UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Consumer Financial Protection Bureau,

Plaintiff,

v.

MoneyLion Technologies Inc., *et al.*,

Defendants.

Case No. 1:22-cv-8308-JPC

STIPULATION AND ORDER FOR FILING OF FIRST AMENDED COMPLAINT; SETTING MOTION TO DISMISS BRIEFING SCHEDULE AND PAGE LIMITATIONS

Consumer Financial Protection Bureau ("Plaintiff") and all named defendants ("MoneyLion" and collectively, the "Parties") stipulate as follows with respect to Plaintiff's request for MoneyLion's consent to Plaintiff filing a proposed First Amended Complaint. *See* Fed. R. Civ. P. 15(a)(2).

1. Plaintiff filed a Complaint against MoneyLion on September 29, 2022. ECF 1.

2. In response, MoneyLion filed a pre-motion letter requesting leave to file a motion to dismiss pursuant to the Court's Individual Rules and Practices in Civil Cases. ECF 49. Following briefing on the pre-motion letter, the Court granted leave to file a motion to dismiss. ECF 50.

3. On December 23, 2022, the Court granted MoneyLion's motion for leave to file excess pages in connection with the motion to dismiss, which resulted

in a 35-page limit on the opening brief, a 35-page limit on the opposition brief, and a 15-page limit on the reply brief. ECF 55.

4. MoneyLion's motion to dismiss was fully briefed on March 7, 2023.

5. On May 21, 2023, Plaintiff requested MoneyLion's consent to file a First Amended Complaint. MoneyLion intends to file a motion to dismiss the proposed First Amended Complaint. MoneyLion is prepared to consent to Plaintiff's filing, however, provided the Parties also agree to procedural matters pertaining to scheduling and briefing length consistent with the prior motion to dismiss.

6. As a result, the Parties stipulate as follows, subject to the Court's approval:

a. Plaintiff may file a First Amended Complaint, a copy of which is attached hereto.

b. MoneyLion acknowledges service of the First Amended Complaint as of the date of this Stipulation and waives any further service of the First Amended Complaint.

c. MoneyLion will file a motion to dismiss the First Amended Complaint, with the following briefing schedule:

i. MoneyLion shall file its motion to dismiss on or before July 11, 2023. MoneyLion is not required to submit a pre-motion

letter under Rule 6.A of the Court's Individual Rules and Practices;

ii. Plaintiff shall submit its opposition on or before August 18, 2023; and

iii. MoneyLion shall submit its reply on or before September 8, 2023.

d. The enlarged page limitations, which the Court set in relation to MoneyLion's original motion to dismiss (ECF 55), shall apply to MoneyLion's motion to dismiss the First Amended Complaint.

IT IS SO STIPULATED.

Respectfully submitted,

DATE: June 9, 2023

By:/s/ Maxwell Peltz
Maxwell S. Peltz
Attorney for Plaintiff Consumer Financial Protection Bureau

DATE: June 9, 2023

By:/s/ David Gettings
David Gettings
TROUTMAN PEPPER HAMILTON SANDERS LLP
Attorneys for Defendants

SO ORDERED:

DATE: June 13, 2023
New York, New York

HONORABLE JOHN P. CRONAN
UNITED STATES DISTRICT JUDGE