

1 In response to TitleMax's request for the issuance of an order setting forth my
2 legal interpretation of NRS 604A.201, NRS 604A.445, and NAC 604A.230 in advance
3 of a full hearing in this matter, I deny the request. The questions of fact at issue cannot
4 be considered separately from the questions of law presented. To determine whether
5 TitleMax has committed the violations FID has alleged, I must consider the applicable
6 statutes and regulations in the context of the contract terms imposed by TitleMax.
7 Therefore, I will conduct a full hearing in this matter for the purpose of reaching both
8 findings of fact and conclusions of law pursuant to NRS 233B.125.

9 **The parties' compliance with the October 29, 2015, procedural order and pre-**
10 **hearing objections to evidence as contained in the joint evidentiary packet**

11 On October 29, 2015, I issued a procedural order setting forth various disclosure
12 requirements and deadlines for the parties. In the parties' joint evidentiary packet
13 submitted March 30, 2016, TitleMax asserted various objections to FID's proposed
14 exhibits and argued that FID had not complied with the October 29, 2015, order by
15 notifying TitleMax of the precise type and/or amount of penalties it seeks.

16 At the conference, all of the issues raised by TitleMax regarding FID's
17 compliance with the procedural order were resolved. TitleMax indicated that it has now
18 been fully notified and apprised of the type and amount of penalties FID is seeking.
19 TitleMax also indicated that it withdrew the objections it asserted in the joint evidentiary
20 statement concerning FID's proposed exhibits that FID disclosed on November 13,
21 2015, and November 16, 2015.

22 **TitleMax's Motion for an order in limine dated December 9, 2015**

23 On December 9, 2015, TitleMax requested the issuance of an order in limine
24 precluding FID from introducing into evidence any documents that it had not disclosed
25 by November 13, 2015. At the conference and in communications following it, TitleMax
26 agreed to withdraw this request as to the documents FID produced on November 16,
27 2015. Therefore, I grant this motion in part and deny it in part. FID is permitted to use
28 as exhibits at the hearing only those documents that it disclosed to TitleMax by

1 November 16, 2015.

2 **Requests for subpoenas as contained in the joint evidentiary packet**

3 In the parties' joint evidentiary packet, TitleMax requested the issuance of
4 several subpoenas. At the conference and in communications following it, TitleMax
5 agreed to withdraw its requests if FID would commit to presenting its Commissioner,
6 George Burns, as a witness at the hearing. FID has committed to presenting the
7 Commissioner as a witness at the hearing, and therefore TitleMax has withdrawn its
8 request for subpoenas.

9 **Hearing Date and Time**

10 The hearing in this matter will take place starting July 18, 2016, 2016, at the
11 Nevada Financial Institutions Division, 2785 E. Desert Inn Rd. Ste. 180, Las Vegas, NV
12 89121 beginning at 9:00 a.m. until 5:00 p.m. or until the matter is concluded.

13 Dated this 13th day of May, 2016.

14
15
16 /s/ Denise S. McKay
17 Denise S. McKay
18 Administrative Law Judge
19 State of Nevada
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF MAILING

I, Michelle Metivier, do hereby certify that I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing PROCEDURAL ORDER to the following:

Patrick J. Reilly, Esq.
Nicole Lovelock, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

certified#7012 1010 0000 1182 0206
email: PReilly@hollandhart.com
NELovelock@hollandhart.com

David Pope, Esq.
Vivienne Rakowsky, Esq.
555 E. Washington Ave., Ste. 3900
Las Vegas, NV 89101

certified#7012 1010 0000 1182 0213
email: DPope@ag.nv.gov
VRakowsky@ag.nv.gov

Dated this 13th day of May, 2016.

