

**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

**SUPPLEMENTAL MOTION TO SUBSTITUTE THE
FEDERAL HOUSING FINANCE AGENCY AS PLAINTIFF**

The Federal Housing Finance Agency (“FHFA”), as Conservator for defendant Federal National Mortgage Association (“Fannie Mae”), respectfully submits this supplemental motion to substitute FHFA as the proper plaintiff in this case. The grounds for this motion are set forth in the *Memorandum of Law in Support of Supplemental Motion to Dismiss* filed herewith. As explained therein, this motion is based on an August 23, 2016 decision of the United States District Court for the Eastern District of Virginia that is binding on Plaintiff Pagliara here. Because that decision issued on August 23, 2016, it was not possible to include it in the briefing on FHFA’s currently-pending motion to substitute.

[Signature page follows]

Dated: September 2, 2016

Respectfully submitted,

/s/ Robert J. Stearn, Jr.

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ORDER

WHEREAS the Federal Housing Finance Agency (“FHFA”) has moved the Court for an Order to substitute itself as plaintiff in the above-captioned action, and good cause being shown,

IT IS HEREBY ORDERED THIS ___ day of _____, 2016, that the motion is granted. FHFA is substituted as plaintiff in the above-captioned proceeding in place of and instead of Timothy J. Pagliara.

THE HONORABLE GREGORY M. SLEET
UNITED STATES DISTRICT JUDGE