

**EFiled: Mar 16 2017 06:25PM EDT**  
**Transaction ID 60351678**  
**Case No. 12105-VCMR** CLC



**U.S. District Court**  
**District of Delaware (Wilmington)**  
**CIVIL DOCKET FOR CASE #: 1:16-cv-00193-GMS**  
**Internal Use Only**

Pagliara v. Federal National Mortgage Association  
Assigned to: Judge Gregory M. Sleet  
Related Case: 1:15-cv-00708-GMS  
Case in other court: DE Chancery Ct, 12105-VCMR  
Cause: 28:1441 Notice of Removal

Date Filed: 03/25/2016  
Date Terminated: 03/08/2017  
Jury Demand: None  
Nature of Suit: 430 Banks and Banking  
Jurisdiction: Federal Question

**Plaintiff**

**Timothy J. Pagliara**

represented by **Comrie Barr Flinn**  
Young, Conaway, Stargatt & Taylor  
LLP  
Rodney Square  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Adam Wyatt Poff**  
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**Plaintiff**

**Federal Housing Finance Agency**

represented by **Robert J. Stearn, Jr.**  
Richards, Layton & Finger, PA  
One Rodney Square  
920 N. King Street  
Wilmington, DE 19801  
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V.

**Defendant****Federal National Mortgage  
Association**represented by **S. Mark Hurd**

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 1201 North Market Street  
 P.O. Box 1347  
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**Zi-Xiang Shen**

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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
03/25/2016	<u>1</u>	NOTICE OF REMOVAL and copies of documents from DE Chancery Ct., Case Number 12105-VCMR (Filing fee \$400.00, receipt number 0311-1901357)- filed by Federal National Mortgage Association. (Attachments: # <u>1</u> Exhibit A Part 1, # <u>2</u> Exhibit A Part 2, # <u>3</u> Exhibit B, # <u>4</u> Civil Cover Sheet)(sar) (Entered: 03/28/2016)
03/25/2016	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (sar) (Entered: 03/28/2016)
03/29/2016	<u>3</u>	NOTICE of Filing with the Judicial Panel on Multidistrict Litigation by Federal National Mortgage Association (Attachments: # <u>1</u> Exhibit Exhibits 1 and 2, # <u>2</u> Exhibit Exhibit 3, # <u>3</u> Exhibit Exhibits 4-5, # <u>4</u> Exhibit Exhibit 6, # <u>5</u> Exhibit Exhibit 7 (part 1 of 2), # <u>6</u> Exhibit Exhibit 7 (part 2 of 2)) (Hurd, S.) (Entered: 03/29/2016)
03/29/2016	<u>4</u>	MOTION to Stay The Case Pending a Decision on Transfer to MDL Proceedings - filed by Federal National Mortgage Association. (Attachments: # <u>1</u> Text of Proposed Order)(Hurd, S.) Modified on 4/1/2016 (mdb). (Entered: 03/29/2016)
03/30/2016		Case Assigned to Judge Gregory M. Sleet. Please include the initials of the Judge (GMS) after the case number on all documents filed. (rjb) (Entered: 03/30/2016)

03/31/2016	<u>5</u>	MOTION for Pro Hac Vice Appearance of Attorney Michael J. Walsh, Jr. and Jeffrey W. Kilduff - filed by Federal National Mortgage Association. (Shen, Zi-Xiang) (Entered: 03/31/2016)
04/01/2016		SO ORDERED - re <u>5</u> Motion for Pro Hac Vice Appearance of Attorney Michael J. Walsh, Jr. and Jeffrey W. Kilduff filed by Federal National Mortgage Association. Ordered by Judge Gregory M. Sleet on 4/1/2016. (mdb) (Entered: 04/01/2016)
04/04/2016		SO ORDERED - re <u>4</u> Motion to Stay The Case Pending a Decision on Transfer to MDL Proceedings filed by Federal National Mortgage Association, Case stayed. Ordered by Judge Gregory M. Sleet on 4/4/2016. (mdb) (Entered: 04/04/2016)
06/06/2016	<u>6</u>	Letter to The Honorable Gregory M. Sleet from C. Barr Flinn on behalf of Plaintiff regarding status of Motion before Judicial Panel on Multidistrict Litigation and request for lift of stay - re SO ORDERED, Case Stayed. (Attachments: # <u>1</u> Exhibit A)(Flinn, Comrie) (Entered: 06/06/2016)
07/14/2016	<u>7</u>	ORDER LIFTING STAY. Signed by Judge Gregory M. Sleet on 7/14/2016. (asw) (Entered: 07/14/2016)
07/18/2016	<u>8</u>	MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara - filed by Federal Housing Finance Agency. (Attachments: # <u>1</u> Proposed Order)(Stearn, Robert) (Entered: 07/18/2016)
07/18/2016	<u>9</u>	MEMORANDUM in Support re <u>8</u> MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara filed by Federal Housing Finance Agency. Answering Brief/Response due date per Local Rules is 8/4/2016. (Stearn, Robert) Modified on 7/19/2016 (mdb). (Entered: 07/18/2016)
08/01/2016	<u>10</u>	MOTION to Remand to State Court of Chancery - filed by Timothy J. Pagliara. (Attachments: # <u>1</u> D. Del. Local Rule 7.1.1 Certification, # <u>2</u> Text of Proposed Order)(Poff, Adam) Modified on 8/1/2016 (mdb). (Entered: 08/01/2016)
08/01/2016	<u>11</u>	OPENING BRIEF in Support re <u>10</u> Motion to Remand to State Court of Chancery filed by Timothy J. Pagliara. Answering Brief/Response due date per Local Rules is 8/18/2016. (Poff, Adam) Modified on 8/3/2016 (mdb). (Entered: 08/01/2016)
08/01/2016	<u>12</u>	DECLARATION of Adam W. Poff re <u>10</u> Motion to Remand to State Court of Chancery, <u>11</u> Opening Brief in Support by Timothy J. Pagliara. (Attachments: # <u>1</u> Exhibit A-J)(Poff, Adam) Modified on 8/3/2016 (mdb). (Entered: 08/01/2016)
08/04/2016	<u>13</u>	ANSWERING BRIEF in Opposition re <u>8</u> MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara filed by Timothy J. Pagliara. Reply Brief due date per Local Rules is 8/15/2016. (Poff, Adam) (Entered: 08/04/2016)

08/04/2016	<u>14</u>	DECLARATION of Adam W. Poff re <u>13</u> Answering Brief in Opposition by Timothy J. Pagliara. (Attachments: # <u>1</u> Exhibit A-D)(Poff, Adam) Modified on 8/5/2016 (mdb). (Entered: 08/04/2016)
08/15/2016	<u>15</u>	REPLY BRIEF re <u>8</u> Motion to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara filed by Federal Housing Finance Agency. (Attachments: # <u>1</u> Exhibit A)(Stearn, Robert) Modified on 8/16/2016 (mdb). (Entered: 08/15/2016)
08/18/2016	<u>16</u>	ANSWERING BRIEF in Opposition re <u>10</u> MOTION to Remand to State Court of Chancery filed by Federal Housing Finance Agency. Reply Brief due date per Local Rules is 8/29/2016. (Stearn, Robert) Modified on 8/19/2016 (mdb). (Entered: 08/18/2016)
08/18/2016	<u>17</u>	ANSWERING BRIEF in Opposition re <u>10</u> MOTION to Remand to State Court of Chancery filed by Federal National Mortgage Association.Reply Brief due date per Local Rules is 8/29/2016. (Hurd, S.) (Entered: 08/18/2016)
08/18/2016	<u>18</u>	DECLARATION of Zi-Xiang Shen re <u>17</u> Answering Brief in Opposition by Federal National Mortgage Association. (Attachments: # <u>1</u> Exhibit A-D) (Hurd, S.) Modified on 8/19/2016 (mdb). (Entered: 08/18/2016)
08/23/2016	<u>19</u>	REQUEST for Oral Argument by Timothy J. Pagliara re <u>8</u> MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara. (Poff, Adam) (Entered: 08/23/2016)
08/24/2016	<u>20</u>	Joint STIPULATION TO EXTEND TIME for Plaintiff Timothy J. Pagliara to file Reply Brief to Defendant's Opposition to Plaintiff Pagliara's Motion to Remand (D.I. 17) to September 1, 2016 - filed by Timothy J. Pagliara. (Flinn, Comrie) (Entered: 08/24/2016)
08/24/2016	<u>21</u>	Joint STIPULATION TO EXTEND TIME for Plaintiff Timothy J. Pagliara to file Reply Brief to FHFA's Opposition to Plaintiff Pagliara's Motion to Remand (D.I. 16) to September 6, 2016 - filed by Timothy J. Pagliara. (Flinn, Comrie) (Entered: 08/24/2016)
08/29/2016		SO ORDERED - re <u>20</u> Joint STIPULATION TO EXTEND TIME for Plaintiff Timothy J. Pagliara to file Reply Brief to Defendant's Opposition to Plaintiff Pagliara's Motion to Remand (D.I. 17) to September 1, 2016 filed by Timothy J. Pagliara, <u>21</u> Joint STIPULATION TO EXTEND TIME for Plaintiff Timothy J. Pagliara to file Reply Brief to FHFA's Opposition to Plaintiff Pagliara's Motion to Remand (D.I. 16) to September 6, 2016 filed by Timothy J. Pagliara, Set Briefing Schedule: re <u>10</u> MOTION to Remand to State Court of Chancery. (Reply Brief due 9/1/2016 and 9/6/2016.). Ordered by Judge Gregory M. Sleet on 8/29/2016. (mdb) (Entered: 08/29/2016)
09/01/2016	<u>22</u>	REPLY BRIEF re <u>10</u> MOTION to Remand to State Court of Chancery and in Response to Fannie Mae's Opposition filed by Timothy J. Pagliara. (Flinn, Comrie) Modified on 9/6/2016 (mdb). (Entered: 09/01/2016)

09/01/2016	<u>23</u>	DECLARATION of Adam W. Poff re <u>22</u> Reply Brief by Timothy J. Pagliara. (Attachments: # <u>1</u> Exhibit A-C)(Flinn, Comrie) Modified on 9/6/2016 (mdb). (Entered: 09/01/2016)
09/02/2016	<u>24</u>	Supplemental MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara - filed by Federal Housing Finance Agency. (Attachments: # <u>1</u> Order)(Stearn, Robert) (Entered: 09/02/2016)
09/02/2016	<u>25</u>	MEMORANDUM in Support re <u>24</u> Supplemental MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara filed by Federal Housing Finance Agency. Answering Brief/Response due date per Local Rules is 9/19/2016. (Attachments: # <u>1</u> Exhibit A)(Stearn, Robert) (Entered: 09/02/2016)
09/02/2016	<u>26</u>	Letter to The Honorable Gregory M. Sleet from Robert J. Stearn. (Attachments: # <u>1</u> Memorandum Opinion)(Stearn, Robert) (Entered: 09/02/2016)
09/06/2016		(Court only) ***Motions terminated: <u>8</u> MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara filed by Federal Housing Finance Agency. (mdb) (Entered: 09/06/2016)
09/06/2016	<u>27</u>	REPLY BRIEF re <u>10</u> MOTION to Remand to State Court of Chancery and in Response to FHFA's Opposition filed by Timothy J. Pagliara. (Flinn, Comrie) Modified on 9/7/2016 (mdb). (Entered: 09/06/2016)
09/13/2016	<u>28</u>	REQUEST for Oral Argument by Timothy J. Pagliara re <u>10</u> MOTION to Remand to State Court of Chancery. (Flinn, Comrie) (Entered: 09/13/2016)
09/16/2016	<u>29</u>	STIPULATION TO EXTEND TIME for the Stockholder to file his answering brief in opposition to FHFA's Supplemental Substitution Motion to September 23, 2016 - filed by Timothy J. Pagliara. (Poff, Adam) (Entered: 09/16/2016)
09/19/2016		SO ORDERED - re <u>29</u> STIPULATION TO EXTEND TIME for the Stockholder to file his answering brief in opposition to FHFA's Supplemental Substitution Motion to September 23, 2016 filed by Timothy J. Pagliara, Set Briefing Schedule: re <u>24</u> Supplemental Motion to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara. (Answering Brief due 9/23/2016.). Ordered by Judge Gregory M. Sleet on 9/19/2016. (mdb) (Entered: 09/19/2016)
09/23/2016	<u>30</u>	ANSWERING BRIEF in Opposition re <u>24</u> Supplemental MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara filed by Timothy J. Pagliara. Reply Brief due date per Local Rules is 10/3/2016. (Flinn, Comrie) (Entered: 09/23/2016)
09/23/2016	<u>31</u>	DECLARATION of C. Barr Flinn re <u>30</u> Answering Brief in Opposition by Timothy J. Pagliara. (Attachments: # <u>1</u> Exhibit A-F)(Flinn, Comrie) Modified on 9/26/2016 (mdb). (Entered: 09/23/2016)
10/03/2016	<u>32</u>	REPLY BRIEF re <u>24</u> Supplemental MOTION to Substitute Party: Federal

		Housing Finance Agency to replace Timothy J. Pagliara filed by Federal Housing Finance Agency. (Stearn, Robert) Modified on 10/4/2016 (mdb). (Entered: 10/03/2016)
10/11/2016	<u>33</u>	REQUEST for Oral Argument by Timothy J. Pagliara re <u>24</u> Supplemental MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara. (Flinn, Comrie) (Entered: 10/11/2016)
01/25/2017	<u>34</u>	Letter to The Honorable Gregory M. Sleet from Robert J. Stearn, Jr. regarding subsequent authority - re <u>24</u> Supplemental MOTION to Substitute Party: Federal Housing Finance Agency to replace Timothy J. Pagliara. (Attachments: # <u>1</u> Exhibit)(Stearn, Robert) (Entered: 01/25/2017)
01/27/2017	<u>35</u>	Letter to The Honorable Gregory M. Sleet from C. Barr Flinn regarding supplemental authority and Plaintiff's response to FHFA's January 25, 2017 letter - re <u>34</u> Letter,. (Attachments: # <u>1</u> Exhibit 1)(Flinn, Comrie) (Entered: 01/27/2017)
01/31/2017	<u>36</u>	Letter to The Honorable Gregory M. Sleet from Robert J. Stearn, Jr. regarding Subsequent Authority - re <u>35</u> Letter. (Stearn, Robert) (Entered: 01/31/2017)
03/03/2017	<u>37</u>	Letter to The Honorable Gregory M. Sleet from C. Barr Flinn on behalf of Plaintiff regarding recent decision from the U.S. Court of Appeals for the District of Columbia Circuit - re <u>10</u> MOTION to Remand to State Court of Chancery. (Attachments: # <u>1</u> Exhibit A)(Flinn, Comrie) (Entered: 03/03/2017)
03/08/2017	<u>38</u>	ORDER - granting Motion to Remand to State Court ( <u>10</u> ) (CASE CLOSED). Signed by Judge Gregory M. Sleet on 3/8/2017. (mdb) (Entered: 03/08/2017)
03/08/2017	<u>39</u>	Letter to Chancery Court regarding Remand. (mdb) (Entered: 03/08/2017)