IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Bureau of Consumer Financial Protection, *Plaintiff,* v. FDATR, Inc., *et al.*, *Defendants*.	)	Case No. 1:20-cv-06879 Judge John J. Tharp

PLAINTIFF'S NOTICE RELATED TO MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT DEAN TUCCI

Plaintiff Bureau of Consumer Financial Protection (Bureau) filed its Motion for Summary Judgment Against Defendant Dean Tucci on October 14, 2022. (ECF No. 80). After the Bureau filed an errata on October 20, 2022, Tucci asked for more time to file his response and the Bureau requested a one-week extension to each of the remaining summary judgment deadlines. (ECF Nos. 81, 82). The Court granted the request and set deadlines of November 22, 2022, for Tucci's response, and December 13, 2022, for the Bureau's reply. (ECF. No. 83). Tucci, however, did not file a response. In lieu of a reply, the Bureau now files this notice to inform the Court that Tucci has not disputed any of the facts set forth in the Bureau's Motion for Summary Judgment and the Motion is ripe for a decision.

Tucci's response is now twenty-one days past due and he has neither filed a substantive response nor sought an extension from the Court. And the Court should decline any efforts by Tucci to cause more delay—throughout this litigation, Tucci has ignored court orders and sought to delay these proceedings. Tucci failed to meet court ordered deadlines for both his initial disclosures and discovery responses, serving them only after the Bureau filed a motion to compel

and the Court admonished him for his failures to cooperate with discovery and comply with court orders. (ECF Nos. 47, 53). Over the course of seven months, Tucci failed to appear for scheduled depositions three times and appeared for his deposition only when a motion for sanctions was pending. (ECF Nos. 65, 68-73). The Court should not allow Tucci's delay tactics to continue and should rule on the Bureau's pending Motion for Summary Judgment.

Dated: December 13, 2022

Respectfully submitted,

/s/ Carmen Christopher
Carmen L. Christopher (CA Bar No. 231508)
Telephone: (202) 754-0329
carmen.christopher@cfpb.gov
Kristina D. Betts (AZ Bar No. 024859)
Telephone: (202) 834-2723
kristina.betts@cfpb.gov
Bureau of Consumer Financial Protection
1700 G Street, NW
Washington DC, 20552

Attorneys for Plaintiff
Bureau of Consumer Financial Protection