

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

TIMOTHY J. PAGLIARA

Plaintiff,

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION,

Defendant.

Civil Action No. 1:16-cv-00337-JCC-JFA

**PLAINTIFF'S OPPOSITION TO DEFENDANT'S
MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT**

Plaintiff Timothy J. Pagliara hereby opposes the Motion to Extend Time to Respond to Complaint (the "Motion to Extend," ECF No. 13) filed by Defendant Federal Home Loan Mortgage Corporation ("Freddie Mac"). As explained in more detail below, the motion should be denied:

- Narrow claim, no factual disputes, no discovery. This is a limited suit for inspection of corporate records. There appear to be no facts in dispute and no need for discovery. Under the applicable Virginia corporate statute, this suit is to be resolved on an "expedited basis." Any initial motions should be resolved promptly, and the case can move forward to final disposition within a matter of weeks.
- No prejudice. Freddie Mac claims no prejudice in having to respond to the Complaint, nor is there any. Even if this case were centralized in a multidistrict litigation ("MDL") as the Federal Housing Finance Agency ("FHFA") has requested, Freddie Mac would still have to respond to Mr. Pagliara's claim. So the only reason for the extension request is delay.
- Case will soon be ready for resolution on merits. It likely will take four months for the Judicial Panel on Multidistrict Litigation ("JPML") to rule on FHFA's motion to transfer this case. Given the focused nature of this case, it should be resolved on the merits in this Court in less than four months. Moreover, even if the case were transferred to an MDL, the transfer is only for pretrial proceedings; it returns here for final disposition. Because the only pretrial proceedings here would be any

motions to dismiss brought by Freddie Mac or FHFA, the requested extension would, in effect, delay the pretrial proceedings just so there is something to transfer if the JPML decides to do so. That is delay for delay's sake, and there is no reason to do that here.

- No reason for inclusion in MDL. The underlying justification for centralization in multidistrict litigation is to promote efficient litigation of common factual questions and prevent duplicative discovery. Here, there appear to be no factual questions at issue, much less factual questions common to any other case. Nor does it appear that any discovery is needed here, much less discovery duplicative of that needed in any other case. So the only reason for FHFA to tag this case for inclusion in its proposed MDL is delay.
- FHFA's motion to stay should fail. Judge Cacheris recently denied a similar request to stay a case in favor of potential transfer to a requested MDL, where the case was, as here, ripe for prompt resolution in this Court. *Sehler v. Prospect Mortg., LLC*, No. 13-cv-00473, 2013 WL 5184216 (E.D.Va. Sept. 16, 2013).
- Freddie Mac and FHFA already moved to dismiss. Freddie Mac and FHFA filed a motion to allow FHFA to take over Mr. Pagliara's case (and then dismiss it), which is, in effect, just a motion to dismiss. Why then would there be any reason to delay Freddie Mac's filing of an actual motion to dismiss or otherwise responding to the Complaint? Freddie Mac provides no reason, and there is none.
- The motion to substitute will fail. The law is well established and clear. The statutory succession provision that FHFA invokes provides for the conservator to succeed only to *derivative* claims that shareholders assert in the name of the corporation. The provision does not give FHFA the right to take over *direct* claims that shareholders bring on their own behalf. As conservator, FHFA has the right and authority to operate Freddie Mac, which includes succession to the rights that the shareholders have to make decisions for the corporation or, in certain instances, to bring claims on the corporation's behalf. But, as conservator, FHFA does not succeed to ownership of Mr. Pagliara's stock, and it cannot prevent him from bringing claims that seek to vindicate his own individual rights as a shareholder.

This Is a Focused Suit for Inspection of Corporate Records.

1. This is a very narrow case. As an individual, private shareholder, Mr. Pagliara seeks an order to permit him to inspect corporate records of Freddie Mac under Sections 13.1-771 & -773 of the Virginia Stock Corporation Act (the "VSCA"). (Compl. ¶¶ 34-35, 41, ECF No. 1-1). Freddie Mac has selected the VSCA to govern its corporate governance practices. (Compl. ¶¶ 27-28). In accordance with the VSCA, Mr. Pagliara served a written demand on Freddie Mac,

(Compl. ¶¶ 37-38 & Ex. A thereto), which Freddie Mac improperly refused, (Compl. ¶¶ 39-40, 127-128 & Ex. B thereto). This is a discrete and focused case, one which the VSCA says should be resolved on an “expedited basis,” even apart from the efficiency with which this District manages cases. *See* Va. Code Ann. § 13.1-773B.

2. There do not appear to be any material facts in dispute in this case. The facts relevant to Mr. Pagliara’s claim to inspect corporate records are: (i) whether he owned Freddie Mac stock for at least six months immediately preceding his demand, *see* Va. Code Ann. § 13.1-773C(1); (ii) whether he in fact made a demand on Freddie Mac in the form required by Section 13.1-771C(2)-(4); and (iii) whether Freddie Mac refused to allow him to inspect the records set forth in his demand, *see* Va. Code Ann. § 13.1-773B. All of these facts are established by the documents attached to Mr. Pagliara’s Complaint. (Compl., Exs. A & B thereto). In rejecting Mr. Pagliara’s demand, Freddie Mac’s conservator, FHFA, did not dispute that Mr. Pagliara owned Freddie Mac stock and did not raise any objections to the form or content of his inspection demand. (Compl., Ex. B thereto).

3. Because Freddie Mac and FHFA have not disputed the factual predicate for Mr. Pagliara’s records demand (nor can they), there is no need for discovery or extensive pre-trial proceedings in this case. Upon resolution of any threshold legal issues raised by Freddie Mac or FHFA on a motion to dismiss, the case can and should be submitted to the Court for final decision in a matter of a few weeks.

Having Removed to the Eastern District of Virginia, Freddie Mac and FHFA Seek to Delay this Case.

4. Nonetheless, or perhaps not surprisingly, in the short time since Freddie Mac removed the case to this Court, Freddie Mac and FHFA have tried to prevent this case from progressing at all.

5. Freddie Mac and FHFA first filed a Motion to Stay the Case Pending a Decision on Transfer to MDL Proceeding or, in the Alternative, to Substitute the Federal Housing Finance Agency as Plaintiff (“Motion to Stay or Substitute,” ECF No. 10). The Motion to Stay or Substitute requested that (i) the case be stayed until the JPML decides a motion by FHFA to transfer this case to a not-yet-created-or-approved multidistrict litigation; or (ii) FHFA be substituted for Mr. Pagliara as Plaintiff (at which point FHFA would no doubt dismiss the lawsuit). The Motion to Stay or Substitute should be denied for reasons that will be explained briefly below (¶¶ 11-26) and in greater detail in Plaintiff’s forthcoming opposition to that Motion.

6. Now, trying to piggy-back on the Motion to Stay or Substitute, Freddie Mac filed the Motion to Extend and asks the Court to extend its time to answer the Complaint from the current deadline, April 8, 2016, until seven days after the Motion to Stay or Substitute is decided. Because the Motion to Stay or Substitute is set for a hearing on May 5, 2016, the extension would last until at least May 12, 2016. Thus, Freddie Mac is requesting an extension of five weeks to answer the Complaint, which is extraordinary relief in this District, and certainly would be extraordinary relief in this case, which is a summary proceeding that should go forward on an “expedited basis.” The Court should deny Freddie Mac’s request for such a significant extension for multiple reasons.

Plaintiff Is Entitled to Have His Demand for Corporate Records Resolved Expeditiously.

7. As explained above, this case should progress swiftly to final decision once Freddie Mac responds to the Complaint. Allowing Freddie Mac to delay responding to the Complaint for five weeks needlessly will delay the resolution of what should be an “expedited” proceeding under Section 13.1-773 of the Virginia Code (and would in any event be expeditious because it is in this District). In contrast, if Freddie Mac responds to the Complaint on April 8, 2016, even if it

responds with a motion to dismiss, the briefing could be completed before the hearing on May 5, 2016, and the motion could be heard on that date with the Motion to Stay or Substitute, allowing the case could proceed toward final decision when all motions are resolved on or after May 5, 2016.

There Is No Prejudice in Requiring Freddie Mac to Respond to the Complaint.

8. Freddie Mac identifies no prejudice it will suffer if the Motion to Extend is not granted. Freddie Mac does not even argue prejudice, but rather only, vaguely, that it would be “more efficient and logical” for Freddie Mac not to have to respond to the Complaint by the deadline under Rule 81(c)(2), April 8, 2016. (Mot. to Extend ¶ 5).

9. As discussed below, there is no basis for centralizing this case in any MDL. But even if this case were centralized, Freddie Mac would still have to respond to Mr. Pagliara’s complaint for inspection of corporate records under the VSCA, a claim not asserted by any other plaintiff in any of the cases proposed for centralization. An MDL centralizes cases to avoid duplicative discovery, but centralization does not relieve a defendant from having to respond to a plaintiff’s unique claims. So the requested relief merely seeks to delay Freddie Mac’s response and thereby slow down Mr. Pagliara’s suit to inspect corporate records, which does not promote judicial efficiency.

10. Moreover, Freddie Mac and FHFA have already filed, in essence, a motion to dismiss in their Motion to Stay or Substitute, which argues that Mr. Pagliara lacks standing under 12 U.S.C. § 4617(b)(2)(A)(i) to pursue his claim. (Mot. to Stay or Substitute 8). Freddie Mac’s Motion to Extend seems intended to give Freddie Mac two bites at the apple: Freddie Mac and FHFA have filed a motion to dismiss (albeit with a different title) on standing grounds, and if they lose that motion, Freddie Mac would then file a Rule 12 motion asserting the same (and perhaps

other) grounds to dismiss Mr. Pagliara's claims. Such gamesmanship should not be permitted. If Freddie Mac and FHFA want to seek dismissal of this case, they should have to make all of their arguments now so that, once those arguments are properly rejected, the case can proceed on an "expedited basis" to final decision.

The Motion to Stay Will Fail.

11. The Motion to Stay or Substitute itself should be denied, and it is neither logical nor efficient to delay this case just because that motion is pending. (Mot. to Extend ¶ 5). Plaintiff will file a separate opposition to the Motion to Stay or Substitute, but addresses the merits briefly below.

12. As to Freddie Mac's and FHFA's request to stay the case pending the JPML's decision, the JPML rules themselves say that the "the pendency of a motion . . . pursuant to 28 U.S.C. § 1407 does not affect or suspend orders and pretrial proceedings in any pending federal court action and does not limit the pretrial jurisdiction of that court." JPML Rule 2.1(d). Indeed, in *Sehler v. Prospect Mortg., LLC*, Judge Cacheris recently refused to enter a stay while a transfer motion before the JPML was pending. *See Sehler v. Prospect Mortg., LLC*, No. 13-cv-00473, 2013 WL 5184216 (E.D.Va. Sept. 16, 2013).

13. As in *Sehler*, the JPML here has not even heard FHFA's motion to create an MDL, much less issued a conditional transfer order relating to this case, (Docket, *In re: Fed. Housing Fin. Agency, et al., Preferred Stock Purchase Agreements 3d Amendment Litig.*, MDL No. 2713, Ex. 1 hereto), which typically is the posture when a case is stayed pending a decision by the JPML. *See id.* at *4 ("[I]n many of the cases cited by Defendant the action had already been conditionally transferred to the MDL. Here, by contrast, there has been no conditional transfer of the case.

Indeed, the JPML has not even heard Defendant’s argument regarding transfer nor consolidated any of the cases in this matter.”) (internal citations omitted).

14. Also like in *Sehler*, this case can and should be resolved in this Court before the JPML even rules on FHFA’s request to transfer this case. FHFA’s initial motion to create the MDL—which does not even embrace this case—is not even yet fully briefed, (*see* Ex. 1 hereto), and the next hearing before the JPML is not until May 26, 2016. 1/

15. FHFA has noticed this case as a “tag-along” action to its requested MDL. As a result, even if the JPML were to create the MDL that FHFA is requesting (and, as discussed below, that seems unlikely), a final decision on transfer of this particular tag-along case would not occur until after further proceedings on any conditional transfer order issued by the JPML for this case, which would likely extend until after the next hearing of the JPML on July 28, 2016. *See* JPML Rules § 7.1(b)-(c), (f). 2/

16. Thus, the stay being requested would last at least four months, and easily could last longer. Judge Cacheris found a similar period of delay to be significant in *Sehler*. *See Sehler*, 2013 WL 5184216, at *3 (“The delay anticipated here is four to six months. This is a significant period of delay, particularly given that the consolidated proceedings would only manage discovery and other pretrial proceedings.”) (internal citations omitted). Because substantial discovery is not needed here, there is no reason this case could not be presented to the Court for final decision in the next four months. Staying the case for longer than it would take to resolve it is illogical and inefficient. *Sehler*, 2013 WL 5184216, at *3 (“This action could be resolved in this Court before

1/ (Judicial Panel on Multidistrict Litigation, Hearing Information (<http://www.jpml.uscourts.gov/hearing-information>)).

2/ *See* n.1, *supra*.

the JPML rules on the transfer motion. Moreover, even were the JPML to grant consolidation, it would only be for purposes of coordinating discovery; the parties would still eventually be required to litigate the merits of their claim in this Court.”).

There Is No Basis to Transfer this Case to Any MDL, and It is Far From Certain There Will Be an MDL at All.

17. The motion to transfer this case to the MDL itself should be denied by the JPML, which makes a stay pending resolution of that motion even less appropriate. An essential element for transfer of any case to an MDL is the existence of “one or more common questions of fact” with the other cases in the MDL. *See* 28 U.S.C. § 1407(a). But the questions of fact in this case are unique to this case and cannot overlap with any other lawsuit. No case involving any other shareholder will need to resolve any question regarding Mr. Pagliara’s stock ownership, his inspection demand to Freddie Mac, or the response thereto. ^{3/} And while there might be common legal questions between this and other cases because FHFA has tried to defend them all the same way, the JPML routinely rejects common legal issues as a basis to transfer actions to an MDL. *See Multidistrict Litig. Manual* § 5:4 (“The presence of common issues of law has no effect on transfer: it is neither a necessary nor sufficient condition for transfer. Where the issues in a case are primarily legal in nature, even though some fact issues may exist, the Panel is nearly certain to conclude that transfer is not appropriate”).

18. Furthermore, the JPML has the power to transfer cases only for pretrial proceedings, and each case must be remanded back to the original court for trial. *See* 28 U.S.C.

^{3/} Contrary to FHFA’s assertion, (Motion to Stay or Substitute 6-7), there are not even common factual questions between this case and Mr. Pagliara’s lawsuit against Federal National Mortgage Association (“Fannie Mae”) in Delaware. That case involves Mr. Pagliara’s ownership of stock in Fannie Mae—a different publicly traded company—and his separate inspection demand to Fannie Mae under the applicable Delaware corporate law, as well as the separate responses he received from FHFA and Fannie Mae to that specific demand. None of those issues is relevant here.

§ 1407(a) (“Each action so transferred shall be remanded by the panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred unless it shall have been previously terminated.”); *accord Sehler*, 2013 WL 5184216, at *3 (“[E]ven were the JPML to grant consolidation, it would only be for purposes of coordinating discovery; the parties would still eventually be required to litigate the merits of their claim in this Court.”). The pretrial proceedings in this case should be concluded before the JPML even makes a decision; thus, there would be nothing to transfer at the time of its decision even if the JPML was otherwise inclined to do so.

19. It also is far from certain an MDL would be created even as to the other cases FHFA seeks to have included. Those cases appear to share few, if any, common questions of fact; the common issues, if any, are primarily legal; and three of the four cases primarily involve claims under the Administrative Procedures Act, which are presumptively unsuitable for centralization in an MDL.

The Motion to Substitute Will Fail.

20. It is unclear whether Freddie Mac is asserting that the motion, in the alternative, to substitute FHFA as the Plaintiff is a basis for its request for an extension of time to respond to the Complaint. But FHFA is only seeking to substitute for Mr. Pagliara in order to dismiss his case. So the motion to substitute *is* a motion to dismiss. It thus strains logic to argue that Freddie Mac’s filing of a comprehensive motion to dismiss should be delayed pending the resolution of Freddie Mac’s and FHFA’s current motion to dismiss.

21. Nor is there any legal basis for FHFA to be substituted for Mr. Pagliara as Plaintiff in this case. The lone claim in this case, which seeks to inspect corporate records under Section 13.1-773, is a direct claim—not a derivative claim brought by Mr. Pagliara on behalf of Freddie Mac. *See, e.g., Allen C. Goolsby & Steven M. Haas, Goolsby & Haas on Virginia Corporations*

§ 8.1 (“[A]n action . . . demanding the right to inspect books and records, is an individual action.”). Freddie Mac and FHFA do not appear to dispute that Plaintiff’s claim is a direct claim, but assert that the distinction is immaterial because the succession provision in the Housing and Economic Recovery Act (“HERA”) precludes shareholders from asserting any claims, both derivative and direct. 12 U.S.C. § 4617(b)(2)(A)(i). This is plainly mistaken.

22. None of the cases that FHFA cites in its Motion to Stay or Substitute holds that direct claims are barred by that succession provision; to the contrary, each of the cases FHFA cites analyzed the provision’s effect only on derivative claims. *See, e.g., Perry Capital LLC v. Lew*, 70 F. Supp. 3d 208, 229 (D.D.C. 2014) (“The class plaintiffs bring derivative claims against both FHFA and Treasury on behalf of Fannie Mae and Freddie Mac.”); *In re Fed. Nat. Mortgage Ass’n Sec., Derivative, ERISA Litig.*, 629 F. Supp. 2d 1, 2 (D.D.C. 2009), *aff’d sub nom., Kellmer v. Raines*, 674 F.3d 848 (D.C. Cir. 2012) (“The shareholder plaintiffs in these cases each asserts derivative claims on behalf of Fannie Mae against certain former officers and directors of Fannie Mae and certain third parties”); *Esther Sadowsky Testamentary Trust v. Syron*, 639 F. Supp. 2d 347, 349 (S.D.N.Y. 2009) (“This is a derivative action brought by the Trust”).

23. As stated in Mr. Pagliara’s Complaint, (Compl. ¶ 128), the cases actually addressing direct shareholder claims hold that provisions like HERA’s succession provision apply only to derivative claims asserted by shareholders on behalf of the company in conservatorship or receivership, and that such succession provisions are no bar to direct claims that shareholders may bring asserting their own individual rights. That makes perfect sense. As conservator, FHFA has the right and authority to operate Freddie Mac, which includes succession to the rights that the shareholders have to make decisions for the corporation and to bring certain claims on the corporation’s behalf. But, as conservator, FHFA does not succeed to ownership of Mr. Pagliara’s

stock, and it cannot prevent him from bringing claims seeking to vindicate his own individual rights as a shareholder.

24. An almost-identical succession provision is contained in the Financial Institutions Reform, Recovery, and Enforcement Act (“FIRREA”). *See* 12 U.S.C. § 1821(d)(2)(A)(i). In their Motion to Stay or Substitute, Freddie Mac and FHFA cite cases interpreting this “materially-identical” succession provision in FIRREA. (Mot. to Stay or Substitute 9); *compare* 12 U.S.C. § 4617(b)(2)(A)(i) (FHFA as conservator succeeds to “all rights, titles, powers, and privileges of the regulated entity, and of any stockholder, officer, or director of the regulated entity with respect to the regulated entity and the assets of the regulated entity.”); *with* 12 U.S.C. § 1821(d)(2)(A)(i) (FDIC when taking over banks succeeds to “all rights, titles, powers, and privileges of the insured depository institution, and of any stockholder, member, accountholder, depositor, officer, or director of such institution with respect to the institution and the assets of the institution.”).

25. Interpreting this essentially identical provision in FIRREA, the Seventh Circuit has held explicitly that it provides for succession to (and therefore bars) *only* derivative claims:

At oral argument the court asked counsel whether §1821(d)(2)(A)(i) should be understood . . . to transfer to the FDIC *all* claims held by any stockholder of a failed bank—even claims that . . . do not depend on an injury to the failed bank. No federal court has read the statute that way, however, and counsel for all of the litigants declined to adopt that understanding. Section 1821(d)(2)(A)(i) transfers to the FDIC only stockholders’ claims “with respect to . . . the assets of the institution”—in other words, those that investors (but for §1821(d)(2)(A)(i)) would pursue derivatively on behalf of the failed bank. This is why we have read §1821(d)(2)(A)(i) as allocating claims between the FDIC and the failed bank’s shareholders rather than transferring to the FDIC every investor’s claims of every description. Any other reading of §1821(d)(2)(A)(i) would pose the question whether . . . stockholders would be entitled to compensation for a taking; our reading of the statute (which is also the FDIC’s) avoids the need to tackle that question.

Levin v. Miller, 763 F.3d 667, 672 (7th Cir. 2014) (Easterbrook, J.) (emphasis in original). In other words, the “rights, titles, powers, and privileges” to which FHFA or the FDIC succeed are only those “with respect to the regulated entity and the assets of the regulated entity,” and direct claims brought by shareholders with respect to their own invidual rights are not claims “with respect to the regulated entity or the assets of the regulated entity.” ^{4/}

26. The interpretation put forward by Freddie Mac and FHFA, that FHFA succeeds to all shareholder rights without qualification, (Mot. to Stay or Substitute 8), improperly reads this qualifying language completely out of the HERA statute. FHFA essentially says it has all Mr. Pagliara’s rights as a shareholder, including the right to take over his direct claims against Freddie Mac and dismiss them. FHFA cites no case that says that, and ample caselaw refutes that position, which Mr. Pagliara will address further in his opposition to the Motion to Stay or Substitute.

Justice Delayed Is Justice Denied.

27. Finally, it is worth remembering that it was Freddie Mac that brought this case to the Eastern District of Virginia by filing a Notice of Removal on March 25, 2016. (ECF No. 1). It should not be permitted to put this “expedited” proceeding in this Court on ice—either through the Motion to Extend or the Motion to Stay or Substitute—simply because that suits is purposes. As one recent decision explained in addressing a similar situation:

Plaintiffs, and no one else, alleged jurisdiction and venue in this Court in their Complaint. They should not be surprised this lawsuit is proceeding, as that is what happens when you file suit in this District. This Court is of the firm belief that justice delayed is justice denied. Accordingly, as [the applicable statute] directs that

^{4/} Not only have cases interpreting the FIRREA succession provision held that the provision does not preclude shareholder direct claims, but they also have held that the provision is no bar even to derivative claims arising out of a transaction involving a conflict of interest. (Compl. ¶ 128).

[these] actions be expedited and Plaintiffs have not justified the need for a stay by clear and convincing circumstances, their motion to temporarily stay these proceedings is DENIED.

Aventis Pharm. Deutschland GMBH v. Lupin Ltd., 403 F. Supp. 2d 484, 491 (E.D.Va. 2005).

28. For all of the foregoing reasons, Plaintiff respectfully requests that the Motion to Extend be denied.

Respectfully Submitted,

/s/ Christopher T. Pickens

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Dated: April 4, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 2016, a true and complete copy of the foregoing was filed via the court's CM/ECF system and notice of electronic filing was sent to the following counsel of record:

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EXHIBIT 1

United States Judicial Panel on Multidistrict Litigation
CIVIL DOCKET FOR CASE #: MDL No. 2713

**IN RE: Federal Housing Finance Agency, et al.,
Preferred Stock Purchase Agreements Third
Amendment Litigation**
Assigned to: Not Assigned

Date Filed: 03/15/2016
MDL Status: Pending

Plaintiff

Liaison Counsel for Plaintiffs

V.

Defendant

Liaison Counsel for Defendants

Date Filed	#	Docket Text
03/15/2016	1	MOTION TO TRANSFER (INITIAL MOTION) with Brief in Support. -- 4 Action(s) -- from Iowa Northern District Court (1:15-cv-00047), Delaware District Court (1:15-cv-00708), Kentucky Eastern District Court (7:15-cv-00109), Illinois Northern District Court (1:16-cv-02107) - Suggested Transferee Court: D.D.C. - Filed by: <i>Defendant Federal Housing Finance Agency</i> (Attachments: # 1 Brief FHFA's Memo of Law In Support of its Motion to Transfer, # 2 Schedule of Actions, # 3 Exhibit 20160114 -- Fannie Mae Voacolo Letter, # 4 Exhibit 20160119 -- Fannie Books and Records Letter, # 5 Exhibit 20160119 -- Fannie Demand Letter, # 6 Exhibit 20160119 -- Freddie Books and Records Letter, # 7 Exhibit 20160119 -- Freddie Demand Letter, # 8 Exhibit 20160301 -- Freddie Angel Letter, # 9 Exhibit 20160301 -- Fannie Angel Letter, # 10 Proof of Service, # 11 Complaint N.D. Iowa., Cedar Rapids Div., 1:15-cv-00047-LRR, # 12 Complaint D. Del., Wilmington Div., 1:15-cv-00708-GMS, # 13 Complaint E.D. Ky., Pikeville Div., 7:15-cv-00109-ART-EBA, # 14 Complaint N.D. Ill., Chicago Div., 1:16-cv-02107)(Cayne, Howard) (Entered: 03/15/2016)
03/16/2016	2	MDL Number 2713 Assigned -- MOTION FOR TRANSFER ACCEPTED FOR FILING re: pldg. (1 in Pending No. 28) Associated Cases: Pending No. 28, DE/1:15-cv-00708, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109 (SM) (Entered: 03/16/2016)
03/16/2016	3	***TEXT ONLY NOTICE*** NOTICE OF FILING AND PUBLICATION OF BRIEFING SCHEDULE <i>re: pldg. (1 in MDL No. 2713)</i> BRIEFING SCHEDULE IS SET AS FOLLOWS: Notices of Appearance due on or before 3/30/2016. Corporate Disclosure

		<p>Statements due on or before 3/30/2016. Responses due on or before 4/6/2016.</p> <p>Appearance forms (JPML form 18) and Corporate Disclosure forms can be downloaded from our website. Important: A Corporate Disclosure Form, if required, must be filed, even if one has previously been filed in this MDL.</p> <p>Please visit the CM/ECF Filing Guidelines & Forms page of our website for additional information.</p> <p>Signed by Clerk of the Panel Jeffery N. Luthi, on 3/16/2016.</p> <p>Associated Cases: MDL No. 2713, DE/1:15-cv-00708, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109 (SM) (Entered: 03/16/2016)</p>
03/16/2016	4	<p>MOTION TO SEAL (Re: 1 in MDL No. 2713)<i>Certain Amended Complaints</i> Filed by Howard Neil Cayne on behalf of Defendants Federal Housing Finance Agency. (Attachments: # 1 Proof of Service)</p> <p>Associated Cases: MDL No. 2713, DE/1:15-cv-00708, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109 (Cayne, Howard) ADDED MDL LINK AND DELETED DUPLICATE PARTIES Modified on 3/16/2016 (SM). (Entered: 03/16/2016)</p>
03/16/2016	5	<p>***SEALED DOCUMENT RECEIVED by the Clerk of the Panel (re: pldg. (4 in MDL No. 2713))</p> <p>Associated Cases: MDL No. 2713, DE/1:15-cv-00708, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109 (JN) (Entered: 03/16/2016)</p>
03/16/2016	6	<p>***TEXT ONLY ENTRY***</p> <p>MINUTE ORDER (re: pldg. (4 in MDL No. 2713)) -- Motion of: Defendants Federal Housing Finance Agency, et al., to File Certain Amended Complaints Under Seal -- GRANTED.</p> <p>Signed by Clerk of the Panel Jeffery N. Luthi on 3/16/2016.</p> <p>Associated Cases: MDL No. 2713, DE/1:15-cv-00708, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109 (JN) (Entered: 03/16/2016)</p>
03/21/2016	7	<p>NOTICE OF APPEARANCE re: pldg.(1 in MDL No. 2713) Filed by Thomas Zimpleman on behalf of Defendants United States Department of the Treasury, Jacob J. Lew (Attachments: # 1 Schedule of Actions, # 2 Proof of Service)</p> <p>Associated Cases: MDL No. 2713, DE/1:15-cv-00708, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109 (Zimpleman, Thomas) Modified on 3/22/2016 (TLL).(REMOVED DUPLICATE PARTIES) (Entered: 03/21/2016)</p>
03/21/2016	8	<p>RESPONSE IN SUPPORT -- (re: pldg. (1 in MDL No. 2713)) Filed by Defendants United States Department of the Treasury, Jacob J. Lew, (Attachments: # 1 Proof of Service)</p>

		Associated Cases: MDL No. 2713, DE/1:15-cv-00708, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109 (Zimpleman, Thomas) Modified on 3/22/2016 (TLL).(REMOVED DUPLICATE PARTIES) (Entered: 03/21/2016)
03/28/2016	9	NOTICE OF RELATED ACTION -- 2 Action(s) -- Filed by attorney Howard N. Cayne, Counsel for: Defendant Federal Housing Finance Agency -- Delaware District Court (1:16-cv-00193), Virginia Eastern District Court (1:16-cv-00337) (Attachments: # 1 Schedule of Actions, # 2 Exhibit Notice of Removal (Fannie Mae), # 3 Exhibit Notice of Removal (Freddie Mac), # 4 Proof of Service, # 5 Complaint D. Del., Wilmington No. 1:16-cv-00193, # 6 Complaint E.D. Va., Alexandria No. 1:16-cv-00337) (Cayne, Howard) Modified on 3/29/2016 (TLL). (PARTY TYPE ADDED) (Entered: 03/28/2016)
03/29/2016	10	NOTICE OF APPEARANCE re: pldg.(1 in MDL No. 2713) Filed by Christian D. Ambler on behalf of Plaintiffs Thomas P Fischer, Christopher Roberts (Attachments: # 1 Proof of Service) Associated Cases: MDL No. 2713, ILN/1:16-cv-02107 (Ambler, Christian) (Entered: 03/29/2016)
03/29/2016	11	NOTICE OF APPEARANCE re: pldg.(1 in MDL No. 2713) Filed by Robert B. Craig on behalf of Plaintiff Arnetia Joyce Robinson Associated Cases: MDL No. 2713, KYE/7:15-cv-00109 (Craig, Robert) (Entered: 03/29/2016)
03/30/2016	12	NOTICE OF APPEARANCE re: pldg.(7 in IAN/1:15-cv-00047, 8 in MDL No. 2713), (3 in IAN/1:15-cv-00047, 4 in MDL No. 2713), (1 in MDL No. 2713), (9 in MDL No. 2713) Filed by Alexander Michael Johnson on behalf of Plaintiffs Bradley Paynter, Ida Saxton, Thomas Saxton (Attachments: # 1 Certificate of Service) Associated Cases: MDL No. 2713, IAN/1:15-cv-00047 (Johnson, Alexander) (Entered: 03/30/2016)
03/30/2016	13	NOTICE OF APPEARANCE re: pldg.(1 in MDL No. 2713) Filed by Michael A. Pittenger on behalf of Plaintiffs Gary Hindes, David Jacobs (Attachments: # 1 Schedule of Actions, # 2 Proof of Service) Associated Cases: MDL No. 2713, DE/1:15-cv-00708 (Pittenger, Michael) (Entered: 03/30/2016)
03/30/2016	14	NOTICE OF APPEARANCE re: pldg.(9 in MDL No. 2713) Filed by N. Thomas Connally, III on behalf of Plaintiff Timothy J. Pagliara (Attachments: # 1 Schedule of Actions, # 2 Proof of Service) Associated Cases: MDL No. 2713, DE/1:16-cv-00193, VAE/1:16-cv-00337 (Connally, N.) Modified on 3/30/2016 (TLL).(REMOVED DUPLICATE PARTIES) (Entered: 03/30/2016)
03/30/2016	15	NOTICE OF APPEARANCE re: pldg.(1 in MDL No. 2713) Filed by Hanh Vinh Huynh on behalf of Interested Party Joshua J. Angel Associated Cases: MDL No. 2713, DE/1:15-cv-00708, DE/1:16-cv-00193, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109, VAE/1:16-cv-00337 (Huynh, Hanh) Modified on 3/30/2016 (TLL).(REMOVED DUPLICATE PARTIES) Modified on 3/30/2016 (TLL).(MODIFIED PARTY TYPE) (Entered: 03/30/2016)
03/31/2016	16	EXHIBIT TO PLEADING re: pldg.(15 in MDL No. 2713) Filed by Interested Party Joshua J. Angel Associated Cases: MDL No. 2713, DE/1:15-cv-00708, DE/1:16-cv-00193, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109, VAE/1:16-cv-00337 (Huynh, Hanh) (Entered: 03/31/2016)
04/01/2016	17	

INTERESTED PARTY RESPONSE IN OPPOSITION -- (*re: pldg. ([1](#) in MDL No. 2713)*) Filed by Interested Party Joshua J. Angel (Attachments: # [1](#) Exhibit A-F, # [2](#) Proof of Service)

Associated Cases: MDL No. 2713, DE/1:15-cv-00708, DE/1:16-cv-00193, IAN/1:15-cv-00047, ILN/1:16-cv-02107, KYE/7:15-cv-00109, VAE/1:16-cv-00337 (Huynh, Hanh) Modified on 4/1/2016 (TLL).(MODIFIED PLEADING TYPE) (Entered: 04/01/2016)