



1700 G Street NW, Washington, D.C. 20552

July 17, 2020

Lyle W. Cayce, Clerk of Court
Office of the Clerk
United States Court of Appeals
for the Fifth Circuit
F. Edward Hebert Building
600 S. Maestri Place
New Orleans, LA 70130-3408

Re: *Consumer Financial Protection Bureau v. All American
Check Cashing, Inc., et al.*, No. 18-60302 (5th Cir.)

Dear Mr. Cayce:

Appellee Consumer Financial Protection Bureau (Bureau) submits this letter to notify the Court that on July 8, 2020, and following the Supreme Court's decision in *Seila Law LLC v. CFPB*, ___ S. Ct. ___, 2020 WL 3492641, the Bureau's Director ratified the enforcement action at issue here. The Director's declaration of ratification is attached.

Respectfully submitted,

/s/ Lawrence DeMille-Wagman

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CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2020, I electronically filed the foregoing letter with the Clerk of the Court of the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system. I certify that counsel for all participants are registered CM/ECF users and that service on them will be accomplished by the appellate CM/ECF system.

/s/ Lawrence DeMille-Wagman
Lawrence DeMille-Wagman

**DECLARATION OF KATHLEEN L. KRANINGER, DIRECTOR OF PLAINTIFF
CONSUMER FINANCIAL PROTECTION BUREAU, REGARDING
RATIFICATION**

I, Kathleen L. Kraninger, declare as follows, pursuant to 28 U.S.C. § 1746:

1. I am the Director of the Consumer Financial Protection Bureau. I have served in that capacity since December 11, 2018. I was nominated to this position by the President on June 20, 2018, and confirmed by the Senate on December 6, 2018.

2. On May 11, 2016, the Bureau filed a lawsuit against All American Check Cashing, Inc., Mid-State Finance, Inc., and Michael E. Gray (Defendants) in the United States District Court for the Southern District of Mississippi. Case No. 3:16-cv-356-WHB-JCG. On May 21, 2018, the district court denied Defendants' Motion for Judgment on the Pleadings. After that denial, the United States Court of Appeals for the Fifth Circuit granted permission for an interlocutory appeal regarding the constitutionality of the Bureau's structure.

3. On June 29, 2020, the Supreme Court issued a decision in *Seila Law LLC v. Consumer Financial Protection Bureau*, No. 19-7, 2020 WL 3492641 (U.S. June 29, 2020). That decision held that a provision of the Bureau's organic statute that permitted the President to remove the Bureau's Director only for "inefficiency, neglect of duty, or malfeasance in office" was unconstitutional. The Court accordingly severed that provision from the statute. In light of this decision, I understand that the President may now remove me with or without cause.

4. In my capacity as the Bureau's Director, I have considered the basis for the Bureau's decision to file the lawsuit against Defendants.

5. On behalf of the Bureau, I hereby ratify the decision to file the lawsuit against Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 8, 2020.



Kathleen L. Kraninger
Director
Consumer Financial Protection Bureau