

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

CONSUMER FINANCIAL PROTECTION  
BUREAU,

Plaintiff,

v.

Case No. 17-2521-CM

GOLDEN VALLEY LENDING, INC.,  
SILVER CLOUD FINANCIAL, INC.,  
MOUNTAIN SUMMIT FINANCIAL, INC.,  
and MAJESTIC LAKE FINANCIAL, INC.,

Defendants.

**ORDER**

The Consumer Financial Protection Bureau (the “CFPB”) filed this consumer-credit lawsuit against defendants, lending institutions owned and incorporated by the Habematolel Pomo of Upper Lake Indian Tribe, in the United States District Court for the Northern District of Illinois on April 27, 2017.<sup>1</sup> Before responding to the complaint, defendants moved to transfer the case to this court under 28 U.S.C. § 1404(a)<sup>2</sup> and to stay pretrial proceedings pending a resolution of their transfer request.<sup>3</sup> U.S. District Judge Thomas M.

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<sup>1</sup>*Consumer Financial Protection Bureau v. Golden Valley Lending, Inc., et al.*, Case No. 17-cv-3155, United States District Court for the Northern District of Illinois.

<sup>2</sup>ECF No. 18.

<sup>3</sup>ECF No. 20.

Durkin granted the stay request<sup>4</sup> and, on September 8, 2017, granted the motion to transfer.<sup>5</sup>

The case has now been received by this court and assigned to the undersigned U.S. Magistrate Judge, James P. O'Hara. The undersigned has reviewed the record of the case, which indicates defendants intend to file a motion to dismiss the case based on tribal sovereign immunity and several other reasons.<sup>6</sup> The record further indicates defendants believe discovery should be deferred until the court rules the anticipated motion to dismiss, but that CFPB believes discovery should not be delayed.<sup>7</sup>

IT IS THEREFORE ORDERED that defendants' response to the complaint (i.e. the aforementioned motion to dismiss) shall be due **September 25, 2017**. Should defendants still wish to seek a stay of the proceedings (including the setting of a Fed. R. Civ. P. 26(f) conference), a motion to stay the proceedings is due by that same date.

Dated September 11, 2017, at Kansas City, Kansas.

s/ James P. O'Hara  
James P. O'Hara  
U.S. Magistrate Judge

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<sup>4</sup>ECF No. 24.

<sup>5</sup>ECF No. 43

<sup>6</sup>ECF No. 18-1 at 2-3; ECF No. 28 at 2.

<sup>7</sup>ECF No. 28 at 2-3.