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Client: 73817-00001

October 7, 2015

VIA ELECTRONIC FILING AND OVERNIGHT MAIL

Hon. Margaret M. Sweeney
United States Court of Federal Claims
Howard T. Markey National Courts Building
717 Madison Place, N.W.
Washington, D.C. 20439

Re: Fairholme Funds, Inc. v. United States, No. 13-465C – Pending Applications of Certain Counsel Representing Perry Capital LLC, Appellant in Perry Capital LLC v. Lew, No. 14-5243(L) (D.C. Cir.), for Access to Protected Information, or, in the Alternative, Motion to Amend the Amended Protective Order

Dear Judge Sweeney:

I write as counsel for Perry Capital LLC (“Perry Capital”). On August 11, 2015, Perry Capital filed applications for access to Protected Information in *Fairholme Funds, Inc. v. United States*, No. 13-465C. The government opposed that request, and briefing was completed on August 20, 2015. Those applications remain pending.

Perry Capital continues to suffer prejudice as it is unable to access Protected Information that has been filed in its appeal before the United States Court of Appeals for the D.C. Circuit. Perry Capital respectfully requests that the Court grant the requested relief at its earliest convenience; or, in the alternative, that the Court schedule a hearing to allow Perry Capital to be heard on its request.

Respectfully,

/s/ John W.F. Chesley
John W.F. Chesley

cc: Charles J. Cooper, Esq. (counsel for Plaintiffs via ECF)
Kenneth M. Dintzer, Esq. (counsel for Defendant via ECF)

CERTIFICATE OF SERVICE

I certify that on this 7th day of October, 2015, I caused the foregoing to be filed with the Clerk of the United States Court of Federal Claims using the CM/ECF system. Service was accomplished on the following persons by the CM/ECF system:

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Dated: October 7, 2015

Respectfully submitted,

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