

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

FAIRHOLME FUNDS, INC., *et al.*,

Plaintiffs,

v.

FEDERAL HOUSING FINANCE AGENCY, *et al.*,

Defendants.

Civil No. 13-1053 (RCL)

ARROWOOD INDEMNITY COMPANY,  
*et al.*,

Plaintiffs,

v.

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION, *et al.*,

Defendants.

Civil No. 13-1439 (RCL)

In re Fannie Mae/Freddie Mac Senior Preferred  
Stock Purchase Agreement Class Action Litigations

Miscellaneous No. 13-1288 (RCL)

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This document relates to:  
ALL CASES

**SECOND STIPULATION EXTENDING DEFENDANTS' TIME TO FILE ANSWERS  
TO THE COMPLAINTS**

Plaintiffs and Defendants in the three above-captioned cases hereby stipulate that Defendants shall have a 6-day extension to file their answers to the operative complaints. The current deadline is December 11, 2018, and the new deadline shall be December 17, 2018.

Specifically, Plaintiffs and Defendants stipulate as follows:

1. After the D.C. Circuit remanded the above-captioned cases to this Court, *see Perry Capital, LLC v. Mnuchin*, 864 F.3d 591 (D.C. Cir. 2017), Plaintiffs filed unopposed motions for leave to amend their complaints, which the Court granted. *See Order, Fairholme Funds, Inc. v. FHFA*, No. 1:13-cv-01053-RCL (D.D.C. Feb. 1, 2018); *Order, Arrowood Indemnity Co. v. Fed. Nat'l Mortg. Ass'n*, No. 1:13-cv-01439-RCL (D.D.C. Feb. 1, 2018); *Order, In re Fannie Mae/Freddie Mac Senior Preferred Stock Purchase Agreement Class Action Litigations*, No. 1:13-mc-1288-RCL (D.D.C. Feb. 1, 2018).

2. Defendants moved to dismiss the Amended Complaints on January 10, 2018. On September 28, 2018, this Court issued a Memorandum Opinion and Order dismissing Plaintiffs' claims alleging breach of contract, breach of fiduciary duty, and violation of Delaware and Virginia statutes, but declining to dismiss Plaintiffs' claims for breach of the implied covenant of good faith and fair dealing. *Fairholme Funds, Inc. v. FHFA*, 2018 WL 4680197 (D.D.C. Sept. 28, 2018).

3. Defendants' answers to the Amended Complaints were originally due on October 12, fourteen days after the Court's decision. *See Fed. R. Civ. P. 12(a)(4)(A)*. On October 10, Plaintiffs and Defendants filed a stipulation to extend the answer deadline by 60 days to December 11, 2018. The Court approved this stipulation on October 12, thereby making December 11 the current deadline.

4. Plaintiffs and Defendants agree that good cause exists for an additional extension of six days to Defendants' deadline to file answers. The three Amended Complaints are long and complex, with well over two hundred detailed paragraphs of allegations. In addition, drafting the answers requires significant coordination among Defendants' counsel. As a result, Defendants are still working to complete their answers and would benefit from an extension.

5. The proposed extension would not affect any other case deadlines, and discovery will continue without interruption.

WHEREFORE, the parties respectfully request that the Court approve this stipulation extending Defendants' deadline to file answers to the Amended Complaints by 6 days to December 17, 2018.

Dated: December 10, 2018

Respectfully submitted,

/s/ Howard N. Cayne  
Howard N. Cayne (D.C. Bar # 331306)  
Asim Varma (D.C. Bar # 426364)  
David B. Bergman (D.C. Bar # 435392)  
ARNOLD & PORTER KAYE SCHOLER LLP  
601 Massachusetts Ave NW  
Washington, D.C. 20001  
(202) 942-5000  
Howard.Cayne@arnoldporter.com  
Asim.Varma@arnoldporter.com  
David.Bergman@arnoldporter.com

*Attorneys for Defendant Federal Housing  
Finance Agency and Director Melvin L. Watt*

s/ Michael J. Ciatti  
Michael J. Ciatti (D.C. Bar # 467177)  
KING & SPALDING LLP  
1700 Pennsylvania Ave. N.W.  
Washington, DC 20006  
Tel: (202) 626-5508  
Fax: (202) 626-3737  
mciatti@kslaw.com

*Attorney for the Federal Home Loan  
Mortgage Corp.*

s/ Meaghan VerGow  
Meaghan VerGow (D.C. Bar # 977165)  
O'MELVENY & MYERS LLP  
1625 Eye Street, N.W.  
Washington, DC 20006  
Tel: (202) 383-5300  
Fax: (202) 383-5414  
mvergow@omm.com

*Attorney for the Federal National Mortgage  
Association*

s/ Hamish P.M. Hume

Hamish P.M. Hume (D.C. Bar # 449914)  
Stacey K. Grigsby (D.C. Bar # 491197)  
James A. Kraehenbuehl  
(D.C. Bar 1017809)  
BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue NW  
Washington, D.C. 20005  
Tel: (202) 237-2727  
hhume@bsfllp.com  
sgrigsby@bsfllp.com  
jkraehenbuehl@bsfllp.com

Eric L. Zagar (pro hac vice)  
KESSLER TOPAZ MELTZER &  
CHECK LLP  
280 King of Prussia Road  
Radnor, PA 19087  
Tel: (610) 667-7706  
ezagar@ktmc.com

BERNSTEIN LITOWITZ BERGER &  
GROSSMANN LLP  
David R. Stickney (*pro hac vice*)  
David R. Kaplan (*pro hac vice*)  
12481 High Bluff Drive  
Suite 300  
San Diego, CA 92130  
Tel: (858) 793-0070  
Fax: (858) 793-0323  
davids@blbglaw.com  
davidk@blbglaw.com

GRANT & EISENHOFER, P.A.  
Michael J. Barry (*pro hac vice*)  
123 Justison Street  
Wilmington, DE 19801  
Tel: (302) 622-7000  
Fax: (302) 622-7100  
mbarry@gelaw.com

*Lead Counsel for Class Plaintiffs*

s/ Charles J. Cooper

Charles J. Cooper, SBN 24870  
David H. Thompson, SBN 450503  
Vincent J. Colatrisano, SBN 429562  
Peter A. Patterson, SBN 998668  
COOPER & KIRK, PLLC  
1523 New Hampshire Avenue, N.W.  
Washington, D.C. 20036  
Telephone: 202.220.9600  
Facsimile: 202.220.9601

*Attorneys for Plaintiffs Fairholme Funds, Inc.  
et al.*

DENTONS US LLP

By: /s/ Michael H. Barr  
Michael H. Barr  
Richard M. Zuckerman  
Sandra Hauser  
1221 Avenue of the Americas  
New York, New York 10020  
Tel.: (212) 768-6700  
Fax: (212) 768-6800  
michael.barr@dentons.com  
richard.zuckerman@dentons.com  
sandra.hauser@dentons.com

Drew W. Marrocco (D.C. Bar # 453205)  
1900 K Street, NW  
Washington, DC 20006  
Tel.: (202) 496-7500  
Fax: (202) 496-7756  
Drew.Marrocco@dentons.com

*Attorneys for Plaintiffs Arrowood Indemnity  
Co., et al.*