

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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

**DEFENDANT’S MOTION FOR AN ENLARGEMENT  
OF TIME TO RESPOND TO PLAINTIFFS’ MOTION TO REMOVE  
THE “PROTECTED INFORMATION” DESIGNATION FROM  
THE DEPOSITIONS OF EDWARD DEMARCO AND MARIO UGOLETTI**

Pursuant to Rules 6(b) and 6.1 of the Rules of the United States Court of Federal Claims (RCFC), the United States respectfully requests a 14-day enlargement of time, to and including July 13, 2015, within which to file its response to the motion to remove the “Protected Information” designation from the transcripts of the depositions of Edward DeMarco and Mario Ugoletti, filed by plaintiffs Fairholme Funds, Inc., et al. (Fairholme). Our response is currently due on June 29, 2015. Fairholme opposes an enlargement of time greater than seven days.

Good cause exists to grant the requested enlargement of time. Given our significant efforts to (1) complete document production and work with the agencies to complete final privilege logs, and (2) prepare for and participate in the depositions scheduled by Fairholme, an enlargement of time is needed to prepare a meaningful response to Fairholme’s motion. Moreover, the additional time is necessary to allow counsel to coordinate our response to this motion with responses to the six additional, outstanding motions to remove the protected

designation from documents produced in discovery.<sup>1</sup> Finally, we require additional time to consult with agency counsel and obtain internal review.

For these reasons, we request that the Court extend the deadline for the Government to respond to Fairholme's motion by 14 days, to July 13, 2015.

Respectfully submitted,

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Principal Deputy Assistant Attorney General

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

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<sup>1</sup> See Pls. Sealed Motion to Remove the "Protected Information" Designation from Certain Grant Thornton Documents, June 18, 2015, ECF No. 165; Pls. Sealed Motion to Remove the "Protected Information" Designation from Certain Treasury and FHFA Documents, June 24, 2015, ECF No. 166; Pls. Sealed Motion to Remove the "Protected Information" Designation from Certain Deloitte Documents, June 26, 2015, ECF No. 169; Pls. Sealed Motion to Remove the "Protected Information" Designation from Certain Fannie Mae Documents, June 26, 2015, ECF No. 170; Pls. Sealed Motion to Remove the "Protected Information" Designation from Certain Freddie Mac Documents, June 26, 2015, ECF No. 171; Pls. Sealed Motion to Remove the "Protected Information" Designation from Certain PricewaterhouseCoopers Documents, June 26, 2015, ECF No. 172.

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