

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

CONSUMER FINANCIAL PROTECTION BUREAU

PLAINTIFF

VS.

CIVIL ACTION NO. 3:16-cv-00356-DPJ-BWR

ALL AMERICAN CHECK CASHING, INC.;
MID-STATE FINANCE, INC.; and
MICHAEL E. GRAY, individually

DEFENDANTS

FINAL SETTLEMENT ORDER

The Consumer Financial Protection Bureau (“Bureau”) and All American Check Cashing, Inc. and Mid-State Finance, Inc. (“Corporate Defendants”) and Michael E. Gray (“Gray”) agree to entry of this Final Settlement Order (“Order”), without adjudication of any issue of fact or law, to settle and resolve all matters in dispute arising from the conduct alleged in the Complaint.

1. This Court has jurisdiction over the parties and the subject matter of this action.
2. Defendants neither admit nor deny the allegations in the Complaint.
3. The parties waive all rights to seek judicial review or otherwise challenge or contest the validity of this Order, and Defendants waive any claim they may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this action to the date of this Order. Each party agrees to bear its own costs and expenses, including, without limitation, attorneys’ fees.
4. The Corporate Defendants were dissolved on December 10, 2018. The Corporate Defendants will not be reinstated, directly or indirectly, by Gray or any agent, employee, attorney, or other Person acting on his behalf.

5. Under Section 1055(c) of the CFPA, 12 U.S.C. § 5565(c), by reason of the violations of law alleged in the Complaint and continuing until the Corporate Defendants were dissolved, Gray must pay a civil money penalty of \$899,350 to the Bureau. The amount Gray must pay will be remitted by \$889,350 as a result of Gray's payment of that amount in fines to the Mississippi Department of Banking and Consumer Finance.

6. Within 10 days of the date this Order is entered by the Court, Gray must pay the remaining \$10,000 civil money penalty by wire transfer to the Bureau or to the Bureau's agent in compliance with the Bureau's wiring instructions.

7. The civil money penalty paid under this Settlement Order will be deposited in the Civil Penalty Fund of the Bureau as required by Section 1017(d) of the CFPA, 12 U.S.C. § 5497(d).

8. "Affected Consumers" includes any consumer who: (i) cashed a check with Defendants since July 21, 2011; (ii) received income monthly, such as a monthly paycheck or government benefit, and borrowed pursuant to Defendants' "1st and 3rd lending" program, i.e. borrowed some amount at the end or beginning of the month and a greater amount in the middle of the month, between July 21, 2011 and June 19, 2014; or (iii) made an overpayment to Defendants that has not been refunded.

9. The acts and practices alleged in the Complaint have resulted in harm to Affected Consumers equal to the amount of fees that Affected Consumers paid to Defendants to cash checks and to borrow pursuant to the "1st and 3rd lending" program, and the amount that consumers overpaid to Defendants.

10. All pending motions are hereby denied as moot.

11. The Court will retain jurisdiction of this matter for purposes of enforcement of this Order for 30 days from the date this Order is entered by the Court.

SO ORDERED AND ADJUDGED this the 10th day of November, 2022.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE