

In the United States Court of Federal Claims

No. 13-465C
(Filed: January 31, 2017)

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

ORDER

On January 30, 2017, the United States Court of Appeals for the Federal Circuit (“Federal Circuit”) issued an order on the government’s petition for a writ of mandamus regarding the court’s September 20, 2016 Opinion and Order. See Fairholme Funds, Inc. v. United States, No. 17-104 (Fed. Cir. Jan. 30, 2017). In the Federal Circuit’s order, it held that—of the fifty-eight documents the undersigned ordered to be produced subject to a protective order—four of the documents are protected by the deliberative process privilege and another four are protected by the presidential communications privilege. Consequently, these eight documents need not be produced by the government. Therefore, in accordance with the Federal Circuit’s order, the court vacates those portions of its September 20, 2016 decision that ordered the government to produce the following documents: (1) UST00518402, (2) UST00389678, (3) UST00490551, (4) FHFA00092209, (5) UST00500982, (6) UST00521902, (7) UST00515290, and (8) UST00550441.

IT IS SO ORDERED.

/s Margaret M. Sweeney
 MARGARET M. SWEENEY
 Judge