

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TIMOTHY J. PAGLIARA,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,

Defendant.

C.A. No. 16-193-GMS

**PLAINTIFF TIMOTHY J. PAGLIARA'S MOTION TO REMAND  
TO THE DELAWARE COURT OF CHANCERY**

Plaintiff Timothy J. Pagliara respectfully moves this Court, pursuant to 28 U.S.C. § 1447(c), to remand the above-captioned action to the Delaware Court of Chancery. The reasons for this motion are set forth in the opening brief and supporting declaration filed contemporaneously herewith.

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

*/s/ Adam W. Poff*

\_\_\_\_\_  
C. Barr Flinn (No. 4092)  
Adam W. Poff (No. 3990)  
Lakshmi A. Muthu (No. 5786)  
Gregory J. Brodzik (No. 5722)  
Rodney Square  
1000 North King Street  
Wilmington, DE 19801-0391  
(302) 571-6692  
*bflinn@ycst.com*  
*apoff@ycst.com*  
*lmuthu@ycst.com*  
*gbrodzik@ycst.com*

Dated: August 1, 2016

*Attorneys for Plaintiff  
Timothy J. Pagliara*

**CERTIFICATE OF SERVICE**

I, Adam W. Poff, hereby certify that on August 1, 2016, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

S. Mark Hurd, Esquire  
Zi-Xiang Shen, Esquire  
Morris Nichols Arsht & Tunnell LLP  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
*shurd@mnat.com*  
*zshen@mnat.com*

*Attorneys for Defendant Federal National  
Mortgage Association*

Robert J. Stearn, Jr., Esquire  
Robert C. Maddox, Esquire  
Richards, Layton & Finger, P.A.  
One Rodney Square  
920 North King Street  
Wilmington, DE 19801  
*stearn@rlf.com*  
*maddox@rlf.com*

*Attorneys for Federal Housing Finance Agency*

I further certify that on August 1, 2016, I caused a copy of the foregoing document to be served by e-mail on the above-listed counsel of record and on the following:

Jeffrey W. Kilduff, Esquire  
Michael Walsh, Esquire  
O'Melveny & Myers LLP  
1626 Eye Street, N.W.  
Washington, DC 20006-4001  
*jkilduff@omm.com*  
*mw Walsh@omm.com*

*Attorneys for Defendant Federal National  
Mortgage Association*

Howard N. Cayne, Esquire  
Asim Varma, Esquire  
David Bergman, esquire  
Arnold & Porter LLP  
601 Massachusetts Avenue, NW  
Washington, DC 20001  
*howard.cayne@aproter.com*  
*asim.varma@aproter.com*  
*david.bergman@aproter.com*

*Attorneys for Federal Housing Finance Agency*

Dated: August 1, 2016

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

/s/ Adam W. Poff

C. Barr Flinn (No. 4092)  
Adam W. Poff (No. 3990)  
Lakshmi A. Muthu (No. 5786)  
Gregory J. Brodzik (No. 5722)  
Rodney Square  
1000 North King Street  
Wilmington, DE 19801-0391  
(302) 571-6692  
*bflinn@ycst.com*  
*apoff@ycst.com*  
*lmuthu@ycst.com*  
*gbrodzik@ycst.com*

*Attorneys for Plaintiff*  
*Timothy J. Pagliara*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TIMOTHY J. PAGLIARA,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,

Defendant.

C.A. No. 16-193-GMS

**D. DEL. LOCAL RULE 7.1.1 CERTIFICATION**

Pursuant to Rule 7.1.1 of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware, Plaintiff Timothy J. Pagliara hereby certifies that reasonable efforts have been made to reach agreement with Defendant Federal National Mortgage Association on the nature of the relief requested in the attached Motion to Remand to the Delaware Court of Chancery, but that no such agreement was reached.

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

*/s/ Adam W. Poff*

---

C. Barr Flinn (No. 4092)  
Adam W. Poff (No. 3990)  
Lakshmi A. Muthu (No. 5786)  
Gregory J. Brodzik (No. 5722)  
Rodney Square  
1000 North King Street  
Wilmington, DE 19801-0391  
(302) 571-6692  
*bflinn@ycst.com*  
*apoff@ycst.com*  
*lmuthu@ycst.com*  
*gbrodzik@ycst.com*

Dated: August 1, 2016

*Attorneys for Plaintiff*  
*Timothy J. Pagliara*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TIMOTHY J. PAGLIARA,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,

Defendant.

C.A. No. 16-193-GMS

**[PROPOSED] ORDER**

At Wilmington, this \_\_\_ day of \_\_\_\_\_, 2016, the Court having reviewed Plaintiff Timothy J. Pagliara's ("Plaintiff") Motion to Remand to the Delaware Court of Chancery (the "Motion") and the papers submitted in connection therewith;

**IT IS SO ORDERED** that Plaintiff's Motion is GRANTED, and the above-captioned action is hereby remanded to the Delaware Court of Chancery.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE