

Pursuant to this Court's Order of April 11, 2017, which allocated time for the oral argument in the above-captioned matter, Petitioners (PHH) argue first, Respondent (Bureau) argues second, and Amicus Curiae United States argues third. The Bureau moves that the ordering be modified so that the United States will argue immediately after PHH, and the Bureau will follow the United States. (PHH would then argue last, if it reserves

time for rebuttal.) The Bureau has contacted counsel for PHH and the United States and both indicated they take no position regarding this motion.

In its brief as *amicus curiae*, the United States supported PHH on the central issue in this case – whether the Bureau’s structure violates the Constitution. Accordingly, the United States filed its brief, not in conjunction with the Bureau, but one week after PHH submitted its brief so that the Bureau would have an opportunity to respond to the arguments made by the United States. But as presently scheduled, the United States will present oral argument after the Bureau. The Bureau will thus have no opportunity to respond to the arguments that the United States makes. Because PHH may reserve time for rebuttal, however, it will have an opportunity to respond both to arguments presented by the Bureau, as well as any arguments presented by the United States.

Accordingly, the Bureau requests that this Court modify the order in which the parties present oral argument so that PHH argues first, the

United States argues second, the Bureau argues third, and PHH concludes (if it chooses to reserve time for rebuttal).

Respectfully submitted,

/s/Lawrence DeMille-Wagman

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 28, 2017, I electronically filed the Unopposed Motion of Respondent Consumer Financial Protection Bureau Seeking a Modification of the Order in Which the Parties Present Oral Argument with the Clerk of the Court of the United States Court of Appeals for the District Columbia Circuit by using the appellate CM/ECF system. I certify that counsel for Petitioners and all amici are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ Lawrence DeMille-Wagman

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME  
LIMITATION, TYPEFACE REQUIREMENTS, AND TYPE STYLE  
REQUIREMENTS**

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 282 words, as determined by the word count function of the Microsoft Word 2010 word processing program, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally-spaced typeface using the Microsoft Word 2010 word processing program in 14-point type. The font is Palatino Linotype.

/s/Lawrence DeMille-Wagman  
Lawrence DeMille-Wagman