

EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
(at Lexington)

FORCHT BANK, N.A., et. al.,)	
)	
Plaintiffs,)	Civil Action No. 5: 24-304-DCR
)	
V.)	
)	
CONSUMER FINANCIAL)	ORDER
PROTECTION BUREAU, et. al.,)	
)	
Defendants.)	

*** **

The Financial Health Network, Consumer Reports, and SaverLife (the “proposed *amici curiae*”) have filed a motion for leave to file a memorandum of law in support of Intervenor Defendant Financial Technology Association’s (the “FTA”) motion for summary judgment. [Record No. 66]

The participation of *amici curiae* is “a privilege within the sound discretion of the courts, depending upon a finding that the proffered information of *amicus* is timely, useful, or otherwise necessary to the administration of justice.” *BancInsure, Inc. v. U.K. Bancorporation Inc./United Kentucky Bank of Pendleton County, Inc.*, 830 F. Supp. 2d 294, 307 (E.D. Ky. 2011) (quoting *United States v. Michigan*, 940 F.2d 143, 165 (6th Cir. 1991)). Further, the proper role of *amici* is “to aid the Court in resolving doubtful issues of the law rather than present[ing] a partisan view of the facts.” *Id.*

The proposed *amici curiae* are each non-profit organizations that purport to advocate for consumers. They contend that their non-profit status and goals “to advance financial inclusion and consumers’ financial well-being” would allow them to approach the issues in

this case “through a somewhat different lens than any of the parties.” [Record No. 66, p. 3] But here, the proposed *amici curiae* will not add to the undersigned’s understanding of the issues, because their arguments regarding the meaning and scope of “consumer” and “authorized third parties” under the Consumer Financial Protection Act of 2010 are largely redundant of those asserted by the FTA. Accordingly, it is hereby

ORDERED as follows:

1. The “Motion of the Financial Health Network, Consumer Reports, and SaverLife for Leave to file a Memorandum of Law as *amici curiae* in Support of Intervenor’s Motion for Summary Judgment” [Record No. 66] is **DENIED**.

2. The motion for *pro hac vice* admission of attorney David M. Silberman [Record No. 67] is **DENIED**.

Dated: July 7, 2025.



A handwritten signature in black ink, appearing to read "Danny C. Reeves".

Danny C. Reeves, District Judge
United States District Court
Eastern District of Kentucky