

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA, AMERICAN
BANKERS ASSOCIATION, AMERICAN
FINANCIAL SERVICES ASSOCIATION,
CONSUMER BANKERS ASSOCIATION,
FINANCIAL SERVICES ROUNDTABLE,
TEXAS ASSOCIATION OF BUSINESS,
TEXAS BANKERS ASSOCIATION, GRAND
PRAIRIE CHAMBER OF COMMERCE,
GREATER IRVING LAS COLINAS
CHAMBER OF COMMERCE, GRAPEVINE
CHAMBER OF COMMERCE, LUBBOCK
CHAMBER OF COMMERCE, BAY CITY
CHAMBER OF COMMERCE, GREATER
NEW BRAUNFELS CHAMBER OF
COMMERCE, LONGVIEW CHAMBER OF
COMMERCE, MCALLEN CHAMBER OF
COMMERCE, NORTH SAN ANTONIO
CHAMBER OF COMMERCE, PARIS-LAMAR
CHAMBER OF COMMERCE, and PORT
ARTHUR CHAMBER OF COMMERCE,

Plaintiffs,

v.

CONSUMER FINANCIAL PROTECTION
BUREAU; RICHARD CORDRAY, in his
official capacity as director of the Consumer
Financial Protection Bureau,

Defendants.

Case No. 3:17-cv-02670-D

NOTICE OF VOLUNTARY DISMISSAL

Plaintiffs, by and through their undersigned counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby give notice of the dismissal of this action without prejudice. Pursuant to the Congressional Review Act, 5 U.S.C. §§ 801 *et seq.*, the House of Representatives and the Senate have passed, and the President has signed, a joint resolution disapproving the Consumer Financial Protection Bureau rule at issue in this case. *See* H.J. Res. 111, 115th Cong., 1st Sess. (2017) (signed by President Nov. 1, 2017); President Donald J. Trump Signs H.J. Res. 111 into Law (Nov. 1, 2017), *at* <https://www.whitehouse.gov/the-press-office/2017/11/01/president-donald-j-trump-signs-hjres-111-law> (A copy of H.J. Res. 111 is attached as Exhibit A.)

The Congressional Review Act provides that “[a] rule shall not take effect (or continue), if the Congress enacts a joint resolution of disapproval.” 5 U.S.C. § 801(b)(1); *see also* H.J. Res. 111, *supra* (stating “[t]hat Congress disapproves the rule submitted by the Bureau of Consumer Financial Protection relating to “Arbitration Agreements” (82 Fed. Reg. 33210 (July 19, 2017)), and such rule shall have no force or effect”). Because the Consumer Financial Protection Bureau rule has been invalidated pursuant to the Act, and therefore has no continuing legal effect, Plaintiffs hereby voluntarily dismiss this action without prejudice.

Dated: November 2, 2017

Respectfully submitted,

By: s/ Andrew J. Pincus

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CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2017, I electronically filed the foregoing notice of voluntary dismissal with the Clerk of Court using the CM/ECF system which will send notification of such filing to counsel of record and constitute service on such counsel and their represented parties pursuant to FED. R. CIV. P. 5(b)(2)(E) and Local Rule 5.1(d). In addition, by agreement of the parties, I caused the foregoing to be served by email on counsel for Defendants as follows:

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/s/ Andrew J. Pincus _____

Andrew J. Pincus

EXHIBIT A

H. J. Res. 111

One Hundred Fifteenth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the third day of January, two thousand and seventeen*

Joint Resolution

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Bureau of Consumer Financial Protection relating to "Arbitration Agreements" (82 Fed. Reg. 33210 (July 19, 2017)), and such rule shall have no force or effect.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*