

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of)
)
Louisiana Real Estate Appraisers Board,)
)
 Respondents)
_____)

DOCKET NO. 9374

**NON-PARTY XOME VALUATION SERVICES LLC’S
MOTION FOR *IN CAMERA* TREATMENT**

Counsel for non-party Xome Valuation Services LLC (“Xome”), pursuant to Rule 3.45(b) of the Federal Trade Commission’s Rules of Practice. 16 C.F.R. § 3.45(b), respectfully moves this Court for *in camera* treatment for five years for 12 competitively-sensitive, confidential business documents (the “Confidential Documents”).

Respectfully submitted,

/s Adam J. Biegel
Adam J. Biegel
Hilla Shimshoni
ALSTON & BIRD LLP
950 F Street, NW
Washington, DC 20004
Phone: (202) 239-3300
Adam.Biegel@alston.com
Hilla.Shimshoni@alston.com

*Counsel for Non-Party
Xome Valuation Services LLC*

DATED: March 12, 2021

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of)	
)	
Louisiana Real Estate Appraisers Board,)	DOCKET NO. 9374
)	
Respondents)	
)	

**NON-PARTY XOME VALUATION SERVICES LLC’S
MEMORANDUM OF LAW IN SUPPORT OF ITS
MOTION FOR *IN CAMERA* TREATMENT**

Pursuant to Rule 3.45(b) of the Federal Trade Commission’s Rules of Practice. 16 C.F.R. § 3.45(b), counsel for non-party Xome Valuation Services LLC (“Xome” or “the Company”) submits this Memorandum of Law in support of Xome’s motion, filed this date, for *in camera* treatment for five years of 12 competitively-sensitive, confidential business documents (the “Confidential Documents”). Xome provides technology and data enhanced solutions to homebuyers, home sellers, real estate agents and companies engaged in the origination and/or servicing of mortgage loans. Xome is the successor in interest to four different entities – Assurant Appraisals, LLC (“Assurant”), StreetLinks LLC (“StreetLinks”), Axios Valuation Solutions, LLC (“Axios”), and Xome Settlement Services LLC (“Xome Settlement”).

Counsel for The Federal Trade Commission (“FTC”) and counsel for Respondent Louisiana Real Estate Appraisers Board (“LREAB”) have stated that they do not intend to oppose Xome’s Motion. A corresponding Statement Regarding Meet and Confer is appended to this Memorandum.

Xome Settlement, Assurant, StreetLinks and Axios produced the Confidential Documents in response to non-party subpoenas in this matter. The FTC has now notified Xome that it intends

to introduce into evidence at the administrative trial in this matter three of the Confidential Documents and Respondent LREAB has notified Xome that it intends to introduce into evidence at the administrative trial in this matter 12 of the Confidential Documents. *See* Letter from the FTC dated June 20, 2019 (attached as Exhibit A); Letter from LREAB dated June 20, 2019 (attached as Exhibit B).

The exhibits for which Xome is seeking *in camera* treatment are confidential business documents that contain information regarding Xome Settlement's, Assurant's, StreetLinks's and Axios's fees, methodology for setting the fees, client names, and detailed geographic scope of operations. If these documents were to become part of the public record, Xome would be significantly harmed. For the reasons discussed in this motion, Xome respectfully requests that the Confidential Documents be afforded *in camera* treatment. In support of the motion, Xome relies on the Affidavit of Jason Little, Vice President & Associate General Counsel at Xome ("Little Declaration"), attached as Exhibit C, which provides additional details regarding the Confidential Documents.

I. The Documents for Which Protection is Sought

Xome seeks *in camera* treatment for the following Confidential Documents, copies of which are attached under seal in Exhibit D.

Exhibit No.	Document Title/Description	Date	Beginning Bates No.	Ending Bates No.
CX3327/ RX0520	Axios Narrative Response to CID	6/29/2016	FTC-PROD-0000479	FTC-PROD-0000483
CX3336/ RX0733	Letter from Michael J. Floyd to Lisa B. Kopchik re: Transmittal Letter for File Number/Matter Number 161-0068	6/29/2016	FTC-PROD-0010352	FTC-PROD-0010356

CX3340/ RX0744	Letter from Adam J. Biegel to Lisa B. Kopchik re: Civil Investigative Demand ("CID") issued to Xome Settlement Services LLC ("Xome") dated June 9, 2016, In the Matter of Louisiana Real Estate Appraisal Board, FTC File No. 161-0068	7/1/2016	FTC-PROD-0013438	FTC-PROD-0013442
RX0516	Assurant Appraisals, LLC Customary and Reasonable Fees document	2/2/2018	ASR_LREAB00000002	ASR_LREAB00000003
RX0517	Assurant Appraisals, LLC data spreadsheet in response to Constantine Cannon 1/14/2018 subpoena	2/15/2018	ASR_LREAB000000004	ASR_LREAB000000004
RX0518	Assurant Appraisals, LLC data spreadsheet in response to Constantine Cannon 1/14/2018 subpoena	2/15/2018	ASR_LREAB000000005	ASR_LREAB000000005
RX0519	Assurant Appraisals, LLC Declaration of Chad Barker and Responses and Objections to Subpoena issued by Constantine Cannon	2/15/2018	ASR_LREAB000000006	ASR_LREAB000000013
RX0521	Axios Valuation Solutions CID data spreadsheet	6/29/2016	FTC -PROD-0000492	FTC-PROD-0000492
RX0734	StreetLinks CID data spreadsheet	6/29/2016	FTC-PROD-0010357	FTC-PROD-0010357
RX0745	Xome Settlement Services, LLC Appraiser Scoring Criteria	7/1/2016	FTC-PROD-0013456	FTC-PROD-0013457
RX0746	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013454	FTC-PROD-0013454
RX0747	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013455	FTC-PROD-0013455

II. Xome's Documents are Secret and Material to Xome's Business and Their Disclosure Would Result in Serious Injury to the Company

In camera treatment of material is appropriate when its "public disclosure will likely result in a clearly defined, serious injury to the person, partnership, or corporation requesting" such

treatment. 16 C.F.R. § 3.45(b). The proponent demonstrates serious competitive injury by showing that the documents are secret and that they are material to the business. *In re 1-800 Contacts, Inc.*, No. 9372, 2017 FTC LEXIS 55, at *2-3 (Apr. 4, 2017); *In re Gen. Foods Corp.*, 95 F.T.C. 352, 355 (1980); *In re Dura Lube Corp.*, No. 9292, 1999 FTC. LEXIS 255, at *5 (Dec. 23, 1999). In this context, courts generally attempt “to protect confidential business information from unnecessary airing.” *H.P. Hood & Sons, Inc.*, 58 F.T.C. 1184, 1188 (1961).

In considering both secrecy and materiality, the Court may consider: (1) the extent to which the information is known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken to guard the secrecy of the information; (4) the value of the information to the business and its competitors; (5) the amount of effort or money expended in developing the information; and (6) the ease or difficulty with which the information could be acquired or duplicated by others. *In re Bristol-Myers Co.*, 90 F.T.C. 455, 456-57 (1977). As discussed in the Little Declaration, the Confidential Documents relate to Xome Settlement’s, Assurant’s, StreetLinks’s and Axios’s fees, its methodology for setting the fees, its business relationship with client and its geographic scope of operations. Such information is both secret and material to Xome’s business and, as set forth below, satisfies the standard for *in camera* treatment.

The Commission has recognized the propriety of granting *in camera* treatment to business records. *See, e.g., In re McWane, Inc.*, No. 9351, 2012 WL 3862131, at *2 (F.T.C. Aug. 17, 2012); *In re Champion Spark Plug Co.*, No. 9141, 1982 FTC LEXIS 85, at *2 (Apr. 5, 1982); *H.P. Hood & Sons, Inc.*, 58 F.T.C. at 1188-89; *In re Kaiser Aluminum & Chem. Corp.*, 103 F.T.C. 500, 500 (May 25, 1984). Thus, the information for which Xome seeks *in camera* treatment is eligible to receive it.

Xome has taken significant steps to protect the confidential information contained in the Confidential Documents, which was produced pursuant to compulsory processes and under the terms of the May 31, 2017, Protective Order Governing Confidential Material in this matter (the “Protective Order”) that was issued to protect the information contained in the Confidential Documents at question here. Pursuant to the Protective Order, Xome Settlement’s, Assurant’s, StreetLinks’s and Axios’s counsel designated the documents as “Confidential” to avoid any public disclosure. Furthermore, Xome takes substantial measures to guard the secrecy of the information contained in the Confidential Documents by limiting the dissemination of that information and taking every reasonable step to protect its confidentiality. The information contained in the Confidential Documents is only disclosed to Xome management and employees. As described in more detail in the Little Declaration, the information contained in the Confidential Documents relates to Xome’s fees and the methodology for setting those fees is not and would not otherwise become publicly available.

Finally, Xome’s status as a non-party is relevant to the treatment of its documents. The FTC has held that “[t]here can be no question that the confidential records of businesses involved in Commission proceedings should be protected insofar as possible.” *H.P. Hood & Sons*, 58 F.T.C. at 1186. This is especially so in the case of a non-party, which deserves “special solicitude” in its request for *in camera* treatment for its confidential business information. *See In re Kaiser Aluminum.*, 103 F.T.C. at 500 (“As a policy matter, extensions of confidential or *in camera* treatment in appropriate cases involving third party bystanders encourages cooperation with future adjudicative discovery requests.”). Xome’s non-party status therefore weighs in favor of granting *in camera* status to the Confidential Documents.

III. IN CAMERA PROTECTION SHOULD EXTEND FOR FIVE YEARS

Because of the highly confidential and proprietary nature of the information contained in the Confidential Documents – competitively significant information that Xome continues to use and considers key to its business strategies, performance, and ongoing operations – lasting protection is appropriate in order to ensure avoidance of the competitive injuries to Xome’s business outlined above. *See In re 1-800 Contacts*, 2017 FTC LEXIS 55, at *3, *8 (recognizing that *in camera* treatment is appropriate where the material remains “competitively sensitive.”). As the Commission has previously recognized, if such Confidential Documents are disclosed, Xome will lose the advantages that it currently enjoys based on its efforts to maintain the confidentiality of the information contained in the Confidential Documents. *In re Otto Bock Healthcare N. Am., Inc.*, No. 9378, 2018 FTC LEXIS 111, at *11 (July 6, 2018) (granting *in camera* treatment for five years from time of order to non-party’s ordinary course business documents, including documents containing product level sales data and pricing information); *In re 1-800 Contacts*, 2017 FTC LEXIS 55, at *2-3. Therefore, and in recognizing the presumption of a public trial in this proceeding, Xome respectfully requests that the information contained in the Confidential Documents be afforded narrow *in camera* protection, limited to a period of five years.

IV. Conclusion

For the reasons set forth above and in the accompanying Little Declaration, Xome respectfully requests that this Court grant *in camera* treatment for five years for the information contained in the Confidential Documents.

Respectfully submitted,

/s Adam J. Biegel

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*Counsel for Non-Party
Xome Valuation Services LLC*

DATED: March 12, 2021

EXHIBIT A



Bureau of Competition
Anticompetitive Practices Division

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

June 20, 2019

Via E-Mail

Xome Settlement Services, LLC
c/o Adam Biegel, Esq.
adam.biegel@alston.com

RE: *In re Louisiana Real Estate Appraisers Board*, FTC Dkt. No. 9374

Dear Mr. Biegel:

By this letter we are providing formal notice, pursuant to Rule 3.45(b) of the Commission's Rules of Practice, 16 C.F.R. § 3.45(b), that Complaint Counsel intend to offer the documents and testimony referenced in the enclosed Attachment A into evidence in the administrative trial in the above-captioned matter. The administrative trial is currently scheduled to begin on September 17, 2019. All exhibits admitted into evidence become part of the public record unless *in camera* status is granted by Administrative Law Judge D. Michael Chappell.

For documents or testimony that include sensitive or confidential information that you do not want on the public record, you must file a motion seeking *in camera* status or other confidentiality protections pursuant to 16 C.F.R §§ 3.45, 4.10(g). Judge Chappell may order that materials, whether admitted or rejected as evidence, be placed *in camera* only after finding that their public disclosure will likely result in a clearly defined, serious injury to the person, partnership, or corporation requesting *in camera* treatment.

Motions for *in camera* treatment for evidence to be introduced at trial must meet the strict standards set forth in 16 C.F.R. § 3.45 and explained in *In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS 55 (April 4, 2017); *In re Jerk*, 2015 FTC LEXIS (Feb. 23, 2015); and *In re Basic Research, Inc.*, 2006 FTC LEXIS 14 (Jan. 25, 2006). Motions also must be supported by a declaration or affidavit by a person qualified to explain the confidential nature of the documents. *In re North Texas Specialty Physicians*, 2004 FTC LEXIS 66 (April 23, 2004). You must also provide one copy of the documents for which *in camera* treatment is sought to the Administrative Law Judge.

Under the operative Fourth Revised Scheduling Order, your deadline for filing motions seeking *in camera* treatment is **August 2, 2019**.

If you have any questions, please feel free to contact me at (202) 326-2435.

Sincerely,

/s/ Nathaniel Hopkin

Nathaniel M. Hopkin

Counsel Supporting the Complaint

Attachment A

Exhibit No.	Description	Date	Bates - Begin	Bates - End
CX3340	Letter from Adam J. Biegel to Lisa B. Kopchik re: Civil Investigative Demand ("CID") issued to Xome Settlement Servfoes LLC ("Xome") dated June 9, 2016, In the Matter of Louisiana Real Estate Appraisal Board, FTC File No. 161-0068	7/1/2016	FTC-PROD-0013438	FTC-PROD-0013442

EXHIBIT B

CONSTANTINE CANNON LLP

WASHINGTON | NEW YORK | SAN FRANCISCO | LONDON

James J. Kovacs

Attorney

202-204-3518

jkovacs@constantinecannon.com

June 20, 2019

Via E-Mail and Mail

Adam J. Biegel

Alston & Bird

The Atlantic Building

950 F. Street, NW

Washington, DC 20004

Re: *In the Matter of Louisiana Real Estate Appraisers Board*, FTC Dkt. 9374

Dear Mr. Biegel,

This letter will constitute notice to your client Xome Settlement Services, LLC, pursuant to 16 C.F.R. § 3.45(b) and paragraph 7 of the July 6, 2017 Scheduling Order in the above-captioned matter, that Respondent Louisiana Real Estate Appraisers Board (“LREAB”) intends to use the materials referenced on the attached Exhibit A as evidence at the administrative trial scheduled to begin on September 17, 2019. All exhibits admitted into evidence become part of the public record unless *in camera* treatment is granted by Administrative Law Judge D. Michael Chappell.

Pursuant to 16 C.F.R. § 3.45, for documents or testimony that you believe include sensitive or confidential information that you do not want on the public record, you must file a motion for *in camera* status with Judge Chappell. As indicated in paragraph 7 of the July 6, 2017 Scheduling Order, motions for *in camera* treatment for evidence to be introduced at trial must meet the strict standards set forth in 16 C.F.R. § 3.45, explained in *In re I-800 Contacts, Inc.*, 2017 FTC LEXIS 55 (April 4, 2017); *In re Jerk, LLC*, 2015 FTC LEXIS (Feb. 23, 2015); *In re Basic Research, Inc.*, 2006 FTC LEXIS 14 (Jan. 25, 2006). Motions also must be supported by a declaration or affidavit by a person qualified to explain the confidential nature of the documents. *In re I-800 Contacts, Inc.*, 2017 FTC LEXIS 55 (April 4, 2017); *In re North Texas Specialty Physicians*, 2004 FTC LEXIS 66 (April 23, 2004). Each party or non-party that files a motion for *in camera* treatment shall provide one copy of the documents for which *in camera* treatment is sought to the Administrative Law Judge.

CONSTANTINE CANNON LLP

WASHINGTON | NEW YORK | SAN FRANCISCO | LONDON

June 20, 2019

Page 2

Under the Fourth Revised Scheduling Order dated March 26, 2019, the deadline for filing motions seeking in camera status is **August 2, 2019**.

Please contact me via email or at (202) 204-3518 if you have any questions regarding the foregoing.

Best regards,

/s/ James J. Kovacs

James J. Kovacs

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June 20, 2019
Page 3

EXHIBIT A

CONSTANTINE CANNON LLP

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June 20, 2019

Page 4

Exhibit #	Description	Date	Beg Bates	End Bates
RX0744	Letter from Adam J. Biegel to Lisa Kopchik re: CID issued to Xome Settlement Services LLC dated June 9, 2016, In the Matter of Louisiana Real Estate Appraisal Board, FTC File No. 161-0068	7/1/2016	FTC-PROD-0013438	FTC-PROD-0013442
RX0745	Xome Settlement Services, LLC Appraiser Scoring Criteria	7/1/2016	FTC-PROD-0013456	FTC-PROD-0013457
RX0746	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013454	FTC-PROD-0013454
RX0747	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013455	FTC-PROD-0013455

EXHIBIT C

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of)
)
Louisiana Real Estate Appraisers Board,) **PUBLIC**
)
 Respondents) DOCKET NO. 9374
_____)

**DECLARATION OF JASON LITTLE IN SUPPORT OF
NON-PARTY XOME SETTLEMENT SERVICES, LLC'S
MOTION FOR *IN CAMERA* TREATMENT**

I, Jason Little, hereby declare as follows:

1. I am a Vice President & Associate General Counsel at Xome Settlement Services, LLC (“Xome”). Xome is the successor in interest to three different entities — Assurant Appraisals, LLC (“Assurant”), StreetLinks LLC (“StreetLinks”) and Axios Valuation Solutions, LLC (“Axios”). I make this declaration in support of non-party Xome’s Motion for *in camera* treatment of certain information contained in certain documents (the “Motion”).

2. I have personal knowledge of the matters stated herein and, if called upon to do so, could competently testify about them.

3. Xome provides technology and data enhanced solutions to homebuyers, home sellers, real estate agents and companies engaged in the origination and/or servicing of mortgage loans.

4. I have reviewed and am familiar with the documents Xome, Assurant, StreetLinks and Axios produced in the above-captioned matter in response to subpoenas from the Federal Trade Commission (“FTC”) and the Louisiana Real Estate Appraisers Board (“LREAB”). Given my position at Xome, I am familiar with the type of information contained in the documents at issue and its competitive significance to Xome. Based on my review of the documents, my

knowledge of Xome's business, and my familiarity with the confidentiality protection afforded this type of information by Xome, the disclosure of these documents to the public and to competitors of Xome would cause serious, irreparable competitive injury to Xome.

5. The FTC has notified Xome that it intends to introduce three of the documents that Xome produced in response to a subpoena into evidence at the administrative trial in this matter. Respondent LREAB has notified Xome that it intends to introduce 12 of Xome's documents that Xome produced in response to a subpoena into evidence at the administrative trial in this matter. As described in the Motion, Xome seeks *in camera* protection for the information related to Xome's fees and the methodology for setting the fee, client names, and detailed geographic scope of operations contained in these documents which are listed below.

Exhibit No.	Document Title/Description	Date	Beginning Bates No.	Ending Bates No.
CX3327/ RX0520	Axios Narrative Response to CID	6/29/2016	FTC-PROD-0000479	FTC-PROD-0000483
CX3336/ RX0733	Letter from Michael J. Floyd to Lisa B. Kopchik re: Transmittal Letter for File Number/Matter Number 161-0068	6/29/2016	FTC-PROD-0010352	FTC-PROD-0010356
CX3340/ RX0744	Letter from Adam J. Biegel to Lisa B. Kopchik re: Civil Investigative Demand ("CID") issued to Xome Settlement Services LLC ("Xome") dated June 9, 2016, In the Matter of Louisiana Real Estate Appraisal Board, FTC File No. 161-0068	7/1/2016	FTC-PROD-0013438	FTC-PROD-0013442
RX0516	Assurant Appraisals, LLC Customary and Reasonable Fees document	2/2/2018	ASR_LREAB00000002	ASR_LREAB00000003
RX0517	Assurant Appraisals, LLC data spreadsheet in response to Constantine Cannon 1/14/2018 subpoena	2/15/2018	ASR_LREAB00000004	ASR_LREAB00000004
RX0518	Assurant Appraisals, LLC data spreadsheet in response to Constantine Cannon 1/14/2018 subpoena	2/15/2018	ASR_LREAB00000005	ASR_LREAB00000005

RX0519	Assurant Appraisals, LLC Declaration of Chad Barker and Responses and Objections to Subpoena issued by Constantine Cannon	2/15/2018	ASR_LREAB00000006	ASR_LREAB00000013
RX0521	Axios Valuation Solutions CID data spreadsheet	6/29/2016	FTC -PROD-0000492	FTC-PROD-0000492
RX0734	StreetLinks CID data spreadsheet	6/29/2016	FTC-PROD-0010357	FTC-PROD-0010357
RX0745	Xome Settlement Services, LLC Appraiser Scoring Criteria	7/1/2016	FTC-PROD-0013456	FTC-PROD-0013457
RX0746	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013454	FTC-PROD-0013454
RX0747	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013455	FTC-PROD-0013455

6. Publicly disclosing any of Xome's, Assurant's, StreetLinks's and Axios's confidential financial and strategic information is not necessary in this proceeding and could be detrimental to Xome whose only involvement in this proceeding are as a non-party.

7. Xome has taken significant steps to protect the confidential information contained in the documents identified above. Xome takes substantial measures to guard the secrecy of this confidential information by limiting the dissemination of the information and taking every reasonable step to protect its confidentiality. The information is only disclosed to Xome management and employees as needed and appropriate. The information is not, and would not, otherwise become publicly available.

8. CX3327/RX0520, CX3336/RX0733, CX3340/RX0744, contain Xome's, Assurant's, StreetLinks's and Axios's confidential, written response to the FTC's Civil Investigative Demands ("CIDs"). The response contains confidential information regarding Xome's methodology for setting the fees that Xome pays to appraisers. Disclosure of information regarding Xome's methodology for setting the fees could have a material impact on Xome's ability to conduct its business and its ability to compete. Disclosure of this information could also be used by Xome's competitors to analyze Xome's place in the market and its confidential business

strategies, giving those competitors an unfair competitive advantage over Xome. Therefore, the information related to Xome's methodology for setting the fees that Xome pays to appraisers should be given *in camera* protection.

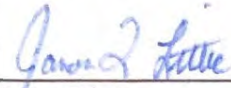
9. RX0519 contains Assurant's confidential, written response to the LREAB's subpoena. The response contains confidential information regarding Assurant's methodology for setting the fees that Assurant paid to appraisers. Disclosure of information regarding Assurant's methodology for setting the fees could have a material impact on Xome's ability to conduct its business and its ability to compete. Disclosure of this information could also be used by Xome's competitors to analyze Xome's place in the market and its confidential business strategies, giving those competitors an unfair competitive advantage over Xome. Therefore, the information related to Assurant's methodology for setting the fees that Assurant paid to appraisers should be given *in camera* protection.

10. RX0517, RX0518, RX0521, RX0734, RX0746, RX0747 contain confidential information regarding Xome's operations, including client names (as to RX0517 and RX0518), detailed geographic scope of operations, and the fees that Xome pays to appraisers (as to all identified exhibits), pulled from a confidential databases maintained by Xome, Assurant, StreetLinks and Axios. It would very difficult, if not impossible, for anyone outside of Xome to recreate this information. Disclosure of information regarding the fees that Xome pays to appraisers could have a material impact on Xome's ability to conduct its business and its ability to compete. Even though the fees are several years old, disclosure of this information could still be used by Xome's competitors to analyze Xome's current place in the market and its confidential business strategies, giving those competitors an unfair competitive advantage over Xome. Therefore, the information related to the fees that Xome pays to appraisers should be given *in camera* protection.

11. RX0516 contains a confidential document regarding Assurant's methodology for setting the fees that Assurant paid to appraisers. Disclosure of information regarding Assurant's methodology for setting the fees could have a material impact on Xome's ability to conduct its business and its ability to compete. Disclosure of this information could also be used by Xome's competitors to analyze Xome's place in the market and its confidential business strategies, giving those competitors an unfair competitive advantage over Xome. Therefore, the information related to Assurant's methodology for setting the fees that Assurant paid to appraisers should be given *in camera* protection.

12. RX0745 contains a confidential document regarding Xome's methodology for setting the fees that Xome pays to appraisers. Disclosure of information regarding Xome's methodology for setting the fees could have a material impact on Xome's ability to conduct its business and its ability to compete. Disclosure of this information could also be used by Xome's competitors to analyze Xome's place in the market and its confidential business strategies, giving those competitors an unfair competitive advantage over Xome. Therefore, the information related to Xome's methodology for setting the fees that Xome pays to appraisers should be given *in camera* protection.

13. Pursuant to 28 U.S.C. § 1746, I declare, under the penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.



Jason Little
Vice President & Associate General Counsel
Xome Valuation Services LLC

Signed this 10th day of March 2021.

EXHIBIT D

**DOCUMENTS MARKED CONFIDENTIAL
REDACTION IN THEIR ENTIRETY REQUESTED**

CERTIFICATE OF SERVICE

I, Hilla Shimshoni, declare under penalty of perjury that the following is true and correct.

On March 12, 2021, I caused to be served the following documents on the parties listed below by the manner indicated:

- Non-Party Xome Valuation Services LLC's Motion for *In Camera* Treatment, with accompanying Memorandum of Law and all Exhibits, and Statement Regarding Meet and Confer
- [Proposed] Order Granting *In Camera* Treatment

The Office of the Secretary (via FTC E-Filing System (public version) and email (non-public version))

April Tabor
Acting Secretary
Office of the Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-172
Washington, DC 20580
ElectronicFilings@ftc.gov

The Office of the Administrative Law Judge (via FTC E-Filing System (public version) and email (non-public version))

The Honorable D, Michael Chappell
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-106
Washington, DC 20580

Complaint Counsel for Federal Trade Commission (via FTC E-Filing System (public version) and email (non-public version))

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Counsel for Louisiana Real Estate Appraisers Board (via FTC E-Filing System (public version) and email (non-public version))

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/s Hilla Shimshoni

CERTIFICATE FOR ELECTRONIC FILING

I, Hilla Shimshoni, certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by parties and adjudicator.

Dated: March 12, 2021.

/s Hilla Shimshoni

RX0518	Assurant Appraisals, LLC data spreadsheet in response to Constantine Cannon 1/14/2018 subpoena	2/15/2018	ASR_LREAB00000005	ASR_LREAB00000005
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RX0734	StreetLinks CID data spreadsheet	6/29/2016	FTC-PROD-0010357	FTC-PROD-0010357
RX0745	Xome Settlement Services, LLC Appraiser Scoring Criteria	7/1/2016	FTC-PROD-0013456	FTC-PROD-0013457
RX0746	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013454	FTC-PROD-0013454
RX0747	Xome Settlement Services, LLC CID data spreadsheet	7/1/2016	FTC-PROD-0013455	FTC-PROD-0013455

ORDERED:

Date:

The Honorable D. Michael Chappell
Chief Administrative Law Judge