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November 6, 2017

Via ECF

Gino J. Agnello
Clerk of Court
United States Court of Appeals for the Seventh Circuit
Everett McKinley Dirksen United States Courthouse
219 S. Dearborn Street
Room 2722
Chicago, IL 60604

Re: *Roberts v. Federal Housing Finance Agency*, No. 17-1880

Dear Mr. Agnello:

During oral argument, the Court asked Appellants' counsel which provisions of the Companies' contracts with Treasury prevent the Companies from paying down the liquidation preference on Treasury's senior preferred stock. The relevant provisions are Section 2.5 of the Amended and Restated Senior Preferred Stock Purchase Agreement (A93) and Section 3(a) of the Certificate of Designation of Terms of Variable Liquidation Preference Senior Preferred Stock (A120).

Respectfully submitted,

/s/ David H. Thompson
David H. Thompson

Counsel for Appellants

cc: Counsel of Record (by ECF)

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2017, an electronic PDF of this Rule 28(j) letter was uploaded to the Court's CM/ECF system, which will automatically generate and send by electronic mail a Notice of Docket Activity to all registered attorneys participating in the case. Such notice constitutes service on those registered attorneys.

/s/ David H. Thompson
David H. Thompson