IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

CONSUMER FINANCIAL PROTECTION BUREAU, Plaintiff, v. 1ST ALLIANCE LENDING, LLC, *et al.*, Defendants.	Case No. 3:21-CV-00055-RNC

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56, Defendants John DiIorio and Kevin St. Lawrence (collectively, the "Individuals") and Defendant 1st Alliance Lending, LLC ("1st Alliance") (collectively, "Defendants") move for summary judgment in their favor in this action brought by Plaintiff Consumer Financial Protection Bureau ("Plaintiff").

Defendants move for summary judgment on Count 4. 1st Alliance's use of unlicensed Home Loan Consultants and Submission Coordinators was not an unfair act or practice because it did not cause consumer harm, nor could it. Additionally, the Individuals lacked the requisite knowledge to establish individual liability.

1st Alliances moves for partial summary judgment on Count 1 and summary judgment on Counts 2 and 7-9. It is entitled to partial summary judgment on Count 1 as to each state in which Plaintiff was unable to identify a single example of unlicensed activity by a Home Loan Consultants and a Submission Coordinator, as well as for those states that affirmed the company's business model as compliant with their state SAFE Acts. It is entitled to summary judgment on Count 2 because consumers were not required to provide documentation verifying

information in their application prior to the issuance of a Loan Estimate. It is entitled to summary judgment on Counts 7-8 because Plaintiff has failed to identify particular transactions for which written notices were not issued. Since Plaintiff has failed to establish Counts 1-2, 4, and 6-7, 1st Alliance is also entitled to summary judgment on Count 9.

For these reasons and those in Defendants' Combined Summary Judgment Memorandum, Defendants move this Court to enter summary judgment accordingly.

DATE: February 26, 2024

Respectfully submitted,

/s/ DRAFT

Mitchel H. Kider, *pro hac vice*
Michael Y. Kieval, *pro hac vice*
Allison M. Scoggin, *pro hac vice*
WEINER BRODSKY KIDER PC
1300 19th St NW, 5th Floor
Washington, D.C. 20036
Tel: 202-628-2000
Fax: 202-628-2011
kider@thewbkfirm.com
kieval@thewbkfirm.com
scoggin@thewbkfirm.com

Ross Garber
The Garber Group LLC
100 Pearl St., 14th Floor
Hartford, CT 06103
Tel: (860) 983-5145
Fax: (860) 983-5145
rgarber@thegarbergroup.com

Counsel for Defendants