

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

FAIRHOLME FUNDS, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 13-465C
)	(Judge Sweeney)
THE UNITED STATES,)	
)	
Defendant.)	

APPLICATION FOR ACCESS TO PROTECTED INFORMATION

Pursuant to paragraph 7 of this Court’s Protective Order dated July 16, 2014 (ECF No. 73), defendant, the United States, respectfully requests that Robert Hutchins, Andrew Ackel, Amanda Levesque, Leigh Lovelady, and Timothy Varner be permitted access to information protected by the Protective Order. All of the applicants are “financial consultants” within the meaning of Paragraph 4 of the Protective Order, and work for the consulting firm Navigant Consulting, Inc., which has been retained by the United States for purposes of this action. Counsel for the United States has consulted with counsel for plaintiffs, Fairholme Funds, Inc., *et al.* (Fairholme), who has indicated that Fairholme does not oppose these applications for access to protected information.

Respectfully submitted,

BENJAMIN C. MIZER
Acting Assistant Attorney General

s/ Robert E. Kirschman, Jr.
ROBERT E. KIRSCHMAN, JR.
Director

OF COUNSEL:

PETER A. BIEGER
Assistant General Counsel

s/ Kenneth M. Dintzer
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April 7, 2015

Attorneys for Defendant

ATTACHMENT A

In the United States Court of Federal Claims

No. 13-456C

 FAIRHOLME FUNDS, INC. et al., *
 *
 Plaintiffs, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *

DECLARATION OF Robert A. Hutchins

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated 7/16/14, entered and filed of record in the above-captioned litigation ("Protective Order").

I certify that I am eligible to have access to Confidential Material, pursuant to paragraphs 4 and 7 of the Protective Order. As a condition precedent to my examination of any Protected Information pursuant to the Protective Order, or any information contained in said material, I hereby agree that the Protective Order and any amendments thereto shall be deemed directed to and shall bind me, and that I shall observe and comply with all provisions of the Protective Order.

Robert A. Hutchins
SIGNATURE

Robert A. Hutchins
NAME (PRINTED)

1180 Peachtree St, Suite 1900 Atlanta, GA 30309
BUSINESS ADDRESS

Navigant Consulting
CURRENT EMPLOYER

Managing Director
CURRENT OCCUPATION OR JOB DESCRIPTION

ATTACHMENT A

In the United States Court of Federal Claims

No. 13-456C

 FAIRHOLME FUNDS, INC. et al., *
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 Plaintiffs, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *

DECLARATION OF Andrew Ackel

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated 7/16/2014, entered and filed of record in the above-captioned litigation ("Protective Order").

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Andrew Ackel
SIGNATURE

Andrew Ackel
NAME (PRINTED)

1180 Peachtree St. NE, Suite 1900, Atlanta, GA 30309
BUSINESS ADDRESS

Navigant Consulting, Inc.
CURRENT EMPLOYER

Associate Director
CURRENT OCCUPATION OR JOB DESCRIPTION

ATTACHMENT A

In the United States Court of Federal Claims

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 FAIRHOLME FUNDS, INC. et al., *
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 *
 v. *
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 THE UNITED STATES, *
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 Defendant. *

DECLARATION OF Amanda Levesque

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated 7/16/14, entered and filed of record in the above-captioned litigation ("Protective Order").

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Amanda Levesque
SIGNATURE

Amanda Levesque
NAME (PRINTED)

1180 Peachtree St NE, St 1900, Atlanta, Ga 30309
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Navigant
CURRENT EMPLOYER

Senior Consultant

CURRENT OCCUPATION OR JOB DESCRIPTION

ATTACHMENT A

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 FAIRHOLME FUNDS, INC. et al., *
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 v. *
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 THE UNITED STATES, *
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 Defendant. *

DECLARATION OF Leigh Lovelady

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated 07/16/14 entered and filed of record in the above-captioned litigation ("Protective Order").

I certify that I am eligible to have access to Confidential Material, pursuant to paragraphs 4 and 7 of the Protective Order. As a condition precedent to my examination of any Protected Information pursuant to the Protective Order, or any information contained in said material, I hereby agree that the Protective Order and any amendments thereto shall be deemed directed to and shall bind me, and that I shall observe and comply with all provisions of the Protective Order.

Leigh Lovelady
SIGNATURE

Leigh Lovelady
NAME (PRINTED)

1180 Peachtree St NE Suite 1900 Atlanta, GA 30309
BUSINESS ADDRESS

Navigator
CURRENT EMPLOYER

Managing Consultant
CURRENT OCCUPATION OR JOB DESCRIPTION

ATTACHMENT A

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No. 13-456C

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 v. *
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 THE UNITED STATES, *
 *
 Defendant. *

DECLARATION OF TIMOTHY A. VARNER

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated 7/16/2014, entered and filed of record in the above-captioned litigation ("Protective Order").

I certify that I am eligible to have access to Confidential Material, pursuant to paragraphs 4 and 7 of the Protective Order. As a condition precedent to my examination of any Protected Information pursuant to the Protective Order, or any information contained in said material, I hereby agree that the Protective Order and any amendments thereto shall be deemed directed to and shall bind me, and that I shall observe and comply with all provisions of the Protective Order.

[Handwritten Signature]
SIGNATURE

TIMOTHY A. VARNER
NAME (PRINTED)

1180 PEACHTREE ST NE SUITE 1900 ATLANTA, GA 30309
BUSINESS ADDRESS

NAVIGANT CONSULTING, INC.
CURRENT EMPLOYER

MANAGING CONSULTANT
CURRENT OCCUPATION OR JOB DESCRIPTION