

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Wazee Street Opportunities Fund IV LP,
Douglas Whitley, and Lisa Brown, On
Behalf of Themselves and All Others
Similarly Situated,

Plaintiffs,

v.

The Federal Housing Finance Agency; Melvin
L. Watt, in his official capacity as Director of
the Federal Housing Finance Agency; and the
U.S. Department of the Treasury,

Defendants.

CIVIL ACTION

No. 2:18-cv-03478-NIQA

JURY TRIAL DEMANDED

**STIPULATION EXTENDING DEFENDANTS' TIME TO RESPOND TO THE
COMPLAINT AND FOR SCHEDULE FOR FORTHCOMING BRIEFING**

Plaintiffs and Defendants hereby stipulate, subject to the Court's approval, to extend Defendants' time to respond to the Complaint and to set a schedule for the briefing of forthcoming dispositive motions the parties intend to file. Specifically, Plaintiffs and Defendants stipulate as follows:

1. On August 16, 2018, Plaintiffs filed their Complaint.
2. Plaintiffs agree that Defendants Federal Housing Finance Agency ("FHFA") and Melvin L. Watt (together, the "FHFA Defendants") and Defendant the U.S. Department of the Treasury may have until **November 16, 2018** to answer or otherwise respond to the Complaint.
3. Defendants have advised Plaintiffs that they intend to file motions to dismiss as their responses to the Complaint. Plaintiffs have advised Defendants that they intend to file a cross-motion for summary judgment. The parties agree that the motions to dismiss and the motion for summary judgment will raise legal issues that can be resolved without the need for

discovery. The parties reserve their right to conduct discovery, if necessary, after the motions are decided.

4. The parties have agreed upon the following briefing schedule for the forthcoming dispositive motions, subject to the Court's approval:

- a. Defendants shall file their motions to dismiss by **November 16, 2018**.
- b. Plaintiffs shall file their opposition or oppositions to Defendants' motions to dismiss, and their motion for summary judgment, by **December 21, 2018**.
- c. Defendants shall file their replies in support of their motions to dismiss, as well as their oppositions to Plaintiffs' motion for summary judgment, by **January 25, 2019**.
- d. Plaintiffs shall file their reply in support of their motion for summary judgment on or before **February 8, 2019**.

WHEREFORE, the parties respectfully request that the Court approve this stipulation.

/s/ Eric L. Zagar

Eric L. Zagar, Esquire (P.A. 76596)
Kessler Topaz Meltzer & Check, LLP
280 King of Prussia Rd.
Radnor, PA 19087
Tel: (610) 667-7706
Fax: (610) 667-7056
ezagar@ktmc.com

Counsel for Plaintiffs

/s/ Leslie M. Greenspan

Joe H. Tucker, Jr., Esquire (P.A. 56617)
Leslie M. Greenspan, Esquire (P.A. 91639)
Tucker Law Group, LLC
Ten Penn Center
1801 Market Street, Suite 2500
Philadelphia, PA 19103
Tel: (215) 875-0609
Fax: (215) 559-6209
jtucker@tlgattorneys.com
lgreenspan@tlgattorneys.com

*Counsel for Defendants Federal Housing
Finance Agency and Melvin L. Watt*

[Additional counsel listed on next page]

Hamish P.M. Hume, Esquire (*pro hac vice*)
Stacey K. Grigsby, Esquire
Jonathan M. Shaw, Esquire
James A. Kraehenbuehl, Esquire
Boies Schiller Flexner LLP
1401 New York Ave. NW
Washington, DC 20005
Tel: (202) 237-2727
Fax: (202) 237-6131
hhume@bsflp.com
sgrigsby@bsflp.com
jshaw@bsflp.com
jkraehenbuehl@bsflp.com

Counsel for Plaintiffs

JOSEPH H. HUNT
Assistant Attorney General

DIANE KELLEHER
Assistant Branch Director

/s/ R. Charlie Merritt

R. CHARLIE MERRITT
Trial Attorney (VA Bar No. 89400)
U.S. Department of Justice
Civil Division, Federal Programs Branch
919 East Main Street, Suite 1900
Richmond, VA 23219
Tel: (202) 616-8098
Fax: (804) 819-7417
robert.c.merritt@usdoj.gov

Counsel for Defendant
U.S. Department of the Treasury

APPROVED: *Oct 1, 2018*
/s/ Nitza I. Quiñones Alejandro

Hon. Nitza I. Quiñones Alejandro
United States District Judge