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THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

CONSUMER FINANCIAL PROTECTION BUREAU,

Plaintiff,

v.

SNAP FINANCE LLC, SNAP RTO LLC, SNAP SECOND LOOK LLC, SNAP U.S. HOLDINGS LLC, SNAP FINANCE HOLDINGS LLC,

Defendants.

PLAINTIFF'S NOTICE OF SUPPLEMENTAL AUTHORITY

Case No. 2:23-cv-00462-JNP-JCB

District Judge Jill N. Parrish

Magistrate Judge Jared C. Bennett

Plaintiff Consumer Financial Protection Bureau (Bureau) writes to notify the Court of the Supreme Court's decision in *CFPB v. Community Financial Services Ass'n of Am., Ltd.*, No. 22-448, 2024 WL 2193873 (U.S. May 16, 2024) ("*CFSA*"), which squarely forecloses an argument raised in the Snap Defendants' (Defendants) pending Motion to Dismiss. Dkt. No. 31.

In *CFSA*, the Supreme Court—with Justice Thomas writing for a seven-justice majority—rejected the same attack on the Bureau's statutory method of funding that

Defendants have raised here and upheld the validity of the Bureau's funding. *See* Dkt. No. 31 at 7–9. Relying on constitutional text and history, the Court explained that "appropriations need only identify a source of public funds and authorize the expenditure of those funds for designated purposes to satisfy the Appropriations Clause." *CFSA*, 2024 WL 2193873, at *5. It had no difficulty concluding that "[t]he Bureau's funding statute contains the requisite features of a congressional appropriation" and "fits comfortably with the First Congress' appropriations practice." *Id.* at *9. The Court thus affirmed "that the requirements of the Appropriations Clause are satisfied" by the Bureau's statute. *Id.* It accordingly reversed the contrary judgment of the Fifth Circuit that Defendants have relied on here. *See id.* at *12.

CFSA therefore confirms that this Court should reject Defendants' challenge to the Bureau's method of funding and deny the Defendants' pending Motion to Dismiss.

Dated: May 17, 2024

Respectfully submitted,

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