

No. 24-1293

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

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PHILIP J. WEISER, in his official capacity as Attorney General of the State of Colorado, and MARTHA FULFORD, in her official capacity as Administrator of the Colorado Uniform Consumer Credit Code,

*Defendants-Appellants,*

v.

AMERICAN FINTECH COUNCIL, NATIONAL ASSOCIATION OF INDUSTRIAL BANKERS, and AMERICAN FINANCIAL SERVICES, ASSOCIATION,

*Plaintiffs-Appellees.*

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On Appeal from the United States District Court, District of Colorado  
The Honorable Daniel D. Domenico,  
District Court Case No. 1:24-cv-00812-DDD-KAS

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**NOTICE OF WITHDRAWAL OF THE  
FEDERAL DEPOSIT INSURANCE CORPORATION'S  
BRIEF AS AMICUS CURIAE**

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MATTHEW P. REED  
Acting General Counsel  
FLOYD I. ROBINSON  
Deputy General Counsel  
J. SCOTT WATSON  
Senior Counsel  
MINODORA D. VANCEA  
Counsel  
MICHAEL K. MORELLI  
Senior Attorney

FEDERAL DEPOSIT INSURANCE  
CORPORATION  
3501 N. Fairfax Drive, Room D-7004  
Arlington, VA 22226-3500  
(571) 501-4021  
Email: [mmorelli@fdic.gov](mailto:mmorelli@fdic.gov)

*Counsel for Federal Deposit  
Insurance Corporation*

After the change in Administrations, the Federal Deposit Insurance Corporation is hereby withdrawing its amicus curiae brief, filed September 23, 2024.

Dated: February 24, 2025

Respectfully submitted,

MATTHEW P. REED  
Acting General Counsel  
FLOYD I. ROBINSON  
Deputy General Counsel  
J. SCOTT WATSON  
Senior Counsel  
MINODORA D. VANCEA  
Counsel

/s/ Michael K. Morelli  
MICHAEL K. MORELLI  
Senior Attorney  
FEDERAL DEPOSIT INSURANCE  
CORPORATION  
3501 N. Fairfax Drive, Room D-7004  
(571) 501-4021  
Email: [mmorelli@fdic.gov](mailto:mmorelli@fdic.gov)

*Counsel for Federal Deposit  
Insurance Corporation*

## CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g), I certify that this notice complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts of the notice exempted by Fed. R. App. P. 32(f), the notice contains 21 words. Microsoft Word 2016 was used to calculate the word count. I further certify that this notice complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14-point, Times New Roman font.

/s/ Michael K. Morelli  
Michael K. Morelli

**CERTIFICATE REGARDING DIGITAL SUBMISSIONS  
AND PRIVACY REDACTIONS**

I certify that:

- (1) all required privacy redactions have been made per 10th Cir. R. 25.5;
- (2) this ECF submission was scanned for viruses with the most recent version of MacAfee Endpoint Security and, according to the program, is free of viruses.

/s/ Michael K. Morelli  
Michael K. Morelli

### **CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2025, I electronically filed the foregoing notice with the Clerk of the Court for the United States Court of Appeals for the Tenth Circuit using the Court's CM/ECF system. I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ Michael K. Morelli  
Michael K. Morelli