

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PEOPLE OF THE STATE OF NEW YORK, by LETITIA JAMES, Attorney General of the State of New York,)	Case No. 1:21-Civ.-00057
)	
PEOPLE OF THE STATE OF CALIFORNIA, by ROB BONTA, Attorney General of the State of California,)	
)	
PEOPLE OF THE STATE OF COLORADO, by PHILIP J. WEISER, Attorney General of the State of Colorado,)	STIPULATION OF
)	VOLUNTARY
THE DISTRICT OF COLUMBIA, by KARL A. RACINE, Attorney General of the District of Columbia,)	DISMISSAL WITHOUT
)	PREJUDICE
COMMONWEALTH OF MASSACHUSETTS, by MAURA HEALEY, Attorney General of Massachusetts,)	
)	
THE STATE OF MINNESOTA, by KEITH ELLISON, Attorney General of the State of Minnesota,)	
)	
THE STATE OF NEW JERSEY, by GURBIR S. GREWAL, Attorney General of the State of New Jersey,)	
)	
THE STATE OF NORTH CAROLINA <i>ex rel.</i> JOSHUA H. STEIN, Attorney General of North Carolina,)	
)	
Plaintiffs,)	
)	
– against –)	
)	
THE OFFICE OF THE COMPTROLLER OF THE CURRENCY and MICHAEL J. HSU, in his official capacity as Acting Comptroller of the Currency,)	
)	
Defendants.)	

WHEREAS Plaintiffs the People of the State of New York, by their attorney, Letitia James, Attorney General of the State of New York, the People of the State of California, by their

attorney, Rob Bonta, Attorney General of the State of California,¹ the People of the State of Colorado, by Philip J. Weiser, Attorney General of Colorado, the District of Columbia, by Karl A. Racine, Attorney General of the District of Columbia, the Commonwealth of Massachusetts, by Maura Healey, Attorney General of the State of Massachusetts, the State of Minnesota, by and through its Attorney General Keith Ellison, the State of New Jersey, by and through its Attorney General Gurbir S. Grewal, the State of North Carolina through Joshua H. Stein, Attorney General of North Carolina (collectively, “Plaintiffs”), commenced this action on January 5, 2021 against defendants the Office of the Comptroller of the Currency and Michael J. Hsu, in his official capacity as Acting Comptroller of the Currency (“Defendants”);²

WHEREAS Plaintiffs commenced this action under the Administrative Procedure Act to set aside a rule issued by Defendants entitled *National Banks and Federal Savings Associations as Lenders*, 85 Fed. Reg. 68,742 (Oct. 30, 2020) (the “True Lender Rule”);

WHEREAS on May 11, 2021, the U.S. Senate enacted a resolution pursuant to the Congressional Review Act, 5 U.S.C. §§ 801-808, disapproving of the True Lender Rule (the “True Lender Disapproval Resolution”);

WHEREAS on June 24, 2021 the U.S. House of Representatives enacted the True Lender Disapproval Resolution;

¹ Pursuant to Federal Rule of Civil Procedure 25(d), current Attorney General of the State of California Rob Bonta is automatically substituted as a party in any action brought by or against his predecessor.

² Pursuant to Federal Rule of Civil Procedure 25(d), current Acting Comptroller of the Currency Michael J. Hsu is automatically substituted as a party in any action brought by or against his predecessor.

WHEREAS on July 1, 2021 President Biden signed the True Lender Disapproval Resolution;

WHEREAS the True Lender Disapproval Resolution has rendered the True Lender Rule “of no force or effect” and the True Lender Rule “shall be treated as though such rule had never taken effect,” 5 U.S.C. § 801(f);

WHEREAS the True Lender Rule “may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution disapproving the original rule,” 5 U.S.C. § 801(b)(2); and

WHEREAS the True Lender Disapproval Resolution renders this action moot.

IT IS THEREFORE STIPULATED AND AGREED by Plaintiffs and Defendants, through their undersigned counsel, as follows:

1. This action is voluntarily dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

2. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(B), this dismissal is without prejudice.

Dated: July 8, 2021

AUDREY STRAUSS
United States Attorney

LETITIA JAMES
Attorney General of the State of New York

By:
Christopher Connolly
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2761
Facsimile: (212) 637-2786
Email: christopher.connolly@usdoj.gov

*Attorneys for Defendants the Office of the
Comptroller of the Currency and Michael J.
Hsu, In His Official Capacity As Acting
Comptroller of the Currency*

By: /s/ Jane M. Azia
Jane M. Azia, Bureau Chief
Office of the New York Attorney General
Bureau of Consumer Frauds and Protection
28 Liberty Street, 20th Floor
New York, New York 10005
Telephone: (212) 416-8727
Facsimile: (212) 416-6003
Email: jane.azia@ag.ny.gov

*Attorneys for Plaintiff the People of the
State of New York*

2. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(B), this dismissal is without prejudice.

Dated: July , 2021

AUDREY STRAUSS
United States Attorney

LETITIA JAMES
Attorney General of the State of New York

By:
Christopher Connolly
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2761
Facsimile: (212) 637-2786
Email: christopher.connolly@usdoj.gov

By: /s/ Jane M. Azia
Jane M. Azia, Bureau Chief
Office of the New York Attorney General
Bureau of Consumer Frauds and Protection
28 Liberty Street, 20th Floor
New York, New York 10005
Telephone: (212) 416-8727
Facsimile: (212) 416-6003
Email: jane.azia@ag.ny.gov

*Attorneys for Defendants the Office of the
Comptroller of the Currency and Michael J.
Hsu, In His Official Capacity As Acting
Comptroller of the Currency*

*Attorneys for Plaintiff the People of the
State of New York*

ROB BONTA
Attorney General of California

PHILLIP J. WEISER
Attorney General of the State of Colorado

By: Chris Lapinig
Nicklas A. Akers, Senior Assistant Attorney
General
Christopher Lapinig, Deputy Attorney
General
Office of Attorney General
Consumer Protection Section
300 S. Spring St. #1700
Los Angeles, California 90013
Telephone: (213) 269-6697
Email: christopher.lapinig@doj.ca.gov

By:
Nikolai Frant, First Assistant Attorney
General
Colorado Office of the Attorney General
1300 Broadway, 7th Floor
Denver, Colorado 80203
Telephone: (720) 508-6000
Email: Nikolai.Frant@coag.gov

Attorneys for Plaintiff the State of Colorado

*Attorneys for Plaintiff the People of the
State of California*

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United States Attorney

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Attorney General of the State of New York

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Christopher Connolly
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2761
Facsimile: (212) 637-2786
Email: christopher.connolly@usdoj.gov

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Comptroller of the Currency and Michael J.
Hsu, In His Official Capacity As Acting
Comptroller of the Currency*

ROB BONTA
Attorney General of California


By:
Nicklas A. Akers, Senior Assistant Attorney
General
Christopher Lapinig, Deputy Attorney
General
Office of Attorney General
Consumer Protection Section
300 S. Spring St. #1700
Los Angeles, California 90013
Telephone: (213) 269-6697
Email: christopher.lapinig@doj.ca.gov

*Attorneys for Plaintiff the People of the
State of California*

By: /s/ Jane M. Azia
Jane M. Azia, Bureau Chief
Office of the New York Attorney General
Bureau of Consumer Frauds and Protection
28 Liberty Street, 20th Floor
New York, New York 10005
Telephone: (212) 416-8727
Facsimile: (212) 416-6003
Email: jane.azia@ag.ny.gov

*Attorneys for Plaintiff the People of the
State of New York*

PHILLIP J. WEISER
Attorney General of the State of Colorado

By: 
Nikolai Frant, First Assistant Attorney
General
Colorado Office of the Attorney General
1300 Broadway, 7th Floor
Denver, Colorado 80203
Telephone: (720) 508-6000
Email: Nikolai.Frant@coag.gov

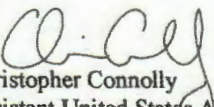
Attorneys for Plaintiff the State of Colorado

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AUDREY STRAUSS
United States Attorney

LETTITIA JAMES
Attorney General of the State of New York

By:  7/8/2021
Christopher Connolly
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2761
Facsimile: (212) 637-2786
Email: christopher.connolly@usdoj.gov

*Attorneys for Defendants the Office of the
Comptroller of the Currency and Michael J.
Hsu, In His Official Capacity As Acting
Comptroller of the Currency*

ROB BONTA
Attorney General of California

By: /s/ Jane M. Azia
Jane M. Azia, Bureau Chief
Office of the New York Attorney General
Bureau of Consumer Frauds and Protection
28 Liberty Street, 20th Floor
New York, New York 10005
Telephone: (212) 416-8727
Facsimile: (212) 416-6003
Email: jane.azia@ag.ny.gov

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State of New York*

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General
Christopher Lapinig, Deputy Attorney
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Office of Attorney General
Consumer Protection Section
300 S. Spring St. #1700
Los Angeles, California 90013
Telephone: (213) 269-6697
Email: christopher.lapinig@doj.ca.gov

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General
Colorado Office of the Attorney General
1300 Broadway, 7th Floor
Denver, Colorado 80203
Telephone: (720) 508-6000
Email: Nikolai.Frant@coag.gov

Attorneys for Plaintiff the State of Colorado

KARL A. RACINE
Attorney General of the District of Columbia

By: 
David Brunfeld, Assistant Attorney General
& Charles F. C. Ruff Fellow
District of Columbia Office of the Attorney
General
Public Advocacy Division
400 6th Street N.W., 10th Floor
Washington, D.C. 20001
Telephone: (202) 724-5079
Email: David.brunfeld@dc.gov

*Attorneys for Plaintiff the District of
Columbia*

KEITH ELLISON
Attorney General of Minnesota

By:
Adam Welle, Assistant Attorney General
Minnesota Attorney General's Office
Bremer Tower, Suite 1200
445 Minnesota Street
St. Paul, Minnesota 55101
Telephone: (651) 757-1425
Email: adam.welle@ag.state.mn.us

Attorneys for Plaintiff the State of Minnesota

MAURA HEALEY
Attorney General of the
Commonwealth of Massachusetts

By:
Brendan T. Jarboe, Assistant Attorney
General
Office of Attorney General Maura Healey
Consumer Protection Division
One Ashburton Place
Boston, Massachusetts 02108
Telephone: (617) 727-2200
Email: brendan.jarboe@mass.gov

*Attorneys for Plaintiff the
Commonwealth of Massachusetts*

GURBIR S. GREWAL
Attorney General of New Jersey

By:
Mayur P. Saxena, Assistant Attorney General
Tim Sheehan, Deputy Attorney General
124 Halsey Street, 5th Floor
Newark, New Jersey 07101
P.O. Box 45029-5029
Telephone: (973) 648-3283
Fax: (973) 648-4887
Email: Mayur.Saxena@law.njoag.gov

Attorneys for Plaintiff the State of New Jersey

KARL A. RACINE
Attorney General of the District of Columbia

By:
David Brunfeld, Assistant Attorney General
& Charles F. C. Ruff Fellow
District of Columbia Office of the Attorney
General
Public Advocacy Division
400 6th Street N.W., 10th Floor
Washington, D.C. 20001
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Email: David.brunfeld@dc.gov

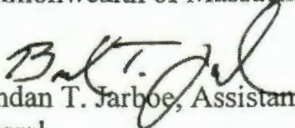
*Attorneys for Plaintiff the District of
Columbia*

KEITH ELLISON
Attorney General of Minnesota

By:
Adam Welle, Assistant Attorney General
Minnesota Attorney General's Office
Bremer Tower, Suite 1200
445 Minnesota Street
St. Paul, Minnesota 55101
Telephone: (651) 757-1425
Email: adam.welle@ag.state.mn.us

Attorneys for Plaintiff the State of Minnesota

MAURA HEALEY
Attorney General of the
Commonwealth of Massachusetts

By: 
Brendan T. Jarboe, Assistant Attorney
General
Office of Attorney General Maura Healey
Consumer Protection Division
One Ashburton Place
Boston, Massachusetts 02108
Telephone: (617) 727-2200
Email: brendan.jarboe@mass.gov

*Attorneys for Plaintiff the
Commonwealth of Massachusetts*

GURBIR S. GREWAL
Attorney General of New Jersey

By:
Mayur P. Saxena, Assistant Attorney General
Tim Sheehan, Deputy Attorney General
124 Halsey Street, 5th Floor
Newark, New Jersey 07101
P.O. Box 45029-5029
Telephone: (973) 648-3283
Fax: (973) 648-4887
Email: Mayur.Saxena@law.njoag.gov

Attorneys for Plaintiff the State of New Jersey

KARL A. RACINE
Attorney General of the District of Columbia

By:
David Brunfeld, Assistant Attorney General
& Charles F. C. Ruff Fellow
District of Columbia Office of the Attorney
General
Public Advocacy Division
400 6th Street N.W., 10th Floor
Washington, D.C. 20001
Telephone: (202) 724-5079
Email: David.brunfeld@dc.gov

*Attorneys for Plaintiff the District of
Columbia*

KEITH ELLISON
Attorney General of Minnesota

By: 
Adam Welle, Assistant Attorney General
Minnesota Attorney General's Office
Bremer Tower, Suite 1200
445 Minnesota Street
St. Paul, Minnesota 55101
Telephone: (651) 757-1425
Email: adam.welle@ag.state.mn.us

Attorneys for Plaintiff the State of Minnesota

MAURA HEALEY
Attorney General of the
Commonwealth of Massachusetts

By:
Brendan T. Jarboe, Assistant Attorney
General
Office of Attorney General Maura Healey
Consumer Protection Division
One Ashburton Place
Boston, Massachusetts 02108
Telephone: (617) 727-2200
Email: brendan.jarboe@mass.gov

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GURBIR S. GREWAL
Attorney General of New Jersey

By:
Mayur P. Saxena, Assistant Attorney General
Tim Sheehan, Deputy Attorney General
124 Halsey Street, 5th Floor
Newark, New Jersey 07101
P.O. Box 45029-5029
Telephone: (973) 648-3283
Fax: (973) 648-4887
Email: Mayur.Saxena@law.njoag.gov

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By:
David Brunfeld, Assistant Attorney General
& Charles F. C. Ruff Fellow
District of Columbia Office of the Attorney
General
Public Advocacy Division
400 6th Street N.W., 10th Floor
Washington, D.C. 20001
Telephone: (202) 724-5079
Email: David.brunfeld@dc.gov

*Attorneys for Plaintiff the District of
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KEITH ELLISON
Attorney General of Minnesota

By:
Adam Welle, Assistant Attorney General
Minnesota Attorney General's Office
Bremer Tower, Suite 1200
445 Minnesota Street
St. Paul, Minnesota 55101
Telephone: (651) 757-1425
Email: adam.welle@ag.state.mn.us


Attorneys for Plaintiff the State of Minnesota

MAURA HEALEY
Attorney General of the
Commonwealth of Massachusetts

By:
Brendan T. Jarboe, Assistant Attorney
General
Office of Attorney General Maura Healey
Consumer Protection Division
One Ashburton Place
Boston, Massachusetts 02108
Telephone: (617) 727-2200
Email: brendan.jarboe@mass.gov

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Tim Sheehan, Deputy Attorney General
124 Halsey Street, 5th Floor
Newark, New Jersey 07101
P.O. Box 45029-5029
Telephone: (973) 648-3283
Fax: (973) 648-4887
Email: Tim.Sheehan@law.njoag.gov

Attorneys for Plaintiff the State of New Jersey

JOSHUA H. STEIN
Attorney General of North Carolina

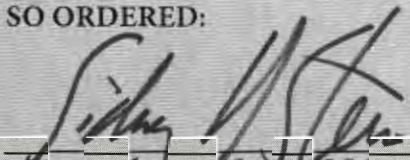
By:


Kevin Anderson, Division Director
Daniel P. Mosteller, Special Deputy Attorney
General
M. Lynne Weaver, Special Deputy Attorney
General
North Carolina Attorney General Office
Consumer Protection Division
114 W. Edenton Street
P.O. Box 629
Raleigh, North Carolina 27602
Telephone: (919) 716-6000
Email: dmosteller@ncdoj.gov

*Attorneys for Plaintiff the State of North
Carolina*

Dated: New York, New York
July 12, 2021

SO ORDERED:



Sidney H. Stein, U.S.D.J.