UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

CONSUMER FINANCIAL PROTECTION BUREAU, PLAINTIFF, v. 1ST ALLIANCE LENDING, LLC, et al., DEFENDANTS.	Civil Action No.: 3:21-0055 (RNC) January 26, 2024

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiff Consumer Financial Protection Bureau (Bureau) hereby respectfully moves for summary judgment in its favor on all claims remaining in this action against 1st Alliance Lending, LLC, John DiIorio, and Kevin St. Lawrence (collectively, Defendants). The Bureau is entitled to judgment as a matter of law because the undisputed material facts and substantive law establish that Defendants committed the violations alleged.

Within this motion, the Bureau provides a table identifying the remaining claims, the party against whom the claim is asserted, and a partial statement of the Bureau's basis for each of the remaining claims. In support of this motion, the Bureau respectfully refers the Court to its Statement of Undisputed Material Facts and its Memorandum of Law filed herewith, as well as its Exhibits in Support of Its Motion for Summary Judgment and Statement of Undisputed Material Facts (Dkt. No. 210), which was filed on January 25, 2024.

CLAIMS REMAINING IN THIS MATTER[1]

COUNT	DEFENDANTS AGAINST WHOM CLAIMS ARE ASSERTED AND CONDUCT ALLEGED
Count 1: Violation of Regulation Z 12 C.F.R. § 1026.36(f)(2)	• Defendant – 1st Alliance • Alleges that 1st Alliance failed to ensure that employees were licensed to perform loan origination work in accordance with the SAFE Act, its implementing regulations, and State SAFE Act implementing law.
Count 2: Violation of Regulation Z 12 C.F.R. § 1026.19(e)(2)(ii), (iii)	• Defendant – 1st Alliance • Alleges that 1st Alliance unlawfully required consumers to provide verifying documents before providing to the consumer a Loan Estimate.
Count 3: Unfair acts and practices in violation of Consumer Financial Protection Act 12 U.S.C. §§ 5531(a), 5536(a)(1)(B)	• Defendant – 1st Alliance and the Individual Defendants • Alleges Defendants committed unfair acts or practices by causing consumers to interact with unlicensed and unqualified loan origination personnel.
Count 7: Violation of Equal Credit Opportunity Act (15 U.S.C. §1691(d)) and Regulation B (12 C.F.R. § 1002.9(a))	• Defendant – 1st Alliance • 1st Alliance failed to provide adverse action letters to consumers whom had been denied loans.
Count 8 Violation of Fair Credit Reporting Act (15 U.S.C. § 1681m(a))	• Defendant – 1st Alliance • 1st Alliance denied loans to consumers on the basis on information contained in consumer credit reports and failed to provide adverse action letters.
Count 9: Violation of Consumer Financial Protection Act 12 U.S.C. § 5536(a)(1)(A)	• Defendant – 1st Alliance • 1st Alliance's violations of enumerated Federal consumer financial laws—including violations of TILA, FCRA, and ECOA—constitute violations of the CFPA.

[1] This table does not reflect an exhaustive list of allegations asserted by the Bureau and it is intended only as a brief summary to provide clarity of the remaining claim in light of dismissals that have occurred since the Bureau filed its Amended Complaint in April 2021. Nothing within this table should be read to amend, limit, or otherwise impact any claim, argument, or defense the Bureau has or may have available to it.

Respectfully submitted,

Motion for Summary Judgment on behalf of Plaintiff Consumer Financial Protection Bureau

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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2024 a copy of the foregoing document was filed utilizing the ECF system, which will send notice of this filing to all parties/counsel of record.

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