

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

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

**JOINT STATUS REPORT SUGGESTING FUTURE PROCEEDINGS**

In accordance with this Court’s orders of September 4, 2015 (ECF No. 240) and January 21, 2016 (ECF No. 283), the parties to this action jointly suggest the following schedule for consolidated briefing of motions to dismiss the complaints in this case and the related actions.<sup>1</sup>

1. Plaintiffs in this and the related cases may file amended complaint(s) no later than 45 days after the Court’s resolution of plaintiffs’ pending Motion to Compel (ECF No. 270) unless the Court should permit further discovery by the plaintiffs.
2. Defendant will file an Omnibus Motion to Dismiss seeking dismissal of this and all related actions before this Court no later than 120 days after the expiration of the period

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<sup>1</sup> The related actions are: *Washington Federal, et al. v. United States* (No. 13-385C); *Cacciapalle, et al. v. United States* (No. 13-466C); *Fisher, et al. v. United States* (No. 13-608C); *Arrowood Indemnity Co., et al., v. United States* (No. 13-698C); *Reid et al. v. United States* (No. 14-152C); *Rafter et al. v. United States* (No. 14-740C). The parties to this action have not, to date, consulted with all of the plaintiffs in the related cases, but the schedule suggested above is designed to accommodate briefing in all of the cases in a manner that will achieve efficiency and reduce the volume of briefing that would be necessary were the Government required to respond separately to each complaint. The process by which the Court may provide other parties an opportunity to respond to this joint proposal could be in the form of an order to show cause why this approach should not be adopted.

for filing the amended complaint(s);

3. Plaintiffs in this case will file their response to Defendant's Omnibus Motion to Dismiss no later than 90 days following the filing of the Omnibus Motion to Dismiss, and plaintiffs in each of the related cases will be permitted to file their own separate response to Defendant's motion also within 90 days following the filing of the Omnibus Motion to Dismiss;
4. Defendant will file a reply in support of its Omnibus Motion to Dismiss no later than 90 days following the filing of response(s) to the Omnibus Motion to Dismiss in this and related cases.

Date: January 28, 2016

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served upon all counsel of record on this 28th day of January, 2016, via the Court's Electronic Case Filing system.

s/ Charles J. Cooper  
Charles J. Cooper