

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

ANTHONY R. EDWARDS, *et al.*,
Plaintiffs,

v.

DELOITTE & TOUCHE, LLP,
Defendant.

No. 1:16-cv-21221

FHFA'S MOTION FOR LEAVE TO FILE REPLY

Pursuant to Local Rule 7.1, the Federal Housing Finance Agency ("FHFA") respectfully asks the Court for leave to file the attached Reply to Plaintiff's Sur-Reply Concerning the Eastern District of Virginia's decision in *Pagliara v. Fed. Home Loan Mortg. Corp.*, No. 1:16-cv-337, 2016 WL 4441978 (E.D. Va. Aug. 23, 2016).¹

Local Rule 7.1(c) requires the Court's leave before filing a memorandum of law beyond the traditional opening, opposition and reply briefs. On September 9, 2016, with leave of Court, (and unopposed by FHFA), Plaintiffs filed a "sur-reply" concerning the *Pagliara* decision and its impact on FHFA's pending motion to substitute as the only proper plaintiff in this suit.

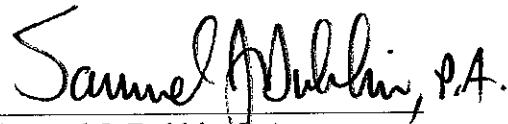
Plaintiffs' sur-reply mischaracterizes the *Pagliara* decision, describing its holding in terms that simply cannot be found in the text of the actual ruling. Accordingly, FHFA respectfully requests an opportunity to file a brief Reply addressing Plaintiffs' Sur-Reply, and showing that *Pagliara* thoroughly supports FHFA's Motion to Substitute here.

¹ Plaintiffs' Sur-Reply in Opp. to FHFA's Reply in Support of its Mot. to Subst. (filed Sept. 9, 2016) [Dkt. # 38] ("Plfs' Sur-Reply").

Pursuant to Local Rule 7.1(a)(3), I certify that I conferred with Plaintiffs' counsel, who does not oppose this Motion by FHFA for leave to file a Reply to Plaintiffs' Sur-Reply.

Dated: September 13, 2016

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned certifies that, on September 13, 2016, a true and correct copy of the foregoing was filed electronically using the Court's CM/ECF system, causing a true and correct copy to be served on all counsel of record. I also served the following counsel of record via e-mail:

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/s/ Samuel J. Dubbin, P.A.