

**In the United States Court of Federal Claims**

No. 13-465C  
(Filed: October 8, 2015)

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

On October 7, 2015, counsel for Perry Capital, a non-party in the above-captioned case, filed a letter to the court on the electronic docket. The court does not accept letters or other correspondence as proper filings; however, the court will make an exception in this instance. Perry Capital’s request is **DENIED** as premature because the United States Court of Appeals for the District of Columbia Circuit has not ruled on Fairholme and Fairholme Fund, Inc.’s motion for judicial notice in Perry Capital LLC v. Jacol Lew et al, No. 14-5243.

**IT IS SO ORDERED.**

s/ Margaret M. Sweeney  
MARGARET M. SWEENEY  
Judge