

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

FAIRHOLME FUNDS, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 13-465C
)	(Judge Sweeney)
THE UNITED STATES,)	
)	
Defendant.)	

APPLICATION FOR ACCESS TO PROTECTED INFORMATION

Pursuant to paragraph 7 of this Court’s Second Amended Protective Order dated November 9, 2015 (ECF No. 256), defendant, the United States, respectfully requests that Nicholas L. McQuaid, Albert L. Sanders, Jr., and Brent S. Wible be permitted access to information protected by the Protective Order. All of the applicants are attorneys representing the United States within the meaning of Paragraph 4 of the Protective Order, and work in the Office of the White House Counsel. These three attorneys will replace Jennifer O’Connor and Allison Murphy, who were previously granted access but have left the office. Counsel for the United States has consulted with counsel for plaintiffs, Fairholme Funds, Inc., *et al.* (Fairholme), who has indicated that Fairholme does not oppose these applications for access to protected information.

Respectfully submitted,

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General

s/ Robert E. Kirschman, Jr.
ROBERT E. KIRSCHMAN, JR.
Director

s/ Kenneth M. Dintzer
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December 8, 2015

Attorneys for Defendant

ATTACHMENT A

In the United States Court of Federal Claims

No. 13-456C

 FAIRHOLME FUNDS, INC. et al., *
 *
 Plaintiffs, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *

DECLARATION OF Nicholas C. McQuaid

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated Nov. 9, 2015, entered and filed of record in the above-captioned litigation ("Protective Order").

I certify that I am eligible to have access to Confidential Material, pursuant to paragraphs 4 and 7 of the Protective Order. As a condition precedent to my examination of any Protected Information pursuant to the Protective Order, or any information contained in said material, I hereby agree that the Protective Order and any amendments thereto shall be deemed directed to and shall bind me, and that I shall observe and comply with all provisions of the Protective Order.

N C McQuaid
SIGNATURE

Nicholas C. McQuaid
NAME (PRINTED)

1600 PENNSYLVANIA AVE.
BUSINESS ADDRESS

EXECUTIVE OFFICE OF THE PRESIDENT
CURRENT EMPLOYER

DEPUTY COUNSEL
CURRENT OCCUPATION OR JOB DESCRIPTION

ATTACHMENT A

In the United States Court of Federal Claims

No. 13-456C

 FAIRHOLME FUNDS, INC. et al., *
 *
 Plaintiffs, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *

DECLARATION OF Albert L. Sanders, Jr.

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated 11/9/15 entered and filed of record in the above-captioned litigation ("Protective Order").

I certify that I am eligible to have access to Confidential Material, pursuant to paragraphs 4 and 7 of the Protective Order. As a condition precedent to my examination of any Protected Information pursuant to the Protective Order, or any information contained in said material, I hereby agree that the Protective Order and any amendments thereto shall be deemed directed to and shall bind me, and that I shall observe and comply with all provisions of the Protective Order.

SIGNATURE

NAME (PRINTED)

BUSINESS ADDRESS

CURRENT EMPLOYER

CURRENT OCCUPATION OR JOB DESCRIPTION

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In the United States Court of Federal Claims

No. 13-456C

 FAIRHOLME FUNDS, INC. et al., *
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 Plaintiffs, *
 *
 v. *
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 THE UNITED STATES, *
 *
 Defendant. *

DECLARATION OF Brent S. Wible

I hereby certify that I have carefully reviewed and am fully familiar with the provisions of the Protective Order dated Nov. 9, 2015, entered and filed of record in the above-captioned litigation ("Protective Order").

I certify that I am eligible to have access to Confidential Material, pursuant to paragraphs 4 and 7 of the Protective Order. As a condition precedent to my examination of any Protected Information pursuant to the Protective Order, or any information contained in said material, I hereby agree that the Protective Order and any amendments thereto shall be deemed directed to and shall bind me, and that I shall observe and comply with all provisions of the Protective Order.

[Handwritten Signature]
SIGNATURE

Brent S. Wible
NAME (PRINTED)

1600 Pennsylvania Ave., NW
BUSINESS ADDRESS

Executive Office of the President
CURRENT EMPLOYER

Associate Counsel to the President
CURRENT OCCUPATION OR JOB DESCRIPTION