery limited to the issue of whether this Court has subject matter jurisdiction over this matter.

As detailed in the accompanying Memorandum of Points and Authorities, to the extent this Court finds jurisdiction lacking based on the pleadings, CSBS is entitled to discovery to resolve factual disputes concerning the status of Defendants' implementation of the Nonbank Charter Program that this litigation challenges, and thereby enable CSBS to establish standing and ripeness, which Defendants contest.

Pursuant to Local Civil Rule 7(m), Plaintiff's counsel has conferred with Defendants' counsel, who stated that they oppose this motion.

Wherefore, Plaintiff respectfully requests that this Court enter an Order granting CSBS leave to conduct discovery limited to the issue of the Court's subject matter jurisdiction over this matter.

Date: February 5, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

In accordance with LCvR 5.3, I hereby certify that on February 5, 2019, a true and correct copy of the foregoing was served on all counsel of record through the Court's CM/ECF system.

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