

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

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STATE NATIONAL BANK of BIG)	
SPRING <i>et al.</i>,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 12-1032 (ESH)
)	
JACOB J. LEW <i>et al.</i>,)	
)	
Defendants.)	
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ORDER AND JUDGMENT

Before the Court is a Joint Motion Requesting Entry of Judgment Against Plaintiffs, ECF No. 77.

On July 12, 2016, this Court issued an order granting, in part, defendants’ motion for summary judgment, and denying, in part, plaintiffs’ motion for summary judgment. (*See* Order, ECF No. 67.) That Order also held in abeyance any ruling on plaintiffs’ separation-of-powers-based challenge to the Consumer Financial Protection Bureau (“CFPB”) pending a ruling by the United States Court of Appeals for the District of Columbia Circuit in *PHH Corp. v. Consumer Financial Protection Bureau*, No. 15-1177. On January 31, 2018, the Court of Appeals, sitting en banc, issued its final opinion in *PHH Corp. v. Consumer Fin. Prot. Bureau*, No. 15-1177, 2018 WL 627055 (D.C. Cir. Jan. 31, 2018), and the mandate for that opinion issued on February 15, 2018. The parties agree that the Court of Appeals’ opinion forecloses this Court from ruling in favor of plaintiffs with respect to their separation-of-powers-based challenge to the CFPB and thus filed the pending joint motion requesting entry of judgment.

Upon consideration of the motion, and for the reasons set forth therein, it is hereby

ORDERED that the motion is **GRANTED**; it is further

ORDERED that defendants' motion for summary judgment on plaintiffs' separation-of-powers-based challenge to the CFPB is **GRANTED**; and it is further

ORDERED that **JUDGMENT** is hereby entered against plaintiffs. *See* Fed. R. Civ. P. 58(a).

This is a final, appealable Order.

/s/ Ellen Segal Huvelle
ELLEN SEGAL HUVELLE
United States District Judge

DATE: February 16, 2018