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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CONSUMER FINANCIAL PROTECTION BUREAU

Plaintiff,

v.

MORGAN DREXEN, INC.
and
WALTER LEDDA, individually, and as owner, officer, or manager of Morgan Drexen, Inc.

Defendants.

CASE NO. SACV13-01267 JLS (JEMx)

Hon. Josephine L. Staton
Courtroom: 10A (Santa Ana)

DEFENDANTS' NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST PLAINTIFF CONSUMER FINANCIAL PROTECTION BUREAU

Hearing Date: November 21, 2014
Time: 2:00 p.m.
Courtroom: 10A

Discovery Cut-off: September 16, 2014
Pretrial Conference: January 23, 2015
Trial Date: February 10, 2015

TO PLAINTIFF CONSUMER FINANCIAL PROTECTION BUREAU AND ITS ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on November 21, 2014 at 2:00 p.m., in Courtroom 10A of the United States District of California, Hon. Josephine L. Staton presiding, defendants Morgan Drexen, Inc. and Walter Ledda ("Defendants") will and hereby do move this Court for partial summary judgment, pursuant to Federal Rule of Civil Procedure 56.

This Motion for Partial Summary Judgment is made following a conference of counsel pursuant to Local Rule 7-3 which took placed on October 1, 2014, between counsel for Plaintiff, Gabriel O'Malley, and counsel for Defendants, Randy Miller.

This Motion will be, and is made, on the grounds that CFPB's admissions and the sworn testimony demonstrate that alleged business model used by lawyers supported by Morgan Drexen itself does not violate the Telemarketing Sales Rule and that attorneys may provide concurrent debt settlement and bankruptcy services without violating the TSR. In addition, partial summary judgment should be granted as to Attorneys Cameron Hoorfar and Tami Munsch and consumer Libby Moore-Kile on the grounds that the unrefuted evidence establishes no violation with respect to Attorneys Cameron Hoorfar and Tami Munsch, nor consumer Libby Moore-Kile, even though Morgan Drexen provided support services with respect to these individuals; to the contrary, the evidence demonstrates no violation for Attorneys Hoorfar and Munsch, and substantial consumer benefits conferred in the case of Libby Moore-Kile, such that an order granting partial summary judgment as to those individuals is warranted and required.

The Motion for Summary Judgment is based on this Notice and Motion, the concurrently filed Memorandum of Points and Authorities, the concurrently filed Notice of Lodging Proposed Statement of Uncontroverted Facts and Conclusions of Law, the concurrently filed declarations and deposition excerpts, any reply brief

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which may be filed in support of the motion, the files and records of this action, and any further evidence or argument the Court may properly receive at or before the hearing.

DATED: October 7, 2014

By: /s/ Gerald A. Klein
Attorneys for Defendants

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