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27 Lichtig and Rex Hofelter

1
2 **UNITED STATES DISTRICT COURT**
3 **CENTRAL DISTRICT OF CALIFORNIA**
4 **SOUTHERN DIVISION**

5 Consumer Financial Protection Bureau,
6 et al.,

7 Plaintiffs,

8 v.

9 Pension Funding, LLC, et al.,
10

11 Defendants.
12

Case No. 8:15-cv-01329-JLS-JCG

**PARTIES' JOINT STIPULATION
REQUESTING ENTRY OF
STIPULATED FINAL JUDGMENT
AND ORDER AS TO
DEFENDANTS EDWIN LICHTIG,
REX HOFELTER, PENSION
FUNDING, LLC, AND PENSION
INCOME, LLC**

13
14 Plaintiffs Consumer Financial Protection Bureau and Shirin Emami, Acting
15 Superintendent of Financial Services of the State of New York (Superintendent),
16 and Defendants Edwin Lichtig, Rex Hofelter, Pension Funding, LLC, and Pension
17 Income, LLC, (Settling Defendants), respectfully request that this Court approve
18 and enter the attached Stipulated Final Judgment and Order as to Defendants
19 Edwin Lichtig, Rex Hofelter, Pension Funding, LLC, and Pension Income, LLC.
20
21

22 Although entry of this proposed order will resolve Plaintiffs' claims against
23 only four of the five defendants, Plaintiffs respectfully request that the Court enter
24 two final judgments in this case: (1) the attached Stipulated Final Judgment and
25 Order as to the Settling Defendants and (2) a default judgment order, which
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27
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1 Plaintiffs will seek separately against Defendant Steven Covey. Good cause exists
2 to enter two final judgments because the Settling Defendants have participated in
3 the court process and cooperated with the Bureau and the Superintendent in
4 negotiating a resolution of these proceeding. By contrast, Defendant Covey refuses
5 to participate in the proceedings—even after default was entered against him—and
6 is not cooperating or negotiating with Plaintiffs. *See* Christopher Decl., January 22,
7 2016.
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9

10 Mr. Covey’s recalcitrance should neither delay the entry of the Stipulated
11 Final Judgment and Order with the Settling Defendants nor reward him the benefit
12 of the relief negotiated by them. To ensure that Mr. Covey does not violate the law
13 again or benefit from his past violations, the Bureau and Superintendent will seek a
14 default judgment imposing broader injunctive relief and full disgorgement of ill-
15 gotten gains. *Id.*
16
17

18
19 Dated: January 22, 2016

Carmen Christopher
Consumer Financial Protection Bureau:

/s/ Carmen Christopher
Carmen L. Christopher

*Attorney for Plaintiff Consumer Financial
Protection Bureau*

1 Melissa J. O'Neill
2 Office of the New York State Attorney
3 General

4 /s/ Melissa J. O'Neill
5 Melissa J. O'Neill*

6 *Attorney for Plaintiff Shirin Emami, Acting*
7 *Superintendent of Financial Services of the*
8 *State of New York*

9 Paul S. Chan
10 Ashley D. Bowman
11 Bird, Marella, Boxer, Wolpert, Nessim,
12 Dooks, Lincenberg & Rhow, P.C.

13 /s/ Ashley D. Bowman
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15 Ashley D. Bowman – State Bar No. 286099

16 *Attorneys for Defendants Pension Funding,*
17 *LLC, Pension Income, LLC, Edwin Lichtig,*
18 *and Rex Hofelter*

19 *Ms. O'Neill and Ms. Bowman concur in
20 this filing's content and authorized the filing