

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

TIMOTHY J. PAGLIARA,

Plaintiff,

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION,

Defendant.

No. 1:16-CV-00337 (JCC/JFA)

**COMBINED MOTION OF THE FEDERAL HOME LOAN MORTGAGE
CORPORATION AND THE FEDERAL HOUSING FINANCE AGENCY
TO DISMISS OR, IN THE ALTERNATIVE, TO SUBSTITUTE THE
FEDERAL HOUSING FINANCE AGENCY AS PLAINTIFF**

Defendant Federal Home Loan Mortgage Corporation (“Freddie Mac”) respectfully moves the Court for an Order dismissing Plaintiff’s Complaint with prejudice pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). In the alternative, Freddie Mac’s Conservator, the Federal Housing Finance Agency (“FHFA”), moves to substitute FHFA for the current plaintiff in this suit.

The reasons for and authorities supporting this motion are set forth in the supporting memorandum of law filed contemporaneously.

Dated: June 17, 2016

s/ Ian S. Hoffman

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Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that, on June 17, 2016, a true and correct copy of the foregoing was filed electronically using the Court's CM/ECF system, causing a true and correct copy to be served on all counsel of record.

/s/ Ian S. Hoffman

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[PROPOSED] ORDER

Upon consideration of Federal Home Loan Mortgage Corporation and Federal Housing Finance Agency's Motion to Dismiss or, in the Alternative, to Substitute the Federal Housing Finance Agency as Plaintiff, and for good cause shown, it is hereby **ORDERED** that:

[The Motion to Dismiss is hereby **GRANTED**]

or

[The Motion to Substitute the Federal Housing Finance Agency as Plaintiff is hereby **GRANTED**].

IT IS SO ORDERED.

United States District Judge