

[ORAL ARGUMENT NOT SCHEDULED]**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

JOSHUA J. ANGEL,

Plaintiff-Appellant,

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION, et al.,*Defendants-Appellees.*

Case No. 19-7062

**JOINT MOTION FOR EXTENSIONS OF TIME
FOR RESPONSE AND REPLY BRIEFS**

Pursuant to Federal Rule of Appellate Procedure 27 and D.C. Circuit Rules 27(h) and 28(e), Defendants-Appellees and Plaintiff-Appellant respectfully request extensions of time for the filing of their respective response and reply briefs. Defendants-Appellees request a 28-day extension to file their joint response brief, from November 14, 2019, to and including December 12, 2019. If the Court grants that extension, Plaintiff-Appellant requests an extension of time to file his reply brief from January 2, 2020 (21 days after December 12, 2019), to and including January 22, 2020. This is Defendants-Appellees' first request for an extension of time and Plaintiff-Appellant's first request for an extension of time for his reply brief. In support of this motion, the parties state as follows:

1. Plaintiff-Appellant owns junior preferred stock of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac), each of which is presently in conservatorship of the Federal Housing Finance Agency. In the case on appeal, Plaintiff-Appellant asserted breach-of-contract and implied-covenant claims

relating to dividends on Plaintiff-Appellant's junior preferred stock. The district court dismissed Plaintiff-Appellant's original complaint with prejudice and subsequently denied Plaintiff-Appellant's motions to alter that judgment and for leave to amend the complaint. Plaintiff-Appellant filed this appeal on June 19, 2019.

2. Plaintiff-Appellant filed his opening brief on October 15, 2019 and, as instructed by letter from the Clerk of Court [ECF No. 1810972], filed a corrected brief on October 23, 2019 that omits certain abbreviations to comply with Rule IX.A.8.d of this Court's Handbook of Practice and Internal Procedures. Defendants-Appellees' response brief is currently due November 14, 2019.

3. Defendants-Appellees need additional time to prepare their response brief due to the schedules and other commitments of the attorneys responsible for preparing the brief. Moreover, to promote efficiency in the adjudication of this appeal, the several Defendants-Appellees intend to cooperate on a joint brief, requiring additional time to allow for the necessary coordination among multiple defense counsel and their clients. No prejudice will occur to either party as a result of a 28-day extension.

4. If the requested extension for Defendants-Appellees' brief is granted, Plaintiff-Appellant will need additional time to prepare his reply brief due to the schedules and other commitments of the attorneys responsible for preparing the brief and to coordinate among counsel. In particular, after Defendants-Appellees' requested deadline, the associate responsible for preparing the reply brief will be out of the country for his wedding. In addition, thereafter, during the last week of December and the first week of January, counsel's offices will be closed for several days due to the holidays, and the partner responsible for preparing the reply brief will be on vacation for much of that time.

5. The parties consent to each other's proposed extension.

WHEREFORE, Defendants-Appellees request that the Court extend the time for filing their response brief to and including December 14, 2019, and Plaintiff-Appellant requests that the Court extend the time for filing his reply brief to and including January 22, 2020.

Dated: October 31, 2019

Respectfully submitted,

/s/ Robert J. Katerberg

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CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2019, I filed and served the foregoing with the Clerk of the Court by causing a copy to be electronically filed via the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

/s/ Robert J. Katerberg

Robert J. Katerberg