

**SUBPOENA**

**BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE  
CONGRESS OF THE UNITED STATES OF AMERICA**

Hon. Richard Cordray, Director  
To Bureau of Consumer Financial Protection

You are hereby commanded to be and appear before the Committee on Financial Services

of the House of Representatives of the United States at the place, date and time specified below.

to testify touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

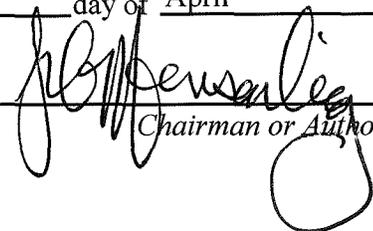
Place of testimony: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: 2129 Rayburn House Office Building, Washington, D.C.  
Date: May 2, 2017 Time: 5:00 p.m.

To any authorized House Financial Services Committee staff member, the House Sergeant at Arms  
or his designee, or the U.S. Marshals Service. \_\_\_\_\_ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States,  
at the city of Washington, this 4th day of April, 2017.

  
Chairman or Authorized Member

Attest:  
Karen P. Haas  
Clerk

**PROOF OF SERVICE**

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Subpoena for Hon. Richard Cordray, Director  
Bureau of Consumer Financial Protection

Address 1700 G Street, NW

Washington, D.C. 20552

before the Committee on Financial Services

*U.S. House of Representatives*  
*115th Congress*

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Served by (print name) \_\_\_\_\_

Title \_\_\_\_\_

Manner of service \_\_\_\_\_

Date \_\_\_\_\_

Signature of Server \_\_\_\_\_

Address \_\_\_\_\_

Hon. Richard Cordray  
Director  
Bureau of Consumer Financial Protection  
1700 G. Street, N.W.  
Washington, D.C. 200552

## SCHEDULE A

In accordance with the attached schedule instructions, you, Richard Cordray, are required to produce in unredacted form all records described below:

1. All records in the possession, custody, or control of the CFPB's Office of General Counsel that were generated between January 1, 2014, and October 30, 2014, containing the terms "litigation hold," "questionnaire," OR "Williams," and which also contain one or more of the following additional terms: "identity," "whistleblower," "Congress," OR "Republican."
2. All records relating to any instance whatsoever, from January 4, 2012–present, in which any CFPB employee directed another federal government employee not to transmit to any Member, Committee, or Subcommittee of Congress records requested or subpoenaed by any Member, Committee, or Subcommittee of Congress.
3. All records indicating the exact dates, amounts, and uses of any funds withdrawn from the Settlement Fund pursuant to the Consent Order in *In re: Ally Financial Inc., No. 2013-CFPB-0010* (Dec. 20, 2013).
4. All records indicating the exact number of natural persons harmed by Ally's alleged discriminatory actions in connection with the CFPB's and the U.S. Department of Justice's December 2013 settlement with Ally.
5. All records indicating the total amount of compensation determined to be paid to qualified victims pursuant to the Consent Order for *In re: Ally Financial Inc., No. 2013-CFPB-0010* (Dec. 20, 2013).
6. All records indicating the final remuneration plan reached in connection with the CFPB's and the U.S. Department of Justice's December 2013 settlement with Ally.
7. All records indicating any of the final processes used, or to be used, in connection with the CFPB's and the U.S. Department of Justice's December 2013 settlement with Ally in order to identify, determine, contact, or notify affected consumers who are entitled to receive monetary relief from the settlement fund.
8. All records indicating any of the final processes used, or to be used, in connection with the CFPB's and the U.S. Department of Justice's December 2013 settlement

Hon. Richard Cordray  
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Bureau of Consumer Financial Protection  
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Washington, D.C. 200552

with Ally in order to calculate and determine the amount of monetary relief consumers are entitled to receive from the settlement fund.

9. All records indicating any of the final processes used, or to be used, in connection with the CFPB's and the U.S. Department of Justice's December 2013 settlement with Ally in order to remunerate affected consumers or cause affected consumers to be remunerated.
10. All CFPB records released in connection with the November 24, 2015, U.S. House Financial Services Committee Majority Staff Report entitled *Unsafe at Any Bureaucracy: CFPB Junk Science and Indirect Auto Lending*.
11. All e-mails contained in the e-mail accounts associated with Patrice Ficklin that were sent, received, or drafted between August 15, 2015, and October 6, 2015, pertaining to any of the following news reports written by *American Banker* reporter Rachel Witkowski and published in *American Banker* in September 2015: *CFPB Overestimates Potential Discrimination, Documents Show*; *The Inside Story of the CFPB's Battle Over Auto Lending*; or *CFPB's Outside Expert on Disparate Impact Also Advises Banks*.
12. All e-mails contained in the e-mail accounts associated with Patrice Ficklin that were sent, received, or drafted, between August 15, 2015, and October 6, 2015, and which contain any of the following key words: "banker," "reporter," "Witkowski," "markup," "disparities," "PARR," "Siskin," "BLDS," "proxy," "Ally," "Honda," OR "Fifth Third."
13. All records generated by any vendor retained by the CFPB to perform any management consulting services between the beginning of Fiscal Year 2013 and December 18, 2015.
14. All contracts between the CFPB and BLDS, LLC, and all records pertaining to any such contracts.
15. All communications from BLDS, LLC to the CFPB.

Hon. Richard Cordray  
Director  
Bureau of Consumer Financial Protection  
1700 G. Street, N.W.  
Washington, D.C. 200552

16. All records indicating any instance, of any sort whatsoever, when BLDS, LLC acted as an employee of the CFPB, including the purpose and scope of any such action.
17. All records indicating in what matters in which the CFPB was a party, BLDS, LLC, or any of its employees was employed by a party other than the CFPB.
18. All records contained within the e-mail account associated with Richard Cordray, Mary McLeod, Meredith Fuchs, Anne Tindall, and Catherine Galicia that were sent, received, or drafted between March 2, 2015, and the present, and which contain any of the following key words: "interview!," "depos!," "subpoen!," "contempt," "obstruct!," OR "unsafe at any bureaucracy."
19. All communications relating to pre-dispute arbitration agreements between the CFPB and any of the following entities: (i) American Association for Justice; (ii) National Consumer Law Center; (iii) National Association of Consumer Advocates; (iv) Alliance for Justice; or (v) Public Justice.
20. All communications from one CFPB employee to another CFPB employee relating to pre-dispute arbitration agreements.
21. All records indicating the classes of putative victims with compensable uncompensated harm relating to Global Client Solutions that are eligible to receive compensation from the CFPB's Civil Penalty Fund.
22. All records indicating the basis or rationale for the allocation made from the CFPB's Civil Penalty Fund for putative victims of Global Client Solutions.
23. All communications between the CFPB and any third-party administrator that have distributed payments to putative victims of Global Client Solutions from funds allocated from the CFPB's Civil Penalty Fund.
24. All records indicating: (a) the names of all debt relief service providers for whom the CFPB alleged Global Client Solutions processed putative unlawful advance fees; (b) the number of consumers the CFPB alleged were charged unlawful advance fees by each debt relief service provider for whom Global Client Solutions processed putative unlawful advance fees; (c) the amount of uncompensated harm for each putative victim; and (d) the amount the CFPB allocated to each putative victim.
25. All records contained in the email accounts associated with Members of the Civil Penalty Fund Governance Board, Fund Administrator, and Chief Financial Officer

Hon. Richard Cordray  
Director  
Bureau of Consumer Financial Protection  
1700 G. Street, N.W.  
Washington, D.C. 200552

that were sent, received, or drafted between August 27, 2014, and the present, and which contain of the following key words: "Global Client Solution!," "Global Holdings," "GCS," "uncompensate!," AND "victim! /2 class!".

26. All records relating to the sales practices of Wells Fargo Bank, N.A. that are described in the CFPB's consent order against Wells Fargo Bank, N.A. filed on September 8, 2016.

27. All records relating to the CFPB's "investigation of Wells Fargo" that is described in your letter to the Committee dated September 23, 2016.

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**INSTRUCTIONS: For the purpose of this Subpoena:**

1. In complying with this Subpoena, you are required to produce all responsive records that are in your possession, custody, or control. You shall also produce records that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as records that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed records shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization, or individual denoted in this Subpoena has been, or is also known by any other name than that herein denoted, the Subpoena shall be read also to include that alternative identification.
3. The Committee considers all members of a document "family" to be responsive to the Subpoena if any single "member" of that "family" is responsive, regardless of whether the "family member" in question is "parent" or "child."
4. It shall not be a basis for refusal to produce records that any other person or entity also possesses non-identical or identical copies of the same records.
5. If a date or other descriptive detail set forth in this Subpoena referring to a record is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the Subpoena, you are required to produce all records which would be responsive as if the date or other descriptive detail were correct.
6. Records produced in response to this Subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the Subpoena was served.
7. In complying with this Subpoena, be apprised that (unless otherwise determined by the Committee) the Committee does not recognize: any purported non-disclosure privileges associated with the common law including, but not limited to, the deliberative-process privilege, the attorney-client privilege, and attorney work product protections; any purported privileges or protections from disclosure under the Freedom of Information Act; or any purported contractual privileges, such as non-disclosure agreements. Any assertion by a subpoena recipient of any such non-constitutional legal bases for withholding records or other materials shall be of no legal force and effect and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Chairman of the Committee has consented to recognize the assertion as valid. If you withhold records in whole or in part on the basis of a claim of a privilege or protection, you

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Washington, D.C. 200552

are required to follow the following procedure. You may only withhold that portion of a record over which you assert a claim of privilege or protection. Accordingly, you may only withhold a record in its entirety if you maintain that the entire record is privileged or protected. Otherwise you must produce the record in redacted form. In the event that a record is withheld in whole or in part on the basis of privilege or protection you must provide a privilege log containing the following information concerning each discrete claim of privilege or protection: (a) the privilege or protection asserted; (b) the type of record; (c) the date, author, and addressee (d) the relationship of the author and addressee to each other; and (e) a general description of the nature of the record that, without revealing information itself privileged or protected, will enable the Committee to assess your claim of privilege or protection. In the event a record or a portion thereof is withheld under multiple discrete claims of privilege or protection, each claim of privilege or protection must be separately logged. In an event portions of a record are withheld on discrete claims of privilege or protection, each separate claim of privilege or protection within that record must be separately logged. A privilege log must be produced contemporaneously with the withholding of any record in whole or in part on the basis of a privilege or protection. Privilege logs must be produced as a native Microsoft Excel file. All privilege logs must be accompanied by the certification of your counsel in a form compliant with 28 U.S.C. § 1746 that all assertions of privilege or protection contained therein are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege or protection. In the Chairman's discretion, this waiver may extend to the subject matter of the underlying records.

8. If any record responsive to this Subpoena was, but no longer is, in your possession, custody, or control, you must file a certificate in a form compliant with 28 U.S.C. § 1746 signed by your counsel and the natural person that you designate as most knowledgeable regarding the circumstances under which the record ceased to be in your possession, custody, or control which: (a) identifies the record (stating its date, author, subject, and recipients); and (b) explains the circumstances under which the record ceased to be in your possession, custody, or control or was placed in the possession, custody, or control of a third party; (c) identifies the person who currently has possession, custody, or control over the record; and (d) identifies each person who authorized the disposition of the record or who had or has knowledge of that disposition.
9. If any record responsive to this Subpoena cannot be located, you must immediately file a certificate in a form compliant with 28 U.S.C. § 1746 signed by your counsel and the natural person that you designate as most knowledgeable regarding the

Hon. Richard Cordray  
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circumstances describing with particularity the efforts made to locate the record and the specific reason for its disappearance, destruction or unavailability.

10. This Subpoena is continuing in nature and applies to any newly-discovered information. Any record not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously file with the Committee a certificate in a form compliant with 28 U.S.C. § 1746, signed by your counsel, and the natural person that you designate as most knowledgeable regarding your document production, setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
11. A cover letter shall be included with each production and include the following:
  - a. A list of each piece of media included in the production with its unique production volume number;
  - b. A list of custodians, identifying the Bates range for each custodian;
  - c. A list of Specifications, identifying the Bates range of documents responsive to each Specification;
  - d. The time zone in which the emails were standardized during conversion; and
  - e. All Bates Prefix and Suffix formats for records contained in the production.
12. You must identify any documents which you believe to contain confidential or proprietary information.
13. In the event a complete response requires the transmission of classified information, provide as much information in unclassified form as possible in your response and send all classified information under separate cover via the Office of House Security.
14. Records must be produced to the Committee in accordance with the attached *Electronic Production Instructions* in order to be considered to be in compliance with the Subpoena. Failure to produce records in accordance with the attached *Electronic Production Instructions*, may, in an exercise of the Committee's discretion, be deemed an act of contumacy.
15. If properties or permissions are modified for any records produced electronically, receipt of such records will not be considered full compliance with the subpoena.

Hon. Richard Cordray  
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Washington, D.C. 200552

16. Upon completion of the record production, you must submit a certificate, in a form compliant with 28 U.S.C. § 1746, signed by you and your counsel regarding your record production, stating that: (a) a diligent search has been completed of all records in your possession, custody, or control which reasonably could contain responsive records; (b) the search complies with good forensic practices; (c) records responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee since the date of receiving the Committee's subpoena or in anticipation of receiving the Committee's subpoena; and (d) all records located during the search that are responsive have been produced to the Committee or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions.
  
17. When representing a witness or entity before the Committee in response to a subpoena, record request, or request for transcribed interview, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (a) counsel's name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations

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Washington, D.C. 200552

**Definitions:**

The following definitions apply both to terms within the Subpoena, Schedule A, these Instructions, and these Definitions.

1. The term “record” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A record bearing any notation not a part of the original text is to be considered a separate record. A draft or non-identical copy is a separate record within the meaning of this term. By definition a “communication” (as that term is defined herein) is also a “record” if the means of communication is any written, recorded, or graphic matter of any sort whatsoever, regardless of how recorded, and whether original or copy.
2. The term “records in your possession, custody or control” means (a) records that are in your possession, custody, or control, whether held by you or your employees; (b) records that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) records that have been placed in the possession, custody, or control of any third party.
3. The term “communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in

Hon. Richard Cordray  
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Bureau of Consumer Financial Protection  
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an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, or otherwise.

4. "Communication with," "communications from," and "communications between" means any communication involving the related parties, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
5. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
6. The term "employee" means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
7. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this Subpoena any information which might otherwise be construed to be outside its scope. The terms "all," "any," and "each" shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
8. The terms "pertaining to," "referring," "relating," or "concerning" with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
9. The term "indicating" with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
10. When referring to a person, "to identify" means to give, to the extent known: (1) the person's full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment;

Hon. Richard Cordray  
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Bureau of Consumer Financial Protection  
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Washington, D.C. 200552

(b) the natural person's complete title at their employment; and (c) the individual's business address. When referring to documents, "to identify" means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.

11. The term "CFPB" refers to the Bureau of Consumer Financial Protection, an agency of the United States government, and any employees.
12. The term "Global Client Solutions" refers to Global Client Solutions, LLC, and Global Holdings LLC and any employees thereof.
13. The term "Ally" refers to Ally Financial, Inc., Ally Bank, and any employees thereof.
14. The term "BLDS, LLC" refers to the expert analysis, testimony, and consulting firm BLDS, LLC, and any employees thereof.
15. The term "Wells Fargo Bank, N.A." refers to Wells Fargo Bank, N.A., a subsidiary of Wells Fargo & Company, and its successors and assigns.
16. The term "Wells Fargo & Company" refers to the American international banking and financial services company Wells Fargo & Company and its subsidiaries and affiliates.
17. The term "Civil Penalty Fund" bears the meaning set forth in 12 U.S.C. § 5497(d).
18. The term "vendor" refers to any person that undertakes a contract to provide materials or labor to perform a service or work for the CFPB.
19. The term "management consulting services" refers to management or support services provided by vendors under the Product Service Code R408 defined by the General Services Administration.
20. The terms "identify," "determine," "calculate," "contact," "notify," and "remunerate" bear the same meaning as that used in the Consent Order in *In re: Ally Financial Inc., No. 2013-CFPB-0010* (Dec. 20, 2013).
21. The term "final remuneration plan" refers to the set of records that allow the CFPB to determine which retail installment contracts with consumers are eligible to receive monetary relief per the terms of the Consent Order in *In re: Ally Financial Inc., No. 2013-CFPB-0010* (Dec. 20, 2013).
22. The term "Settlement Fund" bears the meaning set forth in the Consent Order in *In re: Ally Financial Inc., No. 2013-CFPB-0010* (Dec. 20, 2013).

Hon. Richard Cordray  
Director  
Bureau of Consumer Financial Protection  
1700 G. Street, N.W.  
Washington, D.C. 200552

23. The term “processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
24. The term “directed” means ordered, commanded, told, charged, guided, counseled, instructed, opined, recommended, or otherwise advised, in any sort, form, or level of formality or informality, whatsoever, without limitation.
25. The term “pre-dispute arbitration agreements” bears the meaning set forth in a proposed rule published in 81 Fed. Reg. 32,830 and refers to agreements that provide for the arbitration of any future disputes between consumers and providers of certain consumer financial products and services.
26. The term “compensable uncompensated harm” bears the meaning set forth in a final rule published in 78 Fed. Reg. 26,545 and refers to the amount of harm that the victim suffered from the violation for which the Bureau obtained a civil penalty and for which the victim has not received and is not reasonably likely to receive other compensation.
27. The term “debt relief service provider” bears the meaning set forth in the Stipulated Final Judgement and Consent Order in *CFPB v. Global Client Solutions*, No. 2:14-cv-06643 (C.D. Cal. Aug. 27, 2014) (ECF No. 10) and refers to any person that offers or provides any program or service represented, directly or by implication, to renegotiate, settle, or in any way alter the terms of payment or other terms of the debt between a consumer and one or more creditors or debt collectors, including but not limited to, a reduction in the balance, interest rate, or fees owed by a person to a creditor or debt collector.
28. The term “advance fee” bears the meaning set forth in the Stipulated Final Judgement and Consent Order in *CFPB v. Global Client Solutions*, No. 2:14-cv-06643 (C.D. Cal. Aug. 27, 2014) (ECF No. 10) and refers to any fee or consideration requested or received by a debt relief service provider from a consumer for any debt relief service, whether directly or indirectly, that occurs before: (a) the debt relief service provider has renegotiated, settled, reduced, or otherwise altered the terms of a debt pursuant to a settlement agreement, debt management plan, or other valid contractual agreement executed by the consumer; and (b) the consumer has made at least one payment pursuant to that settlement agreement, debt management plan, or other valid contractual agreement between the consumer and the creditor or debt collector.
29. The term “matters” refers to any investigation, negotiation, advocacy, lobbying dispute, inquiry, submission, or action, including, but not limited to, litigation, administrative adjudication, correspondence, representation of any kind including

Hon. Richard Cordray  
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Bureau of Consumer Financial Protection  
1700 G. Street, N.W.  
Washington, D.C. 200552

for a Potential Action and Request for Response, or representation of any kind for a Notice and Opportunity to Respond and Advise.

30. The term “party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or Congressional proceeding.

31. The character “!” indicates a BOOLEAN root expander.

32. The character /2 indicates the BOOLEAN code for the preceding word within two words of the subsequent word.

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## ELECTRONIC PRODUCTION INSTRUCTIONS

Record productions shall be prepared according to, and strictly adhere to, the following standards:

1. Records produced shall be organized, identified, and indexed electronically.
2. Only alphanumeric characters and the underscore (“\_”) character are permitted in file and folder names. Special characters are not permitted.
3. Two sets of records shall be delivered, one set to the Majority Staff and one set to the Minority Staff. To the extent the Minority Staff does not have an electronic record review platform, records shall be produced to the Minority Staff in searchable PDF format and shall be produced consistent with the instructions specified in this schedule to the maximum extent practicable.
4. Production media and produced records shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
5. Records shall be produced to the Committee on one or more CDs, memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: Case Number, Production Date, Producing Party, Bates Range.
6. Records produced to the Committee shall include an index describing the contents of the production. To the extent that more than one CD, hard drive, memory stick, thumb drive, box, or folder is produced, each CD, hard drive, memory stick, thumb drive, box, or folder shall contain an index describing its contents.
7. All records shall be Bates-stamped sequentially and produced sequentially.
8. When you produce records, you shall identify the paragraph or number in the Committee’s subpoena to which the records respond and add a metadata tag listing that paragraph or number in accordance with **Appendix A**.
9.
  - a. All submissions must be organized by custodian unless otherwise instructed.
  - b. Productions shall include:
    1. A Concordance Data (.DAT) Load File in accordance with metadata fields as defined in **Appendix A**.
    2. A Standard Format Opticon Image Cross-Reference File (.OPT) to link produced images to the records contained in the .DAT file.

Hon. Richard Cordray  
Director  
Bureau of Consumer Financial Protection  
1700 G. Street, N.W.  
Washington, D.C. 200552

3. A file (can be Microsoft Word, Microsoft Excel, or Adobe PDF) defining the fields and character lengths of the load file.
- c. The production format shall include images, text, and native electronic files. Electronic files must be produced in their native format, i.e., the format in which they are ordinarily used and maintained during the normal course of business. For example, a Microsoft Excel file must be produced as a Microsoft Excel file rather than an image of a spreadsheet. **NOTE:** An Adobe PDF file representing a printed copy of another file format (such as Word Document or Webpage) is NOT considered a native file unless the record was initially created as a PDF.

1. Image Guidelines:

1. Single or multi page TIFF files.
2. All TIFF images must have a unique file name, i.e., Bates Number
3. Images must be endorsed with sequential Bates numbers in the lower right corner of each image.

2. Text Guidelines:

1. All text shall be produced as separate text files, not inline within the .DAT file.
2. Relative paths shall be used to link the associated text file (FIELD: TEXTPATH) to the record contained in the load file.
3. Associated text files shall be named as the BEGBATES field of each record.

3. Native File Guidelines:

1. Copies of original email and native file records/attachments must be included for all electronic productions.
2. Native file records must be named per the BEGBATES field.
3. Relative paths shall be used to link the associated native file (FIELD: NATIVEFILELINK) to the record contained in the load file.
4. Associated native files shall be named as the BEGBATES field of each record.



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CUSTODIAN	Smith, John	Email: mailbox where the email resided Attachment: Individual from whom the record originated
FROM	John Smith	Email: Sender Native: Author(s) of record **semi-colon should be used to separate multiple entries
TO	Coffman, Janice; LeeW [mailto:LeeW@MSN.com]	Recipient(s) **semi-colon should be used to separate multiple entries
CC	Frank Thompson [mailto:frank_Thompson@cdt.com]	Carbon copy recipient(s) **semi-colon should be used to separate multiple entries
BCC	John Cain	Blind carbon copy recipient(s) **semi-colon should be used to separate multiple entries
SUBJECT	Board Meeting Minutes	Email: Subject line of the email Native: Title of record (if available)
DATE_SENT	10/12/2010	Email: Date the email was sent Native: (empty)
TIME_SENT/TIME_ZONE	07:05 PM GMT	Email: Time the email was sent/ Time zone in which the emails were standardized during conversion. Native: (empty) **This data must be a separate field and cannot be combined with the DATE_SENT field
TIME_ZONE	GMT	The time zone in which the emails were standardized during conversion. Email: Time zone Native: (empty)
NATIVEFILELINK	D:\001\ EDC0000001.msg	Hyperlink to the email or native file record **The linked file must be named per the FIRSTBATES number
MIME_TYPE	MSG	The content type of an Email or native file record as identified/extracted from the header

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FILE_EXTEN	MSG	The file type extension representing the Email or native file record; will vary depending on the email format
AUTHOR	John Smith	Email: (empty) Native: Author of the record
DATE_CREATED	10/10/2010	Email: (empty) Native: Date the record was created
TIME_CREATED	10:25 AM	Email: (empty) Native: Time the record was created **This data must be a separate field and cannot be combined with the DATE_CREATED field
DATE_MOD	10/12/2010	Email: (empty) Native: Date the record was last modified
TIME_MOD	07:00 PM	Email: (empty) Native: Time the record was last modified **This data must be a separate field and cannot be combined with the DATE_MOD field
DATE_ACCESSD	10/12/2010	Email: (empty) Native: Date the record was last accessed
TIME_ACCESSD	07:00 PM	Email: (empty) Native: Time the record was last accessed **This data must be a separate field and cannot be combined with the DATE_ACCESSD field
PRINTED_DATE	10/12/2010	Email: (empty) Native: Date the record was last printed
NATIVEFILESIZE	5,952	Size of native file record/email in KB **Use only whole numbers
PGCOUNT	1	Number of pages in native file record/email
PATH	J:\Shared\Smith J\October Agenda.doc	Email: (empty) Native: Path where native file record was stored including original file name
INTFILEPATH	Personal Folders\Deleted Items\Board Meeting Minutes.msg	Email: original location of email including original file name Native: (empty)
INTMSGID	<000805c2c71b\$7 5977050\$cb 8306d1@MSN>	Email: Unique Message ID Native: (empty)
MD5HASH	d131dd02c5e6eec 4693d9a069 8aff95c	MD5 Hash value of the record

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	2fcab58712467ea b4004583eb 8fb7f89	
TEXTPATH	\TEXT\AAA0001 .txt	Path to the record's text file that contains extracted text to be used for processing. Every record has a relative path to its text file in this field. <b>Note:</b> These paths may also be fully qualified; and thus do not have to be relative.
NATIVEFILEPATH	\NATIVES\MES SAGE1.msg; \NATIVES\ATT ACHMENT1. doc	Path to the record's native file. Every record has a relative path to its native file in this field. <b>Note:</b> These paths may also be fully qualified; and thus do not have to be relative.
HANDWRITTEN	YES	Field should be marked "YES" if the record has any handwritten notes or other text that is not contained in the text file
REDACTED	YES	Field should be marked "YES" if the record contains any redactions, "NO" otherwise

Metadata Fields Required Upon Specific Request

TAGS	FirstPass\Respon sive; FirstPass\ForQC	If requested—a list of tags assigned to the record. Multiple tags are separated by the multi-value separator, for example: "A; B; C", and nested tags are denoted using the nested value separator, for example: "X\Y\Z". Tags for attachments will appear under the custom field "ATTACHMENT_TAGS".
FOLDERS	JohnDoeDocs\First Pass	If requested—a list of folders of which the record is a part. Multiple folders are separated by the multi-value separator, for example: "A; B; C", and nested folders are denoted using the nested value separator, for example: "X\Y\Z". Folders for attachments will appear under the custom field "ATTACHMENT_FOLDERS".