

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

<p>FAIRHOLME FUNDS, INC., <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>THE FEDERAL HOUSING FINANCE AGENCY, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil No. 13-1053 (RCL)</p>
<p>ARWOOD INDEMNITY COMPANY, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>FEDERAL NATIONAL MORTGAGE ASSOCIATION, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil No. 13-1439 (RCL)</p>
<p>In re Fannie Mae/Freddie Mac Senior Preferred Stock Purchase Agreement Class Action Litigations</p> <hr/> <p>This document relates to: ALL CASES</p>	<p>Miscellaneous No. 13-1288 (RCL)</p>

JOINT MOTION TO AMEND SCHEDULING ORDER

Co-Lead Plaintiffs N. Bradford Isbell, Joseph Cacciapalle, John Cane, Estate of Francis J. Dennis, Michelle M. Miller, Marneu Holdings, Co., 111 John Realty Corp., United Equities Commodities, Co., Charles Rattley, and Timothy J. Cassell (collectively, “Plaintiffs”), as well as Defendants Federal Housing Finance Agency (“FHFA”), FHFA Director Melvin Watt, the Federal

National Mortgage Association, and the Federal Home Loan Mortgage Corporation (collectively, “Defendants”), hereby move the Court for entry of an order amending the Scheduling Order dated May 22, 2019. This is the first amendment to the Scheduling Order the parties have sought. A proposed Amended Scheduling Order, agreed to by all parties, is submitted herewith.

Despite diligent efforts by the parties, the parties have not been able to complete document production as of this date, thereby preventing the parties from meaningfully completing fact discovery by the current July 15, 2019 cutoff date for fact discovery. The parties therefore seek an extension of the fact discovery deadline until November 26, 2019, to allow the parties to complete document production, fact depositions, and all other fact discovery by that date. To accommodate this change, the parties also seek to adjust the other current pretrial deadlines for expert discovery, class certification, and dispositive motions by a roughly comparable period of time to maintain the general structure and sequencing of the schedule.

The parties believe the proposed adjustments to the Scheduling Order will aid the administration of justice in this case by allowing the parties to more effectively prepare the case for trial and will prevent prejudice to any party.

Dated: July 30, 2019

Respectfully submitted,

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[PROPOSED] AMENDED SCHEDULING ORDER

It is hereby **ORDERED** that:

1. Fact discovery shall close on **November 26, 2019**
2. The deadline for seeking leave to add additional parties or amend the pleadings in **30 days** after the close of fact discovery.

3. Regarding expert discovery:
 - a. Plaintiffs' expert witness reports shall be produced by **January 31, 2020**.
 - b. Depositions of Plaintiffs' experts shall be conducted by **February 28, 2020**.
 - c. Defendants' rebuttal expert reports shall be produced by **March 31, 2020**;
and
 - d. All expert discovery, including depositions of Defendants' experts, shall be completed by **April 30, 2020**.
4. Regarding class certification:
 - a. Plaintiffs' motion for class certification is due on **January 31, 2020**.
 - b. Defendants' opposition is due on **March 31, 2020**.
 - c. Plaintiffs' reply is due on **May 14, 2020**.
5. Regarding motions for summary judgment:
 - a. Defendants shall file their motion for summary judgment on or before **May 29, 2020**.
 - b. Plaintiffs' response and cross-motion for summary judgment is due **30 days** after the filing of Defendants' motion for summary judgment;
 - c. Defendants' reply and response is due **30 days** after the filing of Plaintiffs' response and cross-motion for summary judgment; and
 - d. Plaintiffs reply is due **14 days** after the filing of Defendants' response.
6. Trial is set for **October 19, 2020**, or at the Court's earliest convenience thereafter, with a pretrial conference **30 to 60 days beforehand**, the exact date to be set later.

SO ORDERED.

Dated: _____

HON. ROYCE C. LAMBERTH