

# **Exhibit 1**

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 24-1341**

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STEVE FORD, individually and on behalf of all others similarly situated,

Plaintiff - Appellee,

v.

GENESIS FINANCIAL SOLUTIONS, INC.; SPRING OAKS CAPITAL SPV,  
LLC,

Defendants – Appellants.

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CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA;  
AMERICAN FINANCIAL SERVICES ASSOCIATION,

Amici Supporting Appellants.

PUBLIC JUSTICE,

Amicus Supporting Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
Deborah Lynn Boardman, District Judge. (8:23-cv-02156-DLB)

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Submitted: May 19, 2025

Decided: May 30, 2025

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Before WILKINSON, NIEMEYER, and WYNN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**ON BRIEF:** Ryan K. McComber, Timothy A. Daniels, FIGARI + DAVENPORT, LLP, Dallas, Texas; John K. Rossman, ROSSMAN ATTORNEY GROUP, PLLC, Edina, Minnesota, for Appellants. Benjamin H. Carney, Richard S. Gordon, GORDON, WOLF & CARNEY, CHTD., Hunt Valley, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Genesis Financial Solutions, Inc. and Spring Oaks Capital SPV, LLC, appeal the district court's order denying their motion to dismiss and compel arbitration. Mostly for the reasons stated in our recent decision in *Johnson v. Continental Finance Co.*, 131 F.4th 169, 174-81 (4th Cir. 2025), we discern no reversible error in the district court's order and affirm.\* *See McMellon v. United States*, 387 F.3d 329, 332 (4th Cir. 2004) (en banc) (“[O]ne panel cannot overrule a decision issued by another panel.”); *Gibbons v. Gibbs*, 99 F.4th 211, 215 (4th Cir. 2024) (“Few—if any—judicial opinions reflect on and reject every conceivable counterargument, and the rule that one panel cannot overrule another would be weak tea indeed if all a later panel had to do was identify a fact, theory, or argument a previous panel did not address.” (internal quotation marks omitted)).

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*

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\* Although our decision in *Johnson* did not resolve a preemption argument like the one presented in this appeal, we agree with the district court's rejection of that argument. *See Noohi v. Toll Bros., Inc.*, 708 F.3d 599, 611-13 (4th Cir. 2013) (rejecting similar preemption argument).

# **Exhibit 2**

FILED: June 17, 2025

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 24-1341  
(8:23-cv-02156-DLB)

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STEVE FORD, individually and on behalf of all others similarly situated

Plaintiff - Appellee

v.

GENESIS FINANCIAL SOLUTIONS, INC.; SPRING OAKS CAPITAL SPV,  
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Defendants - Appellants

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CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA;  
AMERICAN FINANCIAL SERVICES ASSOCIATION

Amici Supporting Appellants

PUBLIC JUSTICE

Amicus Supporting Appellee

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O R D E R

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The court strictly enforces the time limits for filing petitions for rehearing

and petitions for rehearing en banc in accordance with Local Rule 40(c). The petition in this case is denied as untimely.

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk