

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA | ) |                                |
|                          | ) |                                |
| Plaintiff,               | ) |                                |
|                          | ) |                                |
| v.                       | ) | Case No. 2:22-cv-02667-SHL-tmp |
|                          | ) |                                |
| EVOLVE BANK AND TRUST    | ) |                                |
|                          | ) |                                |
| Defendant.               | ) |                                |
| _____                    | ) |                                |

**PLAINTIFF’S UNOPPOSED MOTION TO TERMINATE CONSENT ORDER  
AND DISMISS WITH PREJUDICE AND MEMORANDUM IN SUPPORT**

Plaintiff United States of America, pursuant to Rules 41(a)(2) and 60(b) of the Federal Rules of Civil Procedure, hereby moves the Court to terminate the Consent Order entered in this case and to dismiss this case with prejudice. On October 17, 2022, the Court entered a Consent Order between the United States and Defendant Evolve Bank and Trust. ECF No. 12.

In support of this motion, the United States avers that Defendant has complied with the requirements in the Consent Order to compensate aggrieved borrowers and pay a civil penalty to the United States, and Defendant is in substantial compliance with the injunctive terms of the Consent Order. The United States has consulted with counsel for Defendant who does not oppose this motion.

Accordingly, Plaintiff respectfully requests that the Court enter an order terminating the Consent Order and dismissing this case with prejudice.

Respectfully submitted,

Dated: May 13, 2025

JOSEPH C. MURPHY, JR.  
Acting United States Attorney  
Western District of Tennessee

HARMEET K. DHILLON  
Assistant Attorney General  
Civil Rights Division

MICHAEL E. GATES  
Deputy Assistant Attorney General  
Civil Rights Division

CARRIE PAGNUCCO  
Chief

/s/ Eileen Kuo

EILEEN KUO (TN Bar No. 027365)  
Assistant United States Attorney  
United States Attorney's Office  
Western District of Tennessee  
167 North Main Street, Suite 800  
Memphis, TN 38103  
Phone: (901) 544-4231  
Fax: (901) 544-4230  
[Eileen.Kuo@usdoj.gov](mailto:Eileen.Kuo@usdoj.gov)

/s/ Katherine A. Raimondo

JENNIFER A. SLAGLE PECK  
Deputy Chief  
KATHERINE A. RAIMONDO  
Special Litigation Counsel  
Housing & Civil Enforcement Section  
950 Pennsylvania Ave. NW – 4CON  
Washington, DC 20530  
Phone: (202) 353-5817  
Fax: (202) 514-1116  
[Katherine.Raimondo@usdoj.gov](mailto:Katherine.Raimondo@usdoj.gov)

**CERTIFICATE OF CONSULTATION**

I certify that on May 9 and May 13, 2025, I consulted with Defendant's counsel regarding this motion and Defendant's counsel does not oppose the relief requested herein.

s/ Katherine A. Raimondo  
Katherine A. Raimondo

**CERTIFICATE OF SERVICE**

I certify that on May 13, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filings to all counsel of record.

s/ Katherine A. Raimondo  
Katherine A. Raimondo