

**BEFORE THE UNITED STATES
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

In Re:)	
)	
)	
Federal Housing Finance Agency, et al.,)	MDL Docket No. 2713
Preferred Stock Purchase Agreements)	
Third Amendment Litigation)	
)	

**FEDERAL HOUSING FINANCE AGENCY’S MOTION TO FILE UNDER SEAL
CERTAIN AMENDED COMPLAINTS FILED WITH ITS MOTION TO TRANSFER
FOR COORDINATED OR CONSOLIDATED PRETRIAL
PROCEEDINGS UNDER 28 U.S.C. § 1407**

The Federal Housing Finance Agency (“FHFA”) hereby respectfully moves the Judicial Panel on Multidistrict Litigation (the “Panel”) for entry of an order permitting FHFA to file under seal the amended complaints in *Robinson v. FHFA*, No. 7:15-cv-109-ART and *Saxton v. FHFA*, No. 1:15-cv-47, two actions that FHFA moved the Panel to transfer in its Motion to Transfer for Coordinated or Consolidated Pretrial Proceedings under 28 U.S.C. § 1407, *In re Third Amendment Litig.*, MDL Docket No. 2713 (Mar. 15, 2016) (ECF # 1-00).

In support, FHFA states as follows:

1. FHFA has attached to its Motion to Transfer the docket sheets and complaints filed in the four cases for which it is seeking transfer.¹

2. Two of those complaints—the *Saxton* Amended Complaint (ECF # 61) and the *Robinson* Amended Complaint (ECF # 17)—refer to information that is subject to a

¹ *Saxton v. FHFA*, No. 1:15-cv-00047 (N.D. Iowa May 28, 2015); *Jacobs v. FHFA*, No. 1:15-cv-00708 (D. Del. Aug. 17, 2015); *Robinson v. FHFA*, No. 7:15-cv-00109 (E.D. Ky. Oct. 23, 2015); *Roberts v. FHFA*, No. 1:16-CV-02107 (N.D. Ill. Feb. 10, 2016).

Protective Order entered in *Fairholme Funds, Inc. v. United States*, No. 13-465C, a case pending in the U.S. Court of Federal Claims.

3. Thus, the amended complaints were both filed under seal in the U.S. district courts for the Northern District of Iowa and the Eastern District of Kentucky, respectively. Order, *Saxton* (N.D. Iowa Feb. 19, 2016) (Dkt. No. 58) (sealing Amended Complaint); Order, *Robinson* (E.D. Ky. Feb. 12, 2016) (ECF # 31) (same).

FHFA therefore requests that the Panel order that the *Saxton* Amended Complaint and *Robinson* Amended Complaint be placed under seal and filed by the Clerk pursuant to Rule 8 of the Panel's Electronic Case Filing Administrative Policies and Procedures.

DATED: March 16, 2016

Respectfully submitted,

/S/ Howard N. Cayne

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PROOF OF SERVICE

I hereby certify that on March 16, 2016, I electronically filed the foregoing FEDERAL HOUSING FINANCE AGENCY’S MOTION TO FILE UNDER SEAL CERTAIN AMENDED COMPLAINTS FILED WITH ITS MOTION TO TRANSFER FOR COORDINATED OR CONSOLIDATED PRETRIAL PROCEEDINGS UNDER 28 U.S.C. § 1407 through this Panel’s CM/ECF system. Notice of this filing will be served on all parties of record by operation of the ECF System:

/S/ Douglas M. Humphrey
Douglas M. Humphrey

Clerk of the Court, District of Delaware
Wilmington, DE

Clerk of the Court, Northern District of Illinois
Chicago, IL

Clerk of the Court, Northern District of Iowa
Cedar Rapids, IA

Clerk of the Court, Eastern District of Kentucky
Pikeville, KY

Jacobs v. Federal National Mortgage Association D. Delaware, No. 1:15-cv-00708	
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<p><i>Saxton v. Federal Housing Finance Agency</i> N.D. Iowa, No. 1:15-cv-00047</p>	
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<p>Robinson v. Federal Housing Finance Agency E.D. Kentucky, No. 7:15-cv-00109</p>	

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