

**U.S. District Court
Western District of Virginia (Harrisonburg)
CIVIL DOCKET FOR CASE #: 5:21-cv-00016-EKD-JCH**

Consumer Financial Protection Bureau et al v. Nexus
Services, Inc. et al
Assigned to: Judge Elizabeth K. Dillon
Referred to: Magistrate Judge Joel C. Hoppe
Cause: 28:1345 USA Plaintiff

Date Filed: 02/22/2021
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government
Plaintiff

Plaintiff

**Consumer Financial Protection
Bureau**

represented by **Donald Gordon**

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Plaintiff

**The People of the State of New
York**

*by Letitia James, Attorney General of
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represented by **Joseph Pirc Mueller**

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V.

Defendant

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Defendant

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J.H. Jennifer Lee
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LEAD ATTORNEY
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John M. Shoreman
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Mario Bernard Williams
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Samantha Katie Collins
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Defendant
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Richard Moore

Samantha Katie Collins

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J.H. Jennifer Lee

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Defendant

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Samantha Katie Collins
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Date Filed	#	Docket Text
02/22/2021	1	COMPLAINT against Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc., filed by Consumer Financial Protection Bureau, The People of the State of New York, Commonwealth of Virginia, Commonwealth of Massachusetts. (Attachments: # 1 Civil Cover Sheet, # 2 Attachment to CCS)(jv)
02/22/2021	2	MOTION for <i>Jon Burke</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3633401. by Commonwealth of Virginia. (Attachments: # 1 Text of Proposed Order In Support of Motion For Admission Pro Hac Vice)(Sovinsky, Stephen)
02/22/2021	3	MOTION for <i>Jane Azia</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3633412. by Commonwealth of Virginia. (Attachments: # 1 Text of Proposed Order In Support of Motion For Admission Pro Hac Vice)(Sovinsky, Stephen)
02/22/2021	4	MOTION for <i>Stewart Dearing</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3633418. by Commonwealth of Virginia. (Attachments: # 1 Text of Proposed Order In Support of Motion For Admission Pro Hac Vice)(Sovinsky, Stephen)
02/22/2021	5	MOTION for <i>Joseph Mueller</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3633424. by Commonwealth of Virginia. (Attachments: # 1 Text of Proposed Order In Support of Motion For Admission Pro Hac Vice)(Sovinsky, Stephen)
02/22/2021	6	MOTION for <i>Laura Levine</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3633425. by Commonwealth of Virginia. (Attachments: # 1 Text of Proposed Order In Support of Motion For Admission Pro Hac Vice)(Sovinsky, Stephen)
02/22/2021		Erin Boyd Ashwell, in accordance with Section B.9. of the Administrative Procedures for Filing, Signing and Verifying Pleadings and Papers by Electronic Means, a registered user is responsible for ensuring their mailing address, primary email address, and telephone

		number are kept up-to-date with this court by updating the information in their PACER account. To update your information, log into PACER.gov and click the Maintenance tab to Update this information with this court. (jv)
02/22/2021	7	ORDER granting 2 MOTION to Appear Pro Hac Vice; Attorney Jon Burke. Signed by Judge Elizabeth K. Dillon on 2/22/2021. (jv)
02/22/2021	8	ORDER granting 3 MOTION to Appear Pro Hac Vice; Attorney Jane Azia. Signed by Judge Elizabeth K. Dillon on 2/22/2021. (jv)
02/22/2021	9	ORDER granting 4 MOTION to Appear Pro Hac Vice; Attorney Stewart Dearing. Signed by Judge Elizabeth K. Dillon on 2/22/2021. (jv)
02/22/2021	10	ORDER granting 5 MOTION to Appear Pro Hac Vice; Attorney Joseph Mueller. Signed by Judge Elizabeth K. Dillon on 2/22/2021. (jv)
02/22/2021	11	ORDER granting 6 MOTION to Appear Pro Hac Vice; Attorney Laura Levine. Signed by Judge Elizabeth K. Dillon on 2/22/2021. (jv)
02/23/2021	12	NOTICE of Appearance by Stewart Dearing on behalf of The People of the State of New York (Dearing, Stewart)
02/23/2021	13	NOTICE of Appearance by Joseph Pirc Mueller on behalf of The People of the State of New York (Mueller, Joseph)
02/23/2021	14	NOTICE of Appearance by Jane Melissa Azia on behalf of The People of the State of New York (Azia, Jane)
02/23/2021	15	NOTICE of Appearance by Jonathan T. Burke on behalf of Commonwealth of Massachusetts (Burke, Jonathan)
02/24/2021	16	NOTICE of Appearance by Laura Levine on behalf of The People of the State of New York (Levine, Laura)
03/01/2021	17	NOTICE of Appearance by Mario Bernard Williams on behalf of Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc. (Williams, Mario)
03/01/2021	18	MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Exhibit Arbitration Award 1, # 2 Exhibit Arbitration Award 2, # 3 Exhibit Arbitration Award 3, # 4 Exhibit California BOI Agreement, # 5 Exhibit Virginia Settlement Order, # 6 Exhibit Virginia Complaint, # 7 Exhibit Affidavit)(Williams, Mario)
03/02/2021	19	Magistrate Consent Notice to Parties. Click here to access the Consent Form (jv)
03/02/2021	20	Notice of Filing Requirement to Libre by Nexus, Inc., Nexus Services, Inc. - Pursuant to Standing Order dated May 15, 2000, and the adoption of Rule 7.1 of the Federal Rules of Civil Procedures, effective December 1, 2002, nongovernmental corporate parties are directed to

		file a Corporate Disclosure Statement with their first appearance, pleading, motion or response. Click here to access the Corporate Disclosure Statement Form . This form should be electronically filed in this matter as ordered. (jv)
03/02/2021	21	Positive Corporate Disclosure Statement by Libre by Nexus, Inc., Nexus Services, Inc. identifying Corporate Parent Nexus Services, Inc. for Libre by Nexus, Inc., Nexus Services, Inc.. (Williams, Mario)
03/15/2021	22	RESPONSE in Opposition re 18 MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> . filed by Commonwealth of Massachusetts, Consumer Financial Protection Bureau, The People of the State of New York. (Nguyen, Hai Binh)
03/15/2021	23	RESPONSE in Opposition re 18 MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> . filed by Commonwealth of Virginia. (Sovinsky, Stephen)
03/18/2021	24	Scheduling Letter (bwd)
03/22/2021		Erin Ashwell, in accordance with Section B.9. of the Administrative Procedures for Filing, Signing and Verifying Pleadings and Papers by Electronic Means, a registered user is responsible for ensuring their mailing address, primary email address, and telephone number are kept up-to-date with this court by updating the information in their PACER account. To update your information, log into PACER.gov and click the Maintenance tab to Update this information with this court. (kld)
03/22/2021	25	Consent MOTION for Extension of Time to File Response/Reply by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Williams, Mario)
03/23/2021	26	Oral ORDER granting 25 Motion for Extension of Time to File Response/Reply, Responses due by 3/26/2021. Entered by Judge Elizabeth K. Dillon on March 23, 2021. <i>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</i> (mf)
03/26/2021	27	WAIVER OF SERVICE Returned Executed by Consumer Financial Protection Bureau. Evan Ajin waiver sent on 2/23/2021, answer due 4/26/2021; Micheal Donovan waiver sent on 2/23/2021, answer due 4/26/2021; Libre by Nexus, Inc. waiver sent on 2/23/2021, answer due 4/26/2021; Richard Moore waiver sent on 2/23/2021, answer due 4/26/2021; Nexus Services, Inc. waiver sent on 2/23/2021, answer due 4/26/2021.(Nguyen, Hai Binh)
03/26/2021	28	REPLY to Response to Motion re 18 MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> . filed by Evan Ajin, Micheal

		Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Williams, Mario)
03/29/2021	29	MOTION for <i>John M. Shoreman</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3663376. by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Williams, Mario)
03/30/2021	30	NOTICE of Hearing: (N) (No Interpreter requested) Rule 16 Status Conference set for May 24, 2021 at 1:00 PM by telephone conference call before Judge Elizabeth K. Dillon. (Chambers sent the dial-in information to the parties by email.)(mf)
03/31/2021	31	Withdrawn on 6/22/2021 per Oral Order at doc# 44 MOTION to Stay by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Williams, Mario) Modified on 6/22/2021 (jv).
04/08/2021	32	RESPONSE in Opposition re 31 MOTION to Stay . filed by Commonwealth of Massachusetts, Commonwealth of Virginia, Consumer Financial Protection Bureau, The People of the State of New York. (Gordon, Donald)
04/13/2021	33	NOTICE of Hearing on Motion 31 MOTION to Stay , 18 MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> : (CR) (No Interpreter requested) (Click on this link for guidance for participation via Zoom and Click on this link for instructions on how to listen to public hearings) Motion Hearing set for May 24, 2021 at 1:00 PM in via Zoom before Judge Elizabeth K. Dillon. (mf)
04/13/2021	34	Oral ORDER granting 29 MOTION to Appear Pro Hac Vice; Attorney John M. Shoreman for Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, and Nexus Services, Inc. added. Entered by Judge Elizabeth K. Dillon on 4/13/2021. <i>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</i> (jv)
04/15/2021	35	REPLY to Response to Motion re 31 MOTION to Stay . filed by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Williams, Mario)
05/21/2021	36	MOTION to Continue <i>May 24, 2021 Hearing and Rule 16 Conference</i> by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Williams, Mario)
05/24/2021	37	Oral ORDER granting 36 Motion to Continue. Entered by Judge Elizabeth K. Dillon on May 24, 2021. (Chambers will work with the parties to reschedule this hearing.) <i>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</i> (mf)

06/01/2021	38	NOTICE of Hearing on Motion 31 MOTION to Stay , 18 MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> : (CR) (No Interpreter requested) (Click on this link for guidance for participation via Zoom and Click on this link for instructions on how to listen to public hearings)and Rule 16 Conference ----- Motion Hearing set for June 22, 2021 at 1:00 PM via Zoom before Judge Elizabeth K. Dillon. (mf)
06/21/2021	39	MOTION to Withdraw as Attorney by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Williams, Mario)
06/21/2021	40	MOTION to Withdraw as Attorney by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Shoreman, John)
06/22/2021	41	REPORT of Rule 26(f) Planning Meeting (Witte, Erin)
06/22/2021	42	Consent MOTION for Protective Order <i>and Order Regarding Discovery of Electronically Stored Information</i> by Commonwealth of Virginia. (Attachments: # 1 Exhibit Stipulated Protective Order, # 2 Exhibit Stipulated ESI Order)(Witte, Erin)
06/22/2021	43	Minute Entry for proceedings held before Judge Elizabeth K. Dillon: Motion Hearing held on 6/22/2021 re 31 MOTION to Stay filed by Evan Ajin, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc., Micheal Donovan, 18 MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> filed by Evan Ajin, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc., Micheal Donovan. (Court Reporter: L. Blair) (bwd)
06/22/2021	44	Oral ORDER withdrawing 31 Motion to Stay Case Entered by Judge Elizabeth K. Dillon on 6/22/2021. <i>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</i> (bwd)
07/02/2021	45	RESPONSE in Opposition re 39 MOTION to Withdraw as Attorney . filed by Commonwealth of Virginia. (Witte, Erin)
07/02/2021	46	RESPONSE in Opposition re 40 MOTION to Withdraw as Attorney . filed by Commonwealth of Virginia. (Witte, Erin)
07/14/2021	47	Second MOTION to Withdraw as Attorney <i>as to Mario B. Williams and John M. Shoreman</i> by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order Proposed Order)(Shoreman, John)
07/16/2021	48	RESPONSE in Opposition re 47 Second MOTION to Withdraw as Attorney <i>as to Mario B. Williams and John M. Shoreman</i> . filed by Commonwealth of Massachusetts, Commonwealth of Virginia,

		Consumer Financial Protection Bureau, The People of the State of New York. (Dearing, Stewart)
08/06/2021	49	Oral ORDER granting 42 Motion for Protective Order. Entered by Judge Elizabeth K. Dillon on 8/6/2021. <i>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</i> (jv)
08/06/2021	50	STIPULATED ORDER REGARDING DISCOVERY OF ELECTRONICALLY STORED INFORMATION. Signed by Judge Elizabeth K. Dillon on 8/6/2021. (jv)
08/06/2021	51	STIPULATED PROTECTIVE ORDER. Signed by Judge Elizabeth K. Dillon on 8/6/2021. (jv)
08/16/2021	52	NOTICE of Appearance by Samantha Katie Collins on behalf of All Defendants (Collins, Samantha)
08/16/2021	53	MOTION for <i>J.H. Jennifer Lee</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3767620. by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Collins, Samantha)
08/16/2021	54	MOTION for <i>David G. Bayles</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number AVAWDC-3767642. by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Collins, Samantha)
08/23/2021	55	Oral ORDER granting 53 MOTION for J.H. Jennifer Lee to Appear Pro Hac Vice; granting 54 MOTION for David G. Bayles to Appear Pro Hac Vice. Entered by Judge Elizabeth K. Dillon on 8/23/2021. <i>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</i> (jv)
08/24/2021	56	NOTICE of Appearance by David Grant Bayles on behalf of All Defendants (Bayles, David)
08/24/2021	57	NOTICE of Appearance by J.H. Jennifer Lee on behalf of All Defendants (Lee, J.H. Jennifer)
09/01/2021	58	TRANSCRIPT REQUEST (Hourly Service) by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc. for Hearings on Motion to Dismiss & Motion to Stay held on 6/22/2021 reported by Court Reporter L. Blair before Judge Elizabeth K. Dillon. <i>Transcript Due Deadline will be set when Financial Arrangements are made.</i> (Bayles, David)
09/02/2021	59	Financial arrangements made (Original) (Daily Service) re 58 Transcript Request, Transcript due by 9/3/2021. (lmb)
09/02/2021	60	TRANSCRIPT of Proceedings: Motions (EXCERPT FROM TRANSCRIPT OF OPENING STATEMENTS AND MOTION TO STAY) held on 6/22/21 before Judge Dillon. Court Reporter/Transcriber Lisa Blair, Telephone number

		434.409.4575. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vawd.uscourts.gov Transcript may be viewed at the court public terminal or purchased through Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER unless a Redacted Transcript has been filed. Redaction Request due 9/23/2021. Redacted Transcript Deadline set for 10/4/2021. Release of Transcript Restriction set for 12/1/2021. (lmb) Correction made to docket text. Modified on 9/2/2021 (sad).
09/02/2021	61	TRANSCRIPT REQUEST (Hourly Service) by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc. for Hearings on Motion to Dismiss & Motion to Stay held on 6/22/2021 reported by Court Reporter L. Blair before Judge Elizabeth K. Dillon. <i>Transcript Due Deadline will be set when Financial Arrangements are made.</i> (Bayles, David) Duplicate entry. Modified on 9/2/2021 (sad).
09/02/2021	62	TRANSCRIPT REQUEST (14 calendar days Service) by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc. for Hearings on Motion to Dismiss & Motion to Stay held on 6/22/2021 reported by Court Reporter L. Blair before Judge Elizabeth K. Dillon. <i>Transcript Due Deadline will be set when Financial Arrangements are made.</i> (Bayles, David)
09/03/2021	63	Financial arrangements made (Original) (14 calendar days Service) re 62 Transcript Request, Transcript due by 9/17/2021. (lmb)
09/03/2021	64	TRANSCRIPT of Proceedings: Motions held on 6/22/2021 before Judge Dillon. Court Reporter/Transcriber Lisa Blair, Telephone number 434.409.4575. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vawd.uscourts.gov Transcript may be viewed at the court public terminal or purchased through Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER unless a Redacted Transcript has been filed. Redaction Request due 9/24/2021. Redacted Transcript Deadline set for 10/4/2021. Release of Transcript Restriction set for 12/2/2021. (lmb) Correction made to hearing date. Modified on 9/3/2021 (sad).

09/13/2021	65	NOTICE of Hearing: (CR) (No Interpreter requested) Bench Trial set for January 30 through February 17, 2023 at 9:30 AM in Harrisonburg before Judge Elizabeth K. Dillon. Counsel must contact the Clerk's Office no later than five (5) business days before the scheduled trial date for your technology needs. (mf)
09/13/2021	66	SCHEDULING ORDER:(Bench Trial set for 1/30/2023 - 2/17/2023 09:30 AM in Harrisonburg before Judge Elizabeth K. Dillon. Counsel must contact the Clerk's Office no later than five (5) business days before the scheduled trial date for your technology needs.), CASE REFERRED to Magistrate Judge Joel C. Hoppe. Motions referred to Joel C. Hoppe.. Signed by Judge Elizabeth K. Dillon on 9/13/2021. (jv)
09/13/2021	67	MOTION to Stay <i>Discovery and</i> , MOTION to Quash <i>Third Party Subpoenas</i> by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc.. Motions referred to Judge Joel C. Hoppe. (Attachments: # 1 Declaration in Support to Revived Motion To Stay Discovery And Motion To Quash Third-Party Subpoenas)(Lee, J.H. Jennifer)
09/14/2021	68	Declaration re 67 MOTION to Stay <i>Discovery and</i> MOTION to Quash <i>Third Party Subpoenas</i> CORRECTED Declaration of Micheal Donovan by Evan Ajin, Micheal Donovan, Libre by Nexus, Inc., Richard Moore, Nexus Services, Inc. (Lee, J.H. Jennifer)
09/16/2021	69	TRANSCRIPT REQUEST (Daily Service) <i>Hai Binh Nguyen</i> by Consumer Financial Protection Bureau for Hearing for Motion to Dismiss and Stay held on 6/22/2021 reported by Court Reporter Lisa Blair before Judge Elizabeth K. Dillon. <i>Transcript Due Deadline will be set when Financial Arrangements are made.</i> (Nguyen, Hai Binh)
09/17/2021	70	Financial arrangements made (Copy) (Daily Service) re 69 Transcript Request, Transcript due by 9/20/2021. (lmb)
09/17/2021	71	Transcript Copy Delivered re 69 Transcript Request, (lmb)

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Transaction Receipt

09/19/2021 11:15:30

PACER Login:	CRClearinghouse	Client Code:	
Description:	Docket Report	Search Criteria:	5:21-cv-00016-EKD-JCH
Billable Pages:	11	Cost:	1.10
Exempt flag:	Not Exempt	Exempt reason:	Not Exempt

