

[ORAL ARGUMENT NOT SCHEDULED]IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

FAIRHOLME FUNDS, INC., et al.,

Plaintiffs-Appellants,

v.

No. 14-5254

FEDERAL HOUSING FINANCE
AGENCY, et al.,

Defendants-Appellees.

**DEFENDANTS' UNOPPOSED MOTION FOR A 7-DAY EXTENSION OF
TIME IN WHICH TO FILE THEIR RESPONSES TO SEALED MOTION
FOR JUDICIAL NOTICE AND SUPPLEMENTATION OF THE RECORD**

Pursuant to Federal Rule of Appellate Procedure 27 and D.C. Circuit Rule 27(h), defendants-appellees Department of the Treasury and the Federal Housing Finance Agency (FHFA), respectfully request a 7-day extension of time, from August 13, 2015, to and including August 20, 2015, in which to file their responses to plaintiffs-appellants' Sealed Motion For Judicial Notice And Supplementation Of The Record. This is defendants-appellees' first request for an extension. Plaintiffs-appellants consent to this request.

1. On July 29, 2015, plaintiffs in case No. 14-5254 (Fairholme Funds, Inc. et al.) filed a sealed motion asking this Court to take judicial notice of deposition transcripts and documents that plaintiffs obtained through discovery in litigation

before the Court of Federal Claims and to supplement the administrative record in this case with those materials. Plaintiffs' motion and attached materials exceed 500 pages.

Per Federal Rule of Appellate Procedure 27(a)(3) and this Court's order, defendants' sealed responses are due on August 13, 2015. Defendants have not previously sought an extension of their time to respond to the motion.

3. The requested 7-day extension is necessary because the Department of Justice attorney with primary responsibility for supervising Treasury's response has been on vacation for the past week and will not be returning to the office until after the current due date. The extension will also provide the Department of Justice with needed time to consult with the Treasury Department and FHFA regarding defendants' responses to the motion.

4. Counsel for defendants have consulted with counsel for the Fairholme plaintiffs. Plaintiffs consent to this motion.

CONCLUSION

For the foregoing reasons, this Court should extend the time for filing the defendants-appellees' responses by 7 days, to and including August 20, 2015.

Respectfully submitted,

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AUGUST 2015

CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2015, I filed and served the foregoing with the Clerk of the Court by causing a copy to be electronically filed via the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

s/ Gerard Sinzdak

Gerard Sinzdak