

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TIMOTHY J. PAGLIARA,  
Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,  
Defendant.

C.A. No. 1:16-cv-00193

**MOTION BY DEFENDANT FEDERAL NATIONAL MORTGAGE ASSOCIATION TO  
STAY THE CASE PENDING A DECISION ON TRANSFER TO MDL PROCEEDINGS**

On March 14, 2016, Plaintiff Timothy J. Pagliara filed this suit seeking an order pursuant to 8 Del. Code § 220 requiring Defendant Federal National Mortgage Association (“Fannie Mae”) to allow him to inspect certain of its corporate books and records. On March 25, 2016, Fannie Mae removed this action from Delaware Chancery Court to this Court. Fannie Mae identified this case as related to *Jacobs v. Federal Housing Finance Agency*, Case No. 1:15-cv-00708. The *Pagliara* case was docketed on March 28, 2016. The Court has not issued a scheduling order.

On March 15, 2016, FHFA filed a motion with the Judicial Panel on Multidistrict Litigation (“JPML”) to transfer the *Jacobs* case to the United States District Court for the District of Columbia for coordinated pretrial proceedings with several other cases that present identical legal issues arising out of common facts and that are pending in district courts. If the JPML grants FHFA’s motion, the *Jacobs* case would be transferred to the United States District Court for the District of Columbia. On March 28, 2016, the Court stayed the *Jacobs* case

pending resolution of FHFA's motion to transfer. *See* Minute Order, Case No. 1:15-cv-000708 (D. Del. March 28, 2016).

On March 28, 2016 FHFA informed the JPML that this case was related to *Jacobs* and should also be transferred to the United States District Court for the District of Columbia along with *Jacobs* and the other cases that are subject to FHFA's pending MDL transfer motion. On March 29, 2016, Fannie Mae filed notice with this Court of FHFA's MDL filing. Because this case would also be transferred to the United States District Court for the District of Columbia if the JPML grants FHFA's motion, the Court should stay it until the JPML rules on that motion. A proposed form of order is attached.

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March 29, 2016

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TIMOTHY J. PAGLIARA,  
Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,  
Defendant.

C.A. No. 1:16-cv-00193

**[PROPOSED] ORDER**

WHEREAS, on March 25, 2016, Defendant Federal National Mortgage Association removed this action from Delaware Chancery Court to this Court and identified this case as related to *Jacobs v. Federal Housing Finance Agency*, Case No. 1:15-cv-00708;

WHEREAS, on March 15, 2016, the Federal Housing Finance Agency (“FHFA”) filed with the Judicial Panel for Multidistrict Litigation (the “Panel”) a motion to transfer the *Jacobs* case for coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 (“MDL Motion”);

WHEREAS, on March 28, 2016, the Court entered a minute order staying the *Jacobs* case pending the resolution of the MDL Motion;

WHEREAS, on March 28, 2016, FHFA filed a Notice of Related case with the Panel informing the Panel that this action was related to the actions subject to the MDL Motion and therefore subject to the pending MDL Motion;

WHEREAS, on March 29, 2016, Fannie Mae filed its Notice of Filing With the Judicial Panel on Multidistrict Litigation;

WHEREAS this case would also be transferred to the United States District Court for the District of Columbia if the JPML grants the MDL Motion; and

WHEREAS, the Court's inherent discretionary power to control the disposition of cases on its docket includes the power to stay a case;

IT IS HEREBY ORDERED that this action is stayed until the Panel rules on the MDL Motion.

IT IS SO ORDERED this \_\_\_ day of March, 2016.

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United States District Judge