

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

FINANCIAL TECHNOLOGY
ASSOCIATION,

Plaintiff,

v.

CONSUMER FINANCIAL PROTECTION
BUREAU; and RUSSELL VOUGHT, in his
official capacity as Acting Director of the
Consumer Financial Protection Bureau,

Defendants.

Case No. 1:24-cv-2966-ACR

**DEFENDANTS' RESPONSE TO PLAINTIFF'S REQUEST FOR
PRE-MOTION CONFERENCE**

Pursuant to Section 7(f) of the Court's Standing Order, Defendants Consumer Financial Protection Bureau and Russell Vought, in his official capacity as Acting Director of the Bureau,¹ submit this response to Plaintiff's Request for Pre-Motion Conference. ECF No. 16.

On February 7, 2025, the President designated Director of the Office of Management and Budget Russell Vought to serve as Acting Director of the Bureau. The Bureau's new leadership needs time to review and consider its position on various agency actions, including the Interpretive Rule challenged by Plaintiff in this action, Truth in Lending (Regulation Z); Use of Digital User Accounts to Access Buy Now, Pay Later Loans, 89 Fed. Reg. 47,068 (May 31, 2024) (the Interpretive Rule).

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Acting Director Vought is automatically substituted as a party in this action.

To preserve the Court's and the parties' resources, Defendants respectfully request that the Court not schedule a pre-motion conference at this time or set a briefing schedule in this matter. Defendants propose instead to submit a status report to the Court by March 31, 2025 regarding whether Defendants intend to defend the Interpretive Rule.

Counsel for Defendants conferred with Counsel for Plaintiff regarding Defendants' anticipated response to Plaintiff's Request for Pre-Motion Conference. In light of Defendants' response as provided above, Counsel for Plaintiff agreed that neither a pre-motion conference nor a briefing schedule is necessary at this time.

Dated: February 28, 2025

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/s/ Amanda J. Krause
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