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.; OCWEN LOAN SERVICING, LLC; and PHH MORTGAGE CORPORATION,

Defendants.

PLAINTIFF'S UNOPPOSED MOTION TO VOLUNTARILY DISMISS THE REMAINDER OF COUNTS 1 THROUGH 9 AND COUNT 10

In response to the Court's Summary Judgment Order ("Summary Judgment Order") [DE 764], on April 1, 2021 Plaintiff Consumer Financial Protection Bureau ("Bureau") informed the Court that it was not pursuing claims under Counts 1–9 of its First Amended Complaint [DE 481] for the time period of February 27, 2017 through the present.

The Bureau moves under Fed. R. Civ. P. 41(a)(2) to voluntarily dismiss with prejudice Counts 1–9 of its First Amended Complaint for the limited time period beginning on February 27, 2017 and ending on the date of this filing. The Bureau also moves to dismiss with prejudice the entirety of Count 10. The Bureau files this motion to allow an appeal of the Summary Judgment Order.

By dismissing this limited time period of post-February 26, 2017 conduct for Counts 1–9 and the entirety of Count 10, the Bureau respectfully requests that the Court not only approve this motion, but also enter a final judgment in the above-captioned matter.[1]

[1] The attached proposed order addresses only the claims that are the subject of the instant motion. With respect to the claims addressed in the Summary Judgment Order,

Defendants do not oppose this motion.

Dated: April 1, 2021

Respectfully submitted,

Attorneys for Plaintiff,
CONSUMER FINANCIAL PROTECTION BUREAU

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that Order states that "partial final summary judgment in favor of Ocwen shall be entered accordingly by separate order of the Court pursuant to Rule 58," DE 764 at 31. Should the court so direct, the Bureau will confer with Defendants on a consolidated proposed final order addressing all of the Bureau's claims.

CERTIFICATE OF GOOD FAITH CONFERENCE

Pursuant to Local Rule 7.1(a)(3)(A), I hereby certify that counsel for the Bureau has met-and-conferred with Defendants in good faith and Defendants do not oppose this motion.

/s/ *Jean M. Healey Dippold*
Jean M. Healey Dippold