

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**COMMUNITY FINANCIAL SERVICES
ASSOCIATION OF AMERICA, LTD., et al.,**

Plaintiffs,

v.

**FEDERAL DEPOSIT INSURANCE
CORPORATION, et al.,**

Defendants.

Civil Action No. 14-953-GK

DECLARATION OF RICHARD NAUMANN

Pursuant to 28 U.S.C. § 1746 and LCvR 11.2, I hereby declare as follows:

1. I was the sole owner and operator of Calaveras Cash located at 253 S. Main Street, Angles Camp, Calaveras County, California. Calaveras Cash was a provider of payday loans and check cashing services until it was forced to close its doors on October 31, 2014 when Umpqua Bank terminated its longstanding banking relationship with my business and I was unable to find another bank willing to open an account for a payday lender.

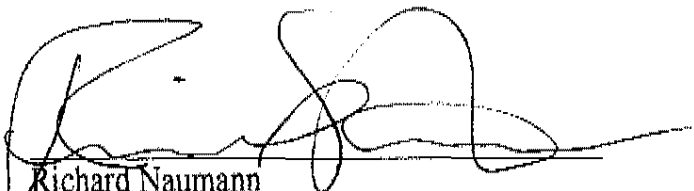
2. Calaveras Cash opened for business on November 10, 2009 and was a profitable and successful small business for many years. In my estimation, through this business, I provided a valuable service to my customers who had very limited options in the extremely rural county in which we reside, and my relationship with my bank, Umpqua, was profitable for both of us – it allowed me to operate my business and the majority of my customers cashed their checks with Umpqua allowing the bank to collect substantial fees.

3. I began banking with Umpqua when I opened a banking account for Calaveras Cash on or about Oct. 10, 2009. I had an excellent relationship with Umpqua with no complaints or concerns ever being expressed regarding Calaveras Cash. To the contrary, the bank manager of the local Umpqua bank branch was in tears when she had to tell me she was being forced to terminate the banking relationship with Calaveras Cash because of the pressure the bank was receiving from its federal regulators not to do business with payday lenders. This manager felt awful that she was being forced to close my business account and did everything she could to help me knowing how detrimental this would be for my business.

4. When I learned on or about September 16, 2014 that Umpqua was closing my account, a copy of the letter I received is attached hereto as Exhibit A, I tried to locate a new banking provider. I initially approached the Bank of Stockton as my prior bank manager had talked with them and thought they would open an account for me, but when I spoke with the bank manager and she had a clearer understanding of my business and that Calaveras Cash provided payday loans, she informed me that corporate would not allow the account to be opened. I approached every other bank in Calaveras County to try and open a new business account for Calaveras Cash with no success. One of the banks I talked to about moving my banking business there told me that to try and do business with a payday lender would put them in regulatory hell. Ultimately, unable to find a bank willing to provide banking services to Calaveras Cash, I was forced to close its doors and completely shut down business on October 31, 2014.

5. If the regulatory environment were to change and if I could find a bank that would be willing to do business with me, I would reopen Calaveras Cash.

6. I declare under penalty of perjury that the foregoing is true and correct.



Richard Naumann

1-9-2017
Dated

EXHIBIT A



September 16, 2014

Richard Naumann

dba Calaveras Cash

PO Box 1229

Murphys, CA 95247-1229

Re: Closure of Account # 991915620

Dear Mr. Naumann,

Umpqua Bank has determined that maintaining your deposit account relationship is no longer mutually beneficial and has decided to exercise our right to terminate your banking relationship as outlined within the Terms and Conditions document you received at the time of account opening. Due to the decision to terminate your deposit account relationship, all Umpqua Bank deposit accounts and services you currently have will be closed.

Your deposit account relationship will be closed effective **October 16, 2014**. In the event you have not closed your deposit account relationship prior to **October 16, 2014**, Umpqua Bank will close your deposit account relationship and mail you a cashier's check for the collected balance remaining in your deposit account relationship. Any checks presented after the closure of your deposit account relationship will be returned "account closed."

Should you require further information regarding your deposit account relationship, visit your local Umpqua Bank or contact us at the phone number below.

Sincerely,

Umpqua Bank

1-866-486-7782

Umpqua Bank
P.O. Box 1820
Roseburg, OR 97470