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Attorneys for Defendants Nationwide Biweekly Administration, Inc., Loan Payment Administration, LLC, and Daniel S. Lipsky

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CONSUMER FINANCIAL PROTECTION BUREAU,

Plaintiff,

vs.

NATIONWIDE BIWEEKLY ADMINISTRATION, INC., LOAN PAYMENT ADMINISTRATION LLC, and DANIEL S. LIPSKY,

Defendants.

Case No. 3:15-cv-02106-RS

JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER GRANTING DEFENDANTS LEAVE TO FILE SECOND AMENDED ANSWER

Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure and Local Rule 7-12, plaintiff Consumer Financial Protection Bureau ("Bureau") and defendants Nationwide Biweekly Administration, Inc., Loan Payment Administration LLC, and Daniel S. Lipsky (collectively, "Defendants") state,

stipulate and agree as follows:

1. Defendants have undergone a recent transition in counsel. As a result of this transition, new lead counsel for Defendants wishes to amend the first amended answer to address concerns therewith and to otherwise clarify defenses to the complaint.

2. The parties have met and conferred regarding the foregoing and agree that the filing of a second amended answer in this case would streamline and clarify the defenses and issues before this Court, thereby serving the interests of efficiency and judicial economy.

3. The Bureau has no objection to Defendants' filing of a second amended answer and hereby stipulates to the withdrawal of its pending Motion to Strike (Doc. 48) and renewal (Doc. 57) without prejudice. The parties further request that hearing thereon, set for February 11, 2016, be vacated.

4. The parties further stipulate and agree that Defendants shall have two weeks from the date of this Stipulation to file a second amended answer in this case.

5. The parties further stipulate and agree that, should the Bureau file a further Motion to Strike, such motion shall be due twenty-one days after Defendants file their second amended answer.

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IT IS SO STIPULATED AND AGREED:

Dated: January 19, 2016

By: /s/ Melanie Hirsch

CONSUMER FINANCIAL PROTECTION BUREAU
Anthony Alexis, Enforcement Director
Deborah Morris, Deputy Enforcement Director
Michael G. Salemi, Asst. Litigation Deputy
Melanie Hirsch, Enforcement Attorney
Edward Keefe, Enforcement Attorney
Patrick Gushue, Enforcement Attorney

Attorneys for Plaintiff Consumer Financial Protection Bureau

By: /s/ Sean E. Ponist

LAW OFFICES OF SEAN PONIST, P.C.
Sean E. Ponist
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Attorneys for Defendants Nationwide Biweekly Administration, Inc., Loan Payment Administration LLC, and Daniel S. Lipsky

ECF ATTESTATION

I Sean E. Ponist, am the ECF user whose ID and password are being used to file this document. I attest that concurrence in the filing of this document has been obtained from the signatory.

Dated: January 19, 2016

By: /s/ Sean E. Ponist
Sean E. Ponist

CERTIFICATE OF SERVICE

On January 19, 2016, I filed the foregoing document with the Court's CM/ECF filing system, which will serve all parties and counsel of record in this case.

By: /s/ Sean E. Ponist
Sean E. Ponist

[~~PROPOSED~~] ORDER

Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure and Local Rule 7-12, and good cause appearing therefor, the stipulation of the parties is granted. Accordingly, the Bureau's motion to strike affirmative defenses shall be withdrawn without prejudice and the hearing date of February 11, 2016 vacated. Defendants are further granted leave to file a second amended answer which shall be filed no later than February 2, 2106.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/19/16

RICHARD SEEBORG
United States District Judge