

Americans for Financial Reform
Arkansans Against Abusive Payday Lending
Center for Economic Integrity
Center for Responsible Lending
Consumer Action
Consumer Federation of America
Florida Alliance
Georgetown University Law Center
Georgia Watch
Jacksonville Area Legal Aid, Inc.
National Association of Consumer Advocates
National Association of Consumer Bankruptcy Attorneys
National Consumer Law Center (on behalf of its low income clients)
North Carolina Justice Center
Notre Dame Law School
Public Justice Center
Tennessee Citizen Action
Texas Appleseed
U.S. PIRG
Woodstock Institute
Virginia Poverty Law Center

November 17, 2015

By email to: Leslie Hicks@sdd.uscourts.gov

The Honorable Roberto Lange
United States District Judge
United States Post Office & Courthouse
225 South Pierre Street
Pierre, SD 57501

Re: Heldt et al. v. Payday Financial et. Al Case No. 3:13-cv-3023-RAL

Dear Judge Lange:

It has come to the attention of the undersigned consumer, civil rights and community organizations that a proposed nationwide class action settlement has been filed in this Court and is set for a hearing on preliminary approval before Your Honor on November 20, 2015. We understand that the settlement purports to release consumer-protection claims nationwide arising out of CashCall and Western Sky's internet payday lending activities, including claims represented in actions pending in other states and even claims that have already been settled in other cases.

Our organizations have worked for years to address the significant consumer harm resulting from internet payday lending activities, including the actions of CashCall and Western Sky. We are deeply concerned that the proposed settlement may directly and adversely and improperly

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implicate pending enforcement actions and private cases throughout country. Also of concern is the impact of the Settlement on existing agreements and orders from cases that have resolved.

Accordingly, we respectfully request that Your Honor continue the hearing on preliminary approval by at least 60 days to permit our organizations, as well as federal and state regulatory and enforcement authorities, to adequately review the proposed settlement and determine what response is appropriate. By simply postponing the preliminary approval of this Settlement, the Court would eliminate the substantial risk of confusion to impacted consumers receiving notice of this Settlement where this and so many other stakeholders anticipate important fairness concerns.

Sincerely,

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