

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CONSUMER FINANCIAL PROTECTION
BUREAU,

Plaintiff,

v.

J.G. WENTWORTH, LLC,

Defendant.

Case No. 2:16-cv-2773-CDJ

NOTICE OF SUPPLEMENTAL AUTHORITY

In further support of its petition, the Consumer Financial Protection Bureau submits the attached Opinion and Order in *CFPB v. Harbour Portfolio Advisors*, No. 16 Civ. 14183 (E.D. Mich., Feb. 16, 2017) (dkt. no. 19) (*Harbour*).

In *Harbour*, the court granted the Bureau's petition to enforce several civil investigative demands (CIDs), rejecting the argument that the Bureau lacked authority to issue the CIDs because the respondents do not offer or provide any consumer financial product or service. The court held that this argument was "misplaced" because "Respondents are raising a premature defense to an enforcement action, rather than a challenge to the Bureau's investigative authority. Whether the Respondents' transactions *actually* involve 'credit' is not at issue, and it would be premature for the Court to decide that question at this stage." *Harbour* at 6.

J.G. Wentworth, LLC's (JGW) argument in this case is similarly premature. It, like the *Harbour* respondents, argues that the Bureau lacks authority to issue the challenged CID because JGW does not offer or provide any consumer financial product or service. *See* CFPB

Resp. to JGW Opp. to Pet. at 2-3. The *Harbour* court rejected this argument, and this Court should, too, for the same reason.

Dated: February 17, 2017 Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on **February 17, 2017**, I caused a true and correct copy to be served on counsel for Respondent by electronically filing a true and correct copy with the Clerk of the Court for the United States District Court for the Eastern District of Pennsylvania using the CM/ECF system. I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/ Navid Vazire

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