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1 ANTHONY ALEXIS, DC Bar #384545
 Email: anthony.alexis@cfpb.gov
 2 Phone: (202) 435-7999
 3 JEFFREY PAUL EHRLICH, FL Bar #51561
 Email: jeff.ehrlich@cfpb.gov
 4 Phone: (202) 435-7598
 5 JOHN C. WELLS, DC Bar #491292
 Email: john.wells@cfpb.gov
 6 Phone: (202) 435-9319
 7 MAXWELL S. PELTZ, CA Bar #183662
 Email: maxwell.peltz@cfpb.gov
 8 Phone: (415) 633-1328
 9 1700 G Street, NW
 Washington, DC 20552
 10 Fax: (415) 844-9788

11 Attorneys for Plaintiff
 12 Consumer Financial Protection Bureau

13 **UNITED STATES DISTRICT COURT**
 14 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

15 Consumer Financial Protection Bureau,

16 Plaintiff,

17 v.

18 Stephen Lyster Siringoringo, an
 19 individual, also d/b/a Siringoringo Law
 20 Firm; Clausen & Cobb Management
 21 Company, Inc., a corporation; and
 22 Joshua Cobb, an individual,

23 Defendants.

Case No. 8:14-cv-01155-JVS (AJWx)

**FINAL JUDGMENT
 AND ORDER FOR RESTITUTION,
 DISGORGEMENT, A CIVIL MONEY
 PENALTY, AND PERMANENT
 INJUNCTION AGAINST DEFENDANT
 STEPHEN LYSTER SIRINGORINGO, AN
 INDIVIDUAL, ALSO D/B/A
 SIRINGORINGO LAW FIRM**

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 25 Plaintiff Consumer Financial Protection Bureau (“CFPB” or “Bureau”)
 26 commenced this civil action against Defendant Stephen Lyster Siringoringo, an
 27 individual, also d/b/a Siringoringo Law Firm (“Siringoringo”), on July 22, 2014,

1 asserting, among other claims, that Siringoringo had charged and collected
2 advance fees for mortgage-assistance-relief services in violation of Regulation O,
3 12 C.F.R. Part 1015 (2011).

4 On December 18, 2015, the Court granted the Bureau's motion for partial
5 summary judgment against Siringoringo as to his liability under Count I of the
6 Complaint: violation of Regulation O. (Minute Order, Docket No. 80.) On October
7 26, 2016, the Court granted the Bureau's subsequent motion for partial summary
8 judgment against Siringoringo as to the monetary and injunctive relief to be
9 ordered for the violations asserted in Count I. (Amended Minute Order, Docket
10 No. 108; Order, Docket No. 109.)

11 On January 4, 2017, having obtained prior leave of Court (Docket No. 115),
12 the Bureau filed a First Amended Complaint (Docket No. 117). The First Amended
13 Complaint asserts a single claim against Siringoringo: Count I – violation of
14 Regulation O – the remaining claims against Siringoringo having been withdrawn.

15 Pursuant to the above-referenced orders granting partial summary judgment
16 against Siringoringo as to Count I and in light of the Bureau's withdrawal of all
17 remaining claims against Siringoringo,¹

18 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** as follows:

19 **FINDINGS**

20 1. The Bureau brought this action against Siringoringo under Sections
21 1054 and 1055 of the CFPA, 12 U.S.C. §§ 5564 and 5565, and Regulation O, 12
22 C.F.R. Part 1015 (2011).

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26 ¹ Default Judgment was entered against all remaining codefendants on January 3,
27 2017. (Docket No. 116.)

- 1 a. stopping, preventing, or postponing any mortgage or deed of
2 trust foreclosure sale for the consumer's dwelling, any repossession of
3 the consumer's dwelling, or otherwise saving the consumer's dwelling
4 from foreclosure or repossession;
- 5 b. negotiating, obtaining, or arranging a modification of any term
6 of a dwelling loan, including a reduction in the amount of interest,
7 principal balance, monthly payments, or fees;
- 8 c. obtaining any forbearance or modification in the timing of
9 payments from any dwelling loan holder or servicer on any dwelling
10 loan;
- 11 d. negotiating, obtaining, or arranging any extension of the period
12 of time within which the consumer may (i) cure his or her default on a
13 dwelling loan, (ii) reinstate his or her dwelling loan, (iii) redeem a
14 dwelling, or (iv) exercise any right to reinstate a dwelling loan or
15 redeem a dwelling;
- 16 e. obtaining any waiver of an acceleration clause or balloon
17 payment contained in any promissory note or contract secured by any
18 dwelling; or
- 19 f. negotiating, obtaining, or arranging (i) a short sale of a
20 dwelling, (ii) a deed in lieu of foreclosure, (iii) or any other
21 disposition of a dwelling loan other than a sale to a third party that is
22 not the dwelling loan holder.
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1 **ORDER**

2 **I.**

3 **RESTITUTION, DISGORGEMENT, AND CIVIL PENALTY**

4 **IT IS HEREBY ORDERED** that:

5 1. Restitution and Disgorgement: Judgment for equitable monetary relief
6 is hereby entered in favor of the Bureau and against Siringoringo in the amount of
7 twenty million, eight hundred and twenty-five thousand dollars (\$20,825,000) as
8 restitution to the affected consumers for the unlawful fees charged and collected by
9 Siringoringo and as disgorgement by Siringoringo of unjust gains from such fees.

10 2. Civil Penalty: By reason of the violations alleged in the First
11 Amended Complaint, and taking into account the factors in 12 U.S.C. § 5565(c)(3),
12 judgment for a civil money penalty is entered in favor of the Bureau and against
13 Siringoringo in the amount of one dollar (\$1).

14 **II.**

15 **OTHER MONETARY PROVISIONS**

16 **IT IS FURTHER ORDERED** that:

- 17 1. The monetary judgment set forth above in Section I
18 a. is immediately due and payable upon entry of this Final
19 Judgment and Order with post-judgment interest accruing at the legal
20 rate; and
21 b. is enforceable against any asset owned by, on behalf of, for the
22 benefit of, or in trust by or for Siringoringo.
- 23 2. Siringoringo must relinquish all dominion, control, and title to any
24 funds paid pursuant to this Final Judgment and Order to the fullest extent permitted
25 by law, and Siringoringo shall make no claim to or demand for return of the funds
26 or any part of the funds, directly or indirectly.
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1 3. Any funds received by the Bureau in satisfaction of this Final
2 Judgment and Order will be deposited as follows:

3 a. The Bureau will deposit funds paid for restitution and
4 disgorgement into a fund or funds administered by the Bureau or its
5 agent, according to applicable statutes and regulations, to be used for
6 redress for affected consumers, including but not limited to restitution,
7 disgorgement, or other monetary relief, and for any attendant
8 expenses for the administration of any such redress. If the Bureau
9 determines, in its sole discretion, that redress to consumers is wholly
10 or partially impracticable or if funds remain after redress is
11 completed, the Bureau will deposit any remaining funds in the U.S.
12 Treasury as disgorgement. Siringoringo will have no right to
13 challenge any actions that the Bureau or its representatives may take
14 under this Section.

15 b. The Bureau will deposit funds paid for the civil money penalty
16 into the Civil Penalty Fund of the Bureau as required by 12 U.S.C.
17 § 5497(d).

18 4. Within 30 days of the entry of a final judgment, consent order, or
19 settlement in a related consumer action, Siringoringo must notify the Bureau of the
20 final judgment, consent order, or settlement in writing. That notification must
21 indicate the amount of redress, if any, that Siringoringo paid or is required to pay
22 to consumers and describe the consumers or classes of consumers to whom that
23 redress has been or will be paid.

1 **III.**

2 **BAN ON MORTGAGE-ASSISTANCE-RELIEF**
3 **PRODUCTS AND SERVICES**

4 **IT IS FURTHER ORDERED** that Siringoringo, whether acting directly or
5 indirectly, is permanently enjoined from:

- 6 1. advertising, marketing, promoting, offering for sale, or selling any
7 mortgage-assistance-relief product or service; and
8 2. assisting others engaged in advertising, marketing, promoting,
9 offering for sale, or selling any mortgage-assistance-relief product or service.

10 **IV.**

11 **RETENTION OF JURISDICTION**


12 **IT IS FURTHER ORDERED** that this Court retains jurisdiction of this
13 matter for purposes of construction, modification, and enforcement of this Order.

14 **V.**

15 **SERVICE**

16 **IT IS FURTHER ORDERED** that this Order may be served upon
17 Siringoringo by certified mail, by the United States Marshal, the Clerk of the
18 Court, or any representative or agent of the Bureau.

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21 **IT IS SO ORDERED**, on January 11, 2017.


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23 HONORABLE JAMES V. SELNA
24 United States District Judge
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