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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

The United States of	)	
America, et al,	)	File No: CA 12-361
	)	
Plaintiffs,	)	Date: July 22, 2014
	)	Time: 2:10 p.m.
vs.	)	
	)	
Bank of America, et al,	)	TELEPHONE CONFERENCE
	)	
Defendants.	)	

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TRANSCRIPT OF TELEPHONE CONFERENCE  
HELD BEFORE  
THE HONORABLE ROSEMARY M. COLLYER  
UNITED STATES DISTRICT JUDGE

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APPEARANCES:

**For the United States:** **Mr. William Edgar**

For the Plaintiffs:	Mr. Jeremy Shorbe (AZ)
	Ms. Theresa Leshner (CO)
	Ms. Gillian Andrews (DE)
	Ms. Susan Ellis (IL)
	Mr. Brendan O'Neill (ME)
	Ms. Lisa Dyen (MA)
	Mr. Ryan Ashbridge (MO)
	Mr. Daniel Russell (NE)
	Ms. Kristine Kuzemka (NV)
	Ms. Jane Azia (NY)
	Mr. Adam Cohen (NY)
	Mr. Philip Woods (NC)
	Ms. Jennifer Mildren (OH)
	Mr. Edmund Murray (RI)
	Mr. Wade Farraway (UT)
	Mr. David Huey (WA)
	Mr. Steve Jarrell (WV)
	Ms. Holly Pomraning (WI)
	Mr. Bennett Rushkoff (DC)



1 THE DEPUTY CLERK: Counsel, please be advised you  
2 do need to identify yourselves each time that you address  
3 the Court so we have a clear record for the court reporter  
4 and for your transcript.

5 Hold for the judge, please.

6 Civil action 12-361, United States of America, et  
7 al, versus Bank of America, et al. Counsel, please be  
8 reminded you are to identify yourselves each time you  
9 address the Court.

10 THE COURT: Good afternoon, everyone. This is  
11 Judge Collyer. Thank you for joining us on this call.

12 The most critical issues here are between Wells  
13 Fargo and the New York Attorney General's Office.

14 Could you tell me who is going to speak for New  
15 York?

16 MS. AZIA: Your Honor, this is Jane Azia with the  
17 New York Attorney General's Office.

18 THE COURT: Okay. Ms. Azia, thank you. And for  
19 Wells Fargo?

20 MR. MADDOX: Your Honor, this is Robert Maddox on  
21 behalf of Wells Fargo.

22 THE COURT: I'm sorry, sir. Which of the Roberts  
23 are you?

24 MR. MADDOX: Maddox. M-A-D-D-O-X.

25 THE COURT: I got it. Thank you. All right. The

1 reason that I wanted to talk to those two parties is  
2 because, of course, they're involved in a lawsuit right now  
3 on enforcement of the overall consent decree. And I thought  
4 that I wanted to inquire as to whether any of the state  
5 attorneys general -- also parties to this agreement, or  
6 enforcement decree, consent decree -- wanted to have a word  
7 in edgewise before I interpreted the meaning of various  
8 provisions within what is actually Exhibit E to the consent  
9 decree. And most importantly, the sentence that is on page  
10 E-15 found under Section J-2 which says: An enforcement  
11 action under this consent judgment may be brought by any  
12 party to the consent judgment or the monitoring committee.

13 Now, I think you all already know, and have in one  
14 facet or another decided whether you're going to comment on  
15 or not a very similar question that's posed in the context  
16 of the SunTrust consent decree. And I don't know if your  
17 responses would be different or could be different in the  
18 context of whether I should accept and sign the decree, as  
19 opposed to how I should actually construe the language of  
20 the decree in this specific enforcement action attempted to  
21 be brought by the New York Attorney General.

22 So I really just wanted to have something of a  
23 conversation. There are 49 states and the District of  
24 Columbia who have been parties to this, were parties to  
25 this, have gotten some benefit as a result of the consent

1 decree. And the question that the enforcement action by the  
2 New York AG, the question that it raises seems to me to be  
3 potentially critical to all of you, or maybe not. Maybe  
4 not. I mean, maybe your respective states are perfectly  
5 happy, thank you very much. We don't want to spend any more  
6 money on this effort. We've gotten what we came for and  
7 we're happy. Or not. I don't know.

8 So, I don't know if New York and/or Wells Fargo  
9 wishes to comment first. And then maybe somebody else says,  
10 Yes, yes. We want to give a word in edgewise. Or, No, we  
11 don't give a hoot. Whichever it might be. But I thought  
12 before I proceeded to decide in the context of this  
13 enforcement action it would be worthwhile inquiring.

14 Does Mr. Maddox or Ms. Azia wish to respond at all  
15 to that opening statement?

16 MS. AZIA: Your Honor, this is Jane Azia in New  
17 York. I wasn't entirely sure if you were going to have  
18 specific questions for us about our enforcement action. I  
19 don't have anything really additional to say other than what  
20 we put in our main brief and reply brief on the basis for  
21 our moving forward. That the party under J-2, that we can  
22 enforce the consent order and seek the equitable relief  
23 that's provided for as the remedy in J-3.

24 That, I think, sums up our position. We had  
25 identified various provisions of the consent order that were

1 not being complied with in New York. But I didn't really  
2 have anything to add to what we put in our brief. I just  
3 didn't know if you had specific questions.

4 THE COURT: Well, I mean, you see, what it seems  
5 to me is that on behalf of each of the respective states and  
6 DC, the question might be whether an approach to  
7 enforcement, such as your office has initiated, is the right  
8 one. Or whether as a single District Court judge in the  
9 District of Columbia you'd rather that I not exercise or  
10 assert authority over individual consumer issues.

11 Whether or not there should be a materiality  
12 standard, whether a state under this provision, as New York  
13 is attempting, should be able to enforce something for which  
14 there is a metric that the monitor is measuring and  
15 potentially enforcing.

16 I mean, there are a lot of sub-issues here that I  
17 think -- and nobody has given me any background as to how  
18 this all developed. As you know, I got this when you had  
19 already agreed to full terms.

20 So, is there any history to this in the  
21 negotiation? Any particular meaning that was intended? Was  
22 it added late? Was it an important sticking point from the  
23 beginning for all of the states? I don't -- is it a  
24 political -- I say "political" in small p. I'm not talking  
25 anything like Washington, DC, political. You know what I

1 mean. Is it a political provision that was stuck in? Or is  
2 it a truly legal matter that's of critical importance to all  
3 of you?

4 I'm just trying to figure out that sort of thing.  
5 And if only New York wants to comment, why, we'll proceed  
6 from there. But you understand I'm seeking input from  
7 others if there is input.

8 But I appreciate, Ms. Azia -- and I apologize for  
9 mispronouncing your name -- I appreciate your stepping up to  
10 the plate.

11 Mr. Maddox, did you have anything that you wanted  
12 to add?

13 MR. MADDUX: Yes, Your Honor. With regard to the  
14 specific sentence that you've referenced and inquired about  
15 whether -- in J-2, it's premised upon other provisions of  
16 Exhibit E, specifically C-5 with regard to the  
17 responsibility of the monitor to determine whether the  
18 servicer is compliant with the servicing standards and  
19 mandatory relief, and then to provide his report thereafter.

20 Also, very determinative is C-11 which says, and I  
21 quote: Servicers compliance with the servicing standard  
22 shall be assessed via metrics identified and defined in E-1  
23 hereto. The servicing standards are assessed via the  
24 metrics themselves.

25 And then on to C-23 which also provides that the

1 monitor has an availability. If he concludes or becomes  
2 aware of information or facts that a servicer might be  
3 engaged in a pattern of noncompliance with a servicing  
4 standard, specifically limited to those that would cause  
5 harm to borrowers or tenants in foreclosed property, he can  
6 seek additional information to determine whether -- the  
7 accuracy of the facts.

8 If after that review the monitor reasonably  
9 concludes such pattern exists, and is reasonably likely to  
10 cause material harm, the monitor may propose an additional  
11 metric that has certain requirements laid out inside of  
12 E-23.

13 And then, Your Honor, of course, as is laid out in  
14 E-6 with regard to what is a potential violation, you know,  
15 a potential violation of the consent judgment occurs if the  
16 servicer has exceeded the error threshold rate for a metric  
17 in a given quarter. And then E-2 right thereafter says the  
18 servicer shall have the right to cure any potential  
19 violation.

20 And then as you requested in the minute order in  
21 SunTrust, E-6 provides in the event of a potential violation  
22 that is cured, then no party shall have a remedy under the  
23 consent judgment with regard to that potential violation.

24 And then finally, with regard to the enforcement  
25 action itself, which is J-3, it's rather clear, Your Honor,

1 we believe, that it says enforcement action as it's labeled  
2 in the event of an action to enforce the obligation to the  
3 servicer and to seek remedies for an uncured potential  
4 violation for which the servicer signed be cured is expired,  
5 the sole relief available will be either, A, equitable  
6 relief or, B, civil penalties.

7 Then finally with regard to the question with  
8 regard to individual consumer complaints, Section H on page  
9 E-14 lays out that nothing in the consent judgment shall be  
10 deemed to interfere with existing consumer complaint  
11 resolution process, and the parties are free to bring  
12 consumer complaints to the attention of the servicer for  
13 resolution outside of the monitoring process.

14 So there are --

15 THE COURT: Okay. Okay. Mr. Maddox, I promise  
16 I've read the briefs. I promise. I have read the briefs  
17 and I know what you and the New York AG have argued in their  
18 briefs. And I have those briefs and will use them to  
19 proceed to make a determination.

20 What I -- and I don't blame you for reiterating.  
21 Any time before you get before a judge, make sure you make  
22 your argument. But the real point is, of this call, is  
23 whether or not any of the other states believes that the  
24 arguments presented and the interpretation, construction,  
25 application, whatever noun you want to use in that sentence,

1 that my result should be informed by the opinions, the  
2 views, the background, the history that other state AGs may  
3 bring to bear.

4 And so I know that, for instance, Mr. Shorbe is  
5 here representing Arizona on this call.

6 Mr. Shorbe, do you know -- I hope I'm pronouncing  
7 your name right -- do you know whether Arizona's AG wants to  
8 jump into this? Would rather participate in the context of  
9 SunTrust? Says, Go ahead and decide this, Judge. Or, Wait  
10 until all the SunTrust briefing is done before you decide  
11 it? Or what?

12 Do you have any idea or instruction from your  
13 office?

14 MR. SHORBE: Your Honor, this is Jeremy Shorbe  
15 from the state of Arizona. And what our front office has  
16 essentially done -- Arizona sits on the monitoring committee  
17 of the National Mortgage Settlement. And so what -- the  
18 monitor committee has met, and Arizona's position is that we  
19 are going to discuss these matters within the monitoring  
20 committee. And I believe that Susan Ellis is going to speak  
21 for the monitoring committee. And so actions that will be  
22 taken, you know, for Arizona's part will be a part of any  
23 activities that the monitoring committee chooses to engage.

24 THE COURT: All right. I appreciate that  
25 instruction. Thank you, sir.

1           What about Ms. Lesher from Colorado?

2           MS. LESHER: Your Honor, this is Theresa Lesher  
3 from Colorado. Colorado is also on the monitoring  
4 committee, and our position is similar to that represented  
5 by Jeremy Shorbe of Arizona.

6           THE COURT: Okeydokey. Ms. Andrews from Delaware.  
7 Do you have any instruction from your AG?

8           MS. ANDREWS: Yes, Your Honor. Gillian Andrews  
9 for the seat of Delaware. We are attending this call for  
10 information purposes. We've not yet made a decision one way  
11 or the other how we would like to proceed on this issue.

12          THE COURT: Alrighty.

13          MS. ELLIS: Your Honor?

14          THE COURT: Yes, ma'am.

15          MS. ELLIS: This is Susan Ellis from Illinois who  
16 Jeremy Shorbe just referenced.

17          THE COURT: You were the next one on the list,  
18 Ms. Ellis. I promise.

19          MS. ELLIS: Okay.

20          THE COURT: What did you want to tell me on behalf  
21 of the monitoring committee?

22          MS. ELLIS: So Patrick Madigan (sp) asked that I  
23 speak on behalf of the states on the monitoring committee  
24 while he was out. And we did meet and have discussion and  
25 would like to file some briefing on this issue. And thank

1 you for your allowance or your request to determine whether  
2 we wanted to. We do think it would make sense for the  
3 states to weigh in on the monitoring committee. Many of us  
4 were at the table and have some of the background and  
5 history. And I think it might be helpful to file some  
6 things for Your Honor to consider.

7 THE COURT: All right. And I don't know quite how  
8 you have organized the monitoring committee and its  
9 relationship vis-à-vis each of the individual states. So my  
10 ultimate question is: How much time do you need? My first  
11 question is does the monitoring -- or, can the monitoring  
12 committee speak for the rest of the states and the District  
13 of Columbia? Except, of course, for the New York Attorney  
14 General who has put forward his own opinion?

15 MS. ELLIS: What I would say is the monitoring  
16 committee has been and will be in communication with all of  
17 the states. And I think we would invite any state who  
18 wished to officially -- want to file something we prepared  
19 to do so. I don't know that I can, as I sit here today, say  
20 we can definitely file something that would be on behalf of  
21 every single state, but we will ensure to communicate with  
22 states, and any state would have an --

23 And typically, as the monitoring committee has  
24 worked over the past couple years, states have been  
25 comfortable to follow what the monitoring committee does and

1 to sort of join on. And there's been much agreement on  
2 that. So I can't speak on behalf of every state, but will  
3 follow the practice that I just laid out.

4 THE COURT: Well, that's very comforting to me, if  
5 I could say honestly, as the poor soul who has to read them  
6 all. It's not that I don't think you're all excellent  
7 lawyers, of course.

8 Okay. Then let's return just for planning  
9 purposes. I know, Ms. Ellis, that you're pinch hitting for  
10 Mr. Madigan, but have you discussed about how much time you  
11 need?

12 And let me ask the second question first: Would  
13 you anticipate -- or have you decided, even -- whether the  
14 position you would take in this enforcement action might be  
15 different than the position you would take or may take in  
16 the SunTrust action which hasn't yet been signed off on?

17 MS. ELLIS: Taking your first question in terms of  
18 timing, I think because what you requested parties file in  
19 SunTrust is so similar, the same timing would work and it  
20 would be helpful to have that much time.

21 THE COURT: Okay.

22 MS. ELLIS: I don't know that I can answer really  
23 with any certainty on exactly how similar those filings will  
24 be, though I suspect would be similar. But I don't know  
25 enough to say exactly.

1 THE COURT: Okay. I am happy to accept that much.  
2 Did you have other things, Ms. Ellis, that you wanted  
3 specifically to add?

4 MS. ELLIS: No, Your Honor. I think that was it.

5 THE COURT: Okay. I think I know everybody who's  
6 here because Ms. White has given me this handy dandy list.  
7 So let me just run down to make sure that none of the rest  
8 of you has anything that you feel that you want to add to  
9 this conversation.

10 Mr. Brendan O'Neill from Maine. Did you -- do you  
11 have any instructions or comments you wish to make?

12 MR. O'NEILL: Your Honor, this is Brendan O'Neill  
13 from Maine. No additional comments at this time. As with  
14 Delaware, no decision yet from our office. We're attending  
15 the call for informational purposes.

16 THE COURT: Thank you, sir. Ms. Iyen from  
17 Massachusetts. Did I pronounce your name right?

18 MS. DYEN: It's Lisa Dyen, Your Honor, from  
19 Massachusetts. Dyen, D-Y-E-N. Like Maine and Delaware, we  
20 have no decision yet in terms of filing and are attending  
21 for informational purposes.

22 THE COURT: Okay. Mr. Ashbridge from Missouri.

23 MR. ASHBRIDGE: Ryan Asbridge from Missouri, Your  
24 Honor. Missouri's in the same position as Maine and  
25 Delaware. No additional comment. Don't have any

1 information to pass along at this time.

2 THE COURT: Okie-doke. Mr. Russell from Nebraska.

3 MR. RUSSELL: This is Daniel Russell from  
4 Nebraska, Your Honor. Nebraska's in the same position as  
5 the previous states. We don't have any information to pass  
6 along at this time.

7 THE COURT: All righty. Ms. Kuzemka from Nevada.  
8 Did I say your name right?

9 MS. KUZEMKA: Yeah. That was perfect. Kuzemka.  
10 Thank you, Your Honor. Nevada is on the monitoring  
11 committee, as well, and we have nothing further to add.

12 THE COURT: Okay. Let's see. I've heard from  
13 Ms. Azia, so --

14 Mr. Woods from North Carolina? Did I get your  
15 name right, sir?

16 MR. WOODS: Yes, ma'am. Thank you. Phillip Woods  
17 from North Carolina. North Carolina's on the monitoring  
18 committee. And we concur with what Ms. Ellis had to say  
19 earlier.

20 THE COURT: Okeydokey. Ms. Mildren from Ohio.

21 MS. MILDREN: Yes, Your Honor. This is Jennifer  
22 Mildren from Ohio. We are on the monitoring committee, as  
23 well, and concur with Ms. Ellis. Thank you.

24 THE COURT: You guys are so good.

25 Mr. Murray -- Edmund Murray -- from Rhode Island.

1 MR. MURRAY: Good afternoon, Your Honor. Edmund  
2 Murray from Rhode Island. And I'm listening in just for  
3 informational purposes. I do not have any directives from  
4 my attorney general at this time.

5 THE COURT: All right. Mr. Sarraway from Utah.

6 MR. FARRAWAY: Your Honor, this is Wade Farraway  
7 from Utah. And we are just monitoring the call, also, for  
8 information.

9 THE COURT: Okeydokey. Mr. Huey from Washington  
10 state. Did I say that right, sir?

11 MR. HUEY: You did indeed. This is David Huey,  
12 senior counsel with the Washington state Attorney General's  
13 Office. We -- I, the representative, were on the original  
14 drafting committee, and currently on the monitoring  
15 committee. And we fully expect our perspective will be the  
16 monitoring committee's perspective.

17 THE COURT: Right. Original drafting. That's  
18 handy.

19 All right. Mr. Jarrell from West Virginia.

20 MR. JARRELL: Yes. Thank you, Your Honor. Again,  
21 like some of the other ones on here, we're monitoring. And  
22 we haven't made a decision how we're going to go forth from  
23 this point forward.

24 THE COURT: All righty. And Ms. Pomraning. Did I  
25 say that -- I apologize -- from Wisconsin.

1 MS. POMRANING: You said it perfectly. Holly  
2 Pomraning from Wisconsin. We are attending for  
3 informational purposes and have not made a decision at this  
4 time.

5 THE COURT: All right. And Mr. Rushkoff from DC.

6 MR. RUSHKOFF: Yes. This is Bennett Rushkoff from  
7 the District of Columbia. The District of Columbia is not  
8 on the monitoring committee. We are supportive of New  
9 York's initiative here, but we have not made a decision on  
10 whether or how we'll respond to the pending motion.

11 THE COURT: Okay. All right. Did I skip anybody  
12 who's on the phone?

13 MR. EDGAR: Your Honor? William Edgar for the  
14 United States.

15 THE COURT: Oh, the United States. Yes, sir.

16 MR. EDGAR: We would like to be able to file a  
17 brief and to comment on the petitions. And we think because  
18 the issues overlap, at least to some extent with the issues  
19 in SunTrust, that putting it on that same schedule makes  
20 sense, as well. I'd be happy to discuss the reasons why we  
21 think we need some additional time if necessary.

22 THE COURT: No. I don't think that the New York  
23 Attorney General's Office will be very happy. But as I hope  
24 that you appreciate from this call, I think that these  
25 issues are very important.

1           The New York Attorney General has raised, I think,  
2           very serious questions here. And so does -- therefore, so  
3           does the SunTrust proposed consent decree. And so putting  
4           them together, since people are going to be briefing it  
5           anyway, seems to me to make sense.

6           If, however, there is a distinction that anyone  
7           sees, whether on the monitoring committee and an individual  
8           state or the United States, between what I should do, how I  
9           should interpret and apply and enforce in this action  
10          brought by New York, and what I should do in reviewing,  
11          accepting or whatever the proposal from SunTrust, I'd like  
12          you to make that distinction if you could. If you can  
13          figure out what the distinction might be if you see one.

14          All right. Well, what we'll do, then, is unless  
15          New York has -- or Wells Fargo -- wants to scream about it,  
16          Mr. Maddox or Ms. Azia, I would set a deadline for briefs  
17          from the states and District of Columbia and the  
18          United States to be due --

19                 Is it August?

20                 THE LAW CLERK: August 20.

21                 THE COURT: 20, which is when briefs are due in  
22          SunTrust on the same set of issues, although perhaps a  
23          little -- well, same set of issues. Different fact pattern.

24                 Is there a scream of horror from New York or from  
25          Wells Fargo?

1 MS. AZIA: Your Honor, this is Jane Azia in New  
2 York. There's no scream of horror.

3 THE COURT: Yea.

4 MR. MADDOX: Likewise, Your Honor. Robert Maddox  
5 for Wells Fargo. No scream of horror.

6 THE COURT: No scream of horror. Great. Well,  
7 all right, then. I appreciate everybody who got on the  
8 phone for informational monitoring -- if I can use that term  
9 loosely -- purposes. This is the set of issues that I'm  
10 dealing with. And I was looking for input from the states;  
11 and the monitoring committee is already ahead of me on that  
12 and planning to provide some. And, of course, if you take a  
13 different view than they do, any one of you would be welcome  
14 to submit something, too. Short. The shorter the better.  
15 But you're more than welcome to submit something on the same  
16 time frame.

17 MR. MADDOX: And, Your Honor, this is Robert  
18 Maddox again. Just for clarification, any party to the  
19 consent judgment can submit?

20 THE COURT: Yes, sir.

21 MR. MADDOX: Thank you.

22 THE COURT: But only -- but not on -- I mean, I'm  
23 not opening up this lawsuit to everybody. The issue is how  
24 to interpret, how to apply, the language in the consent  
25 decree which New York and Wells Fargo have teed up before

1 the Court.

2 MR. MADDUX: Yes, Your Honor. Thank you.

3 MR. ARMS: Your Honor, this is Martin Arms for  
4 Bank of America. We're not fully familiar with what's going  
5 on with respect to the SunTrust potential agreement. And  
6 we're obviously not part of the NYAG-Wells briefing that's  
7 going on.

8 But to the extent that the states or the  
9 Department of Justice put in a brief that takes a position  
10 with respect to some of these enforcement provisions, that  
11 does have the possibility of impacting servicers who are  
12 parties to the NMS who are not part of the Wells-NYAG  
13 briefing, or obviously the SunTrust settlement --

14 THE COURT: Absolutely.

15 MR. ARMS: So I was wondering whether it might be  
16 possible to plant a flag, so to speak, and reserve, at least  
17 on behalf of Bank of America -- and I suspect some of the  
18 other servicers may feel similarly -- the possibility of  
19 once we see what positions are taken by the monitoring  
20 committee and any individual states or the District of  
21 Columbia that choose to file a brief, that we at least leave  
22 open the possibility of some submission by Bank of America;  
23 or potentially if we would agree on something all the other  
24 servicers who are not party to this, to either this motion  
25 or the SunTrust settlement.

1           THE COURT: I think that that is appropriate. If  
2 you could all agree, it would be very helpful. If you're  
3 not going to -- let me say this. I actually can read very  
4 quickly, but reading 70-odd briefs is a waste of time. And  
5 so to the extent that people can agree, that would be very  
6 helpful and would get more attention to a specific brief.

7           To the extent you can't, if the parties by the  
8 13th of August -- that is, all the parties who might file  
9 something on the 20th, the states, DC and the United States  
10 -- by the 13th of August if those who are filing separate  
11 briefs could just file a notice saying: Monitoring  
12 committee will be filing a brief representing X, Y, Z, Q.  
13 So-and-so's filing a brief. So-and-so's filing a brief.  
14 So-and-so's filing a brief. If you don't speak by the 13th,  
15 I will not expect your brief.

16           And then by, let's say, the 3rd of September if  
17 the banks could do the same thing. They will be filing one  
18 brief, they will be filing multiple briefs.

19           The briefs from the bank would be expected by the  
20 17th. That's the deadline for the banks to file something.  
21 And if I'm going to get scads of briefs, then I will be  
22 issuing orders limiting pages. It's just for my own sanity.  
23 Okay?

24           Thank you, everybody. All right. So has this  
25 been a useful conversation? I hope so. It's been very

1 useful for me, and I appreciate you all getting on the  
2 telephone. I look forward to hearing from you further.

3 (Proceedings concluded.)

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**CERTIFICATE OF OFFICIAL COURT REPORTER**

I, VICKI EASTVOLD, do hereby certify that the above and foregoing constitutes a true and accurate transcript of my stenographic notes and is a full, true and complete transcript of the proceedings to the best of my ability.

Dated this 11th day of August, 2014.

\_\_\_\_\_  
s/Vicki Eastvold  
Official Court Reporter  
United States Courthouse  
Room 6722  
333 Constitution Avenue, NW  
Washington, DC 20001