

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

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

**Misc. Action No. 13-mc-1288 (RCL)**

**THIS DOCUMENT RELATES TO:**

CLASS ACTION

ALL CASES

FAIRHOLME FUNDS, INC., et al.,

*Plaintiffs,*

v.

THE FEDERAL HOUSING FINANCE  
AGENCY, et al.,

*Defendants.*

**Civil Action No. 13-cv-1053 (RCL)**

ARROWOOD INDEMNITY COMPANY, et  
al.,

*Plaintiffs,*

v.

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION, et al.,

*Defendants.*

**Civil Action No: 13-cv-1439 (RCL)**

**JOINT STIPULATION AND PROPOSED SCHEDULING ORDER**

Following the opinion by the U.S. Court of Appeals for the District of Columbia Circuit, amended and reissued on July 17, 2017, and reported at *Perry Capital LLC v. Mnuchin*, 864 F.3d 591 (D.C. Cir. 2017), the undersigned counsel for parties in the above-captioned actions agree to comply with and respectfully request that the Court order the following schedule for these actions on remand:

- Plaintiffs' motions for leave to file amended complaints shall be due on **November 1, 2017**.
- Prior to filing, Plaintiffs will disclose to Defendant the Federal Housing Finance Agency ("FHFA") the general nature of their proposed amendments on or before **October 13, 2017**.
- FHFA will inform Plaintiffs whether they plan to oppose the proposed amendments on or before **October 20, 2017**.
- If FHFA does file an opposition, it will be due on **January 10, 2018**, with Plaintiffs' replies due on **February 12, 2018**.
- All Defendants' motions to dismiss will be due on **January 10, 2018**, Plaintiffs' oppositions will be due on **February 12, 2018**, and Defendants' Replies will be due on **March 12, 2018**.

Further, Plaintiffs stipulate that their proposed amended Complaints will not add any new claims against Defendant U.S. Department of the Treasury ("Treasury"), and Treasury will not be named as a defendant at this time. Treasury stipulates that it will not oppose Plaintiffs' motions to amend and further stipulates that, if the D.C. Circuit's decision in this matter is reversed, Treasury would not oppose amendment to add Treasury back as a defendant, for any claims, on the ground that Plaintiffs caused undue delay by not seeking to bring claims against Treasury in 2017, or on the ground that the Complaint has already been amended. Any defenses available to Treasury as of the Date of this Joint Stipulation will be preserved in the event that Treasury is named as a defendant in these matters at a date subsequent to the Date.

A proposed order is submitted along with this stipulation.

Dated: October 4, 2017

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UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

<p><b>In re Fannie Mae/Freddie Mac Senior Preferred Stock Purchase Agreement Class Action Litigations</b></p> <p><b>THIS DOCUMENT RELATES TO:</b></p> <p>ALL CASES</p>	<p><b>Misc. Action No. 13-mc-1288 (RCL)</b></p> <p><u>CLASS ACTION</u></p>
<p>FAIRHOLME FUNDS, INC., et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>THE FEDERAL HOUSING FINANCE AGENCY, et al.,</p> <p><i>Defendants.</i></p>	<p><b>Civil Action No. 13-cv-1053 (RCL)</b></p>
<p>ARROWOOD INDEMNITY COMPANY, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>FEDERAL NATIONAL MORTGAGE ASSOCIATION, et al.,</p> <p><i>Defendants.</i></p>	<p><b>Civil Action No: 13-cv-1439 (RCL)</b></p>

**[PROPOSED] ORDER**

It is hereby ORDERED that the following schedule shall govern proceedings on remand from the U.S. Court of Appeals:

Plaintiffs' motions to for leave to file amended complaints shall be due on **November 1, 2017**.

Plaintiffs will disclose to Defendant the Federal Housing Finance Agency ("FHFA") the general nature of their proposed amendments on or before **October 13, 2017**.

FHFA will inform plaintiffs whether they will consent to these amendments on or before **October 20, 2017**.

If FHFA will file oppositions to the amended complaints, they will be due on **January 10, 2018**, with Plaintiffs' replies due on **February 12, 2018**.

All Defendants' motions to dismiss will be due on **January 10, 2018**, with Plaintiffs' oppositions due on **February 12, 2018**, and Defendants' Replies due on **March 12, 2018**.

SO ORDERED.

Date: \_\_\_\_\_

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Hon. Royce C. Lamberth  
U.S. District Judge,  
U.S. District Court for the District of Columbia