

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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

DEFENDANT’S UNOPPOSED MOTION FOR AN ENLARGEMENT OF TIME

Pursuant to Rules 6(b) and 6.1 of the Rules of the United States Court of Federal Claims (RCFC), defendant, the United States, respectfully requests a 43-day enlargement of time, to and including May 30, 2017, within which to: (1) complete the review of its privilege log, as required by the Court’s March 7, 2017 order (ECF No. 360); (2) produce any documents that are no longer privileged, or which must otherwise be produced in light of the rulings of this Court and the Court of Appeals for the Federal Circuit; and (3) file a status report indicating that it has complied with the Court’s March 7, 2017 order. The current deadline for the status report that indicates compliance with the order is April 17, 2017. On April 11, 2017, counsel for plaintiffs, Fairholme Funds, Inc., et al. (Fairholme), advised counsel for the United States that Fairholme does not oppose this request for an enlargement of time but intends to file a response.

Good cause exists to grant the requested relief. The United States has completed its review of approximately 40-50 percent of the approximately 11,000 documents on its privilege log, and it has acceded to Fairholme’s request that it make rolling productions going forward of any documents that the Government determines should be released pursuant to the Court’s March 7, 2017 order. We anticipate making the first such production by April 14, 2017. The additional time requested is needed to provide adequate time for review of the remaining

documents and to obtain the necessary internal and agency authorization concerning any subsequent productions.

For these reasons, we request that the Court grant this unopposed motion for a 43-day enlargement of time for the United States to file its status report indicating compliance with the Court's March 7, 2017 order.

Respectfully submitted,

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