

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FRANK LLP,

Plaintiff,

v.

**CONSUMER FINANCIAL
PROTECITON BUREAU,**

Defendant.

Case No. 16-cv-00670 (CRC)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that:

1. Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment (ECF No. 19) is GRANTED IN PART and DENIED IN PART. Specifically, the Court grants summary judgment for Defendant on Count I of the original Complaint (ECF No. 1) and Count I of the Supplemental Complaint (ECF No. 13 Ex. 1); the Court denies summary judgment for Defendant on Count III of the Supplemental Complaint; and the Court dismisses Counts II, IV, and V of the Supplemental Complaint.

2. Plaintiff's Cross-Motion for Summary Judgment is GRANTED IN PART and DENIED IN PART. Specifically, Plaintiff's motion is granted with respect to Count III of the Supplemental Complaint. Plaintiff's motion is denied with respect to Count I of the original Complaint and Counts I, II, IV, and V of the Supplemental Complaint.

3. To the extent that the Consumer Financial Protection Bureau has a policy or practice of treating information submitted in response to the Bureau's civil investigative demands as submitted "voluntarily" for purposes of Exemption 4 of the Freedom of Information Act

(“FOIA”), it is hereby DECLARED that such policy violates FOIA. The Consumer Financial Protection Bureau is hereby ENJOINED from enforcing any such policy or practice.

SO ORDERED. This is a final, appealable order.

CHRISTOPHER R. COOPER
United States District Judge

Date: December 14, 2017