UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 9:17-CV-80495-MARRA-MATTHEWMAN

CONSUMER FINANCIAL PROTECTION BUREAU,

Plaintiff,

v.

OCWEN FINANCIAL CORPORATION; OCWEN MORTGAGE SERVICING, INC.; and OCWEN LOAN SERVICING, LLC,

Defendants.

MOTION FOR LEAVE TO FILE SUPPLEMENTAL MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS

Pursuant to Local Rule 7.1(c), Defendants Ocwen Financial Corporation, Ocwen Mortgage Servicing, Inc., and Ocwen Loan Servicing, LLC (collectively "Defendants"), request leave to file a supplemental memorandum in support of Defendants' Motion to Dismiss (DE 31). The purpose of the memorandum is to clarify the position of the United States on the issue of Plaintiff Consumer Financial Protection Bureau ("CFPB")'s structural unconstitutionality, in light of the inaction of the Attorney General in response to this Court's invitation to intervene (DE 36). As grounds therefor, Defendants state as follows:

On August 1, 2017, this Court granted Defendants' Motion to Invite the Views of the Attorney General of the United States so that the United States had an opportunity respond to Defendants' contention that the CFPB's structure is unconstitutional. Although the Court's deadline for the United States' response has passed, that does not mean the United States is without a position on the issue of the CFPB's constitutionality. Rather, the proposed supplemental memorandum explains the significance of the Attorney General's inaction, the United States' current position on the topic of the CFPB's constitutionality, and the reasons why this Court should consider that position in this case.

WHEREFORE, Defendants respectfully request that this Court enter an order granting Defendants leave to file a supplemental brief in support of Defendants' Motion to Dismiss.

LOCAL RULE 7.1 CERTIFICATION

Defendants' counsel hereby certifies that, pursuant to Southern District of Florida Local Rule 7.1(a)(3), the parties have conferred and counsel for CFPB does not consent to the relief requested herein.

Dated: October 25, 2017

Respectfully submitted,

s/ Bridget Ann Berry
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Attorneys for Defendants Ocwen Financial Corp., Ocwen Mortgage Servicing, Inc., and Ocwen Loan Servicing, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on October 25, 2017 via CM/ECF on all counsel or parties of record listed below:

Anthony Alexis, Enforcement Director
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