

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

NOTICE OF DOCKETING

17-1015 - Fairholme Funds, Inc. v. US

Date of docketing: October 5, 2016

Appeal from: United States Court of Federal Claims case no. 1:13-cv-00465-MMS

Appellant(s): Michael Sammons

Critical dates include:

- Date of docketing. See Fed. Cir. R. 12.
- Entry of appearance. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.3.
- Certificate of interest. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.4.
- Requests for extensions of time. See Fed. Cir. R. 26 and 27. **N.B. Delayed requests are not favored by the court.**
- Briefs. See Fed. Cir. R. 31. **N.B. You will not receive a separate briefing schedule from the Clerk's Office.**
- **ORAL ARGUMENT SCHEDULE CONFLICTS:** Counsel should advise the clerk in writing within 30 days once briefing is completed of potential scheduling conflicts or as soon as they are known and should not wait until an actual conflict arises. Once scheduled, a case will not be postponed except on motion showing **compelling reasons**. See Practice Note following Fed. Cir. R. 34.

Pro se parties should refer to the [Guide for Pro Se Petitioners and Appellants](#).

Attachments (to pro se parties only):

- Caption sheet
- Guide for Pro Se Petitioners and Appellants
- Required forms:
 - Entry of Appearance
 - Informal Brief

The official caption is reflected on the electronic docket under the listing of the parties and counsel. The Rules of Practice and required forms are available at www.cafc.uscourts.gov.

Peter R. Marksteiner
Clerk of Court

cc: US Court of Federal Claims
Charles J. Cooper
Kenneth Dintzer
Director, Commercial Litigation Branch, Civil Division, U.S. Department of Justice
Michael Sammons

**In the United States Court of Federal Claims
Appeal Information Sheet**

Assigned to: Judge Margaret M. Sweeney

Referral Judge:

Nature of Suit: 514

Type of Case: Taking - Other

FAIRHOLME FUNDS, INC., ET AL.,

Plaintiff,

v.

UNITED STATES,

Defendant,

Docket No.: 13-465 C.

Cross or Related: No.

Appellant is: Non-party.¹

Date Judgment Entered: Pending.

Date of Notice of Appeal: October 3, 2016.

Fee: Filing fee paid. Receipt number CFC 100002395.

See docket sheet for defendant and plaintiff counsel representation information

¹ **NON-PARTY** - Michael Sammons, 15706 Seekers Street, San Antonio, TX 78255 - (210) 858-6199 – michaelsammons@yahoo.com.

UNITED STATES COURT OF FEDERAL CLAIMS

FAIRHOLME FUNDS, INC, et al,

Plaintiffs,

v.

Case No. 13-465C

THE UNITED STATES,

Defendant.

NOTICE OF APPEAL

NOTICE is hereby given that Michael Sammons, denied-intervenor, in the above case hereby appeals to the **United States Court of Appeals for the Federal Circuit** from the Final Order denying leave to intervene entered in this action on September 30, 2016.

NOTICE is also hereby given that Michael Sammons shall seek appropriate relief from the U.S. Supreme Court.



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RECEIVED - USCFC

OCT - 3 2016

ORIGINAL

In the United States Court of Federal Claims

No. 13-465C
(Filed: September 30, 2016)

FILED
SEP 30 2016
U.S. COURT OF
FEDERAL CLAIMS

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

ORDER

On Friday, September 16, 2006, the clerk’s office received from Michael Sammons his pro se motion to intervene in the above-captioned case, which was transmitted to chambers the following business day. By his order, the court directs the clerk of court to file the motion. Because the motion to intervene is ill-conceived, the court need not await a response from all counsel of record before ruling on it. Further, the court notes that because there is no evidence to suggest that Mr. Sammons is an attorney, there is no need to issue a show cause order related to the imposition of sanctions for the filing of a motion that is both frivolous and vexatious.1

I. BACKGROUND

In his motion, Mr. Sammons describes himself as “a member of the plaintiff-class with beneficial ownership of \$1,000,000 par amount of [government-sponsored enterprise (“GSE”)] preferred stock.” Intervenor’s Mot. 1. He seeks “to intervene as a matter of right for the limited purpose of challenging this Court’s jurisdiction” over plaintiffs’ Fifth Amendment takings claim pursuant to Rule 24(a) of the Federal Rules of Civil Procedure (“FRCP”). Id. at 1-4. The legal arguments set forth in Mr. Sammons’s motion are, among other things, contrary to statute, well-settled case law, and the legal positions asserted by all parties to this litigation.2

1 Mr. Sammons’s motion reflects a profound misunderstanding of this court’s operations and procedures, as well as the procedural history of this case. Other than addressing the contours of this court’s jurisdiction and explaining the frivolous nature of the motion, the undersigned declines to address the remainder of Mr. Sammons’s unfounded claims.

2 Indeed, defendant’s motion to dismiss, which was filed pursuant to Rule 12(b)(1) and 12 (b)(6) of the Rules of the United States Court of Federal Claims (“RCFC”), does not challenge this court’s authority to entertain Fifth Amendment Takings claims. Rather, defendant argues, among other things, that the court lacks jurisdiction over the complaint because: (1) the

The gravamen of Mr. Sammons's motion to intervene is that the Court of Federal Claims lacks the authority to exercise jurisdiction over and adjudicate Fifth Amendment takings claims. According to Mr. Sammons, only United States district courts, not the Court of Federal Claims, can exercise jurisdiction over Fifth Amendment takings claims. *Id.* at 1. Mr. Sammons misapprehends this court's jurisdiction.

II. DISCUSSION

A. The Court of Federal Claims Possesses Exclusive Jurisdiction Over Fifth Amendment Takings Claims Exceeding \$10,000

The Court of Federal Claims was established under Article I of the United States Constitution. 28 U.S.C. § 171(a) (2012). Article I also provides for the appointment of the court's judges. *Id.* § 172(a). The judges of this court are appointed by the President and confirmed by the United States Senate. *Id.*

This court's authority to act was conferred by Congress through the Tucker Act. *Id.* § 1491. In this statute, commonly referred to as the "Big" Tucker Act, Congress specifically waived sovereign immunity for claims against the United States, not sounding in tort, that are founded upon the United States Constitution, a federal statute or regulation, or an express or implied contract with the United States. *Id.* § 1491(a)(1). Because the Tucker Act is merely a jurisdictional statute and "does not create any substantive right enforceable against the United States for money damages," *United States v. Testan*, 424 U.S. 392, 398 (1976), that right must appear in another source of law, such as a "money-mandating constitutional provision, statute or

Federal Home Finance Agency ("FHFA"), when acting in its role as conservator, is not acting as the United States, Def.'s Mot. Dismiss 12-16; (2) no liability can attach as a result of United States Department of the Treasury's ("Treasury Department") execution of the Third Amendment because Treasury Department was acting as a market participant, not as the sovereign, when it entered into that agreement with the FHFA, *id.* at 26-28; (3) plaintiffs cannot establish the facts necessary to state a takings claim, *id.* at 32-38; and (4) plaintiffs' claims are not ripe, *id.* at 38-42. Then, in its supplemental motion to dismiss, which was filed pursuant to RCFC 12(b)(1), defendant seeks the dismissal of the claims of "plaintiffs Fairholme Funds, Inc., the Fairholme Fund (collectively the Fairholme hedge funds), and all other plaintiffs who did not own shares in Fannie Mae or Freddie Mac (the Enterprises)[] on August 17, 2012, the date of the alleged Fifth Amendment taking in this case." Def.'s Suppl. Mot. Dismiss 1. Defendant argues that "[t]hese plaintiffs lack Article III standing to maintain their takings claim because they did not own the property alleged to have been taken until many months after the alleged taking occurred." *Id.* (footnote omitted.). All of defendant's comprehensive arguments in support of dismissing plaintiffs' complaint notwithstanding, nowhere in either of its motions to dismiss does defendant argue that the United States Court of Federal Claims ("Court of Federal Claims") lacks jurisdiction to adjudicate takings claims against the United States. The reason is clear: to do so would be contrary to statute and case law and would result in court-imposed sanctions against government counsel for making an argument contrary to the law in violation of RCFC 11.

regulation that has been violated, or an express or implied contract with the United States.” Loveladies Harbor, Inc. v. United States, 27 F.3d 1545, 1554 (Fed. Cir. 1994) (en banc). One such money-mandating constitutional provision is the Takings Clause of the Fifth Amendment to the United States Constitution, which provides: “nor shall private property be taken for public use, without just compensation.” U.S. Const. amend. V. The Takings Clause “was designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole.” Armstrong v. United States, 364 U.S. 40, 49 (1960). The Takings Clause does not prohibit the taking of property. Brown v. Legal Found. of Wash., 538 U.S. 216, 235 (2003). Rather, it proscribes a taking without just compensation. Id.; see also First English Evangelical Lutheran Church of Glendale v. Cnty. of L.A., 482 U.S. 304, 315 (1987) (providing that the Takings Clause “is designed not to limit the governmental interference with property rights per se, but rather to secure compensation in the event of otherwise proper interference amounting to a taking” in a claim asserted against a county).

The Court of Federal Claims possesses jurisdiction to entertain Fifth Amendment takings claims against the United States. See McGuire v. United States, 707 F.3d 1351, 1356 (Fed. Cir. 2013) (“Because [the plaintiff’s] takings claim fell within the scope of the Tucker Act (and was a claim for over \$10,000), jurisdiction was proper only in the Claims Court.”); John R. Sand & Gravel Co. v. United States, 457 F.3d 1345, 1354 (Fed. Cir. 2006) (“The Tucker Act, 28 U.S.C. § 1491(a)(1), provides the Court of Federal Claims with jurisdiction over takings claims brought against the United States.”), aff’d, 552 U.S. 130 (2008); Morris v. United States, 392 F.3d 1372, 1375 (Fed. Cir. 2004) (“Absent an express statutory grant of jurisdiction to the contrary, the Tucker Act provides the Court of Federal Claims exclusive jurisdiction over takings claims for amounts greater than \$10,000.”); Murray v. United States, 817 F.2d 1580, 1583 (Fed. Cir. 1987) (noting that “the ‘just compensation’ required by the Fifth Amendment has long been recognized to confer upon property owners whose property has been taken for public use the right to recover money damages from the government”). Consequently, Mr. Sammons’s attempt to challenge this court’s jurisdiction over takings claims by intervening in this case is a pointless exercise.

In sum, regardless of the whether plaintiffs’ claims in this case are ultimately found to be meritorious, the Court of Federal Claims and its judges are empowered to exercise jurisdiction over Fifth Amendment takings claims. Congress granted this court jurisdiction over Fifth Amendment takings claims against the United States. 28 U.S.C. § 1491. Consequently, the purpose for which Mr. Sammons seeks intervention is frivolous and would result in a waste the resources of the court and all parties to this litigation.

B. The Jurisdiction of the United States District Courts Is Limited to Claims That Do Not Exceed Damages in the Amount of \$10,000

Because Mr. Sammons suggests that Article III district courts are the proper for a for Fifth Amendment takings claims against the federal government, the court finds that it would be beneficial to explain the jurisdiction of the district courts. The “Little” Tucker Act, 28 U.S.C. § 1346(a)(2), specifically provides:

- (a) The district courts shall have original jurisdiction, concurrent with the United States Court of Federal Claims, of:

....

- (2) Any other civil action or claim against the United States, not exceeding \$10,000 in amount, founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort, except that the district courts shall not have jurisdiction of any civil action or claim against the United States founded upon any express or implied contract with the United States or for liquidated or unliquidated damages in cases not sounding in tort which are subject to sections 7104(b)(1) and 7107(a)(1) of title 41.

(emphasis added). The congressional mandate of the “Little” Tucker Act is unambiguous—district courts are specifically precluded from hearing Fifth Amendment takings claims in excess of \$10,000. Consequently, if Mr. Sammons seeks to avoid subjecting himself to litigation in this court, he may pursue a takings claim in a district court so long as the amount of damages he seeks does not exceed the “Little” Tucker Act’s \$10,000 statutory ceiling. Indeed, at least one district court has opined concerning whether the effect of the Third Amendment rose to the level of a taking. Specifically, in Perry Capital LLC v. Lew, 70 F. Supp. 3d 208 (D.D.C. 2014), the United States District Court for the District of Columbia, an Article III tribunal, rejected all of the plaintiffs’ challenges regarding the effect of the Third Amendment. The court further observed that it lacked jurisdiction over plaintiffs’ takings claims because they exceeded the \$10,000 limit of the “Little” Tucker Act:

As an initial matter, the defendants argue that the class plaintiffs’ takings claims belong in the Court of Federal Claims rather than in this Court. Pursuant to the so-called “Big” Tucker Act, 28 U.S.C. § 1491(a)(1), the Court of [Federal] Claims maintains exclusive jurisdiction over claims against the United States that exceed \$10,000. Under the “Little” Tucker Act, 28 U.S.C. § 1346(a)(2), the Court of [Federal] Claims shares concurrent jurisdiction with federal district courts over claims against the United States not exceeding \$10,000. In this Circuit, for complaints that include potential claims over \$10,000, Little Tucker Act jurisdiction is only satisfied by a “clearly and adequately expressed” waiver of such claims. See Waters v. Rumsfeld, 320 F.3d 265, 271-72 (D.C. Cir. 2003) (“[F]or a district

court to maintain jurisdiction over a claim that might otherwise exceed \$10,000, a plaintiff's waiver of amounts over that threshold must be clearly and adequately expressed.") (internal quotation marks and citation omitted). Here, the class plaintiffs argue that "expressly limit[ing] the prospective takings class to individuals who suffered losses less than \$10,000" is an adequate alternative to waiver, and that waiver is "premature" until the class certification phase. Class Pls.'s Opp'n at 53. Yet the plaintiffs' refusal to clearly and adequately waive claims exceeding \$10,000 in either their pleadings or subsequent opposition brief contravenes Circuit precedent. See Goble v. Marsh, 684 F.2d 12, 15-16 (D.C. Cir. 1982); Stone v. United States, 683 F.2d 449, 454 n.8 (D.C. Cir. 1982) ("Generally a plaintiffs' waiver should be set forth in the initial pleadings."). Nevertheless, the Circuit has also made clear its preference that the District Court should not transfer a case that is defective on Little Tucker Act grounds to the Court of Claims "without first giving [the plaintiffs] an opportunity to amend their complaints to effect an adequate waiver." Goble, 684 F.2d at 17.

Thus, while the class plaintiffs' takings pleading is inadequate for jurisdiction in this Court under the "Little" Tucker Act, in keeping with the tenor of Circuit case law, the Court would generally provide the class plaintiffs "an opportunity to amend their complaints to effect an adequate waiver." Id. However, doing so here is unnecessary, since the Court finds that the class plaintiffs' takings claims are dismissed on alternative grounds.³

Id. at 240 (footnote added).

C. Plaintiff Has Not Satisfied the Four Requirements for Intervention

Turning to the merits of the motion for intervention, the court's ruling is informed by RCFC 24, which, mirroring FRCP 24(a)(2),⁴ provides:

³ On October 2, 2014, the district court's decision in Perry Capital was appealed to the United States Court of Appeals for the District of Columbia ("D.C. Circuit"). Of note, documents produced during discovery conducted in the instant action, which remains ongoing, were lodged under seal with the D.C. Circuit prior to the April 15, 2016 oral argument in that case. As of the filing of this order, the D.C. Circuit has not yet ruled on the appeal. In addition, as recently as September 22, 2016, some of the plaintiffs filed a sealed letter advising the D.C. Circuit of additional authorities.

⁴ Although Mr. Sammons brings his motion pursuant to the FRCP, the Court of Federal Claims is governed by its own set of rules: the RCFC. In this case, as in many cases, it is a distinction without a difference, as the RCFC tend to mirror the FRCP. See Zoltek Corp. v.

On a timely motion, the court must permit anyone to intervene who . . . claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest.

In other words, RCFC 24(a)(2) movants “must show that: (1) they have an interest relating to the property or transaction that is the subject of the action; (2) without intervention the disposition of the action may, as a practical matter, impair or impede the applicants' ability to protect that interest; . . . (3) their interest is inadequately represented by the existing parties,” and (4) their motion is timely filed. Freeman v. United States, 50 Fed. Cl. 305, 308-09 (2001). Courts reviewing such motions must construe them “in favor of intervention.” Am. Mar. Transp., Inc. v. United States, 870 F.2d 1559, 1561 (Fed. Cir. 1989). However, courts are nonetheless “entitled to the full range of reasonable discretion in determining whether the . . . requirements [for intervention] have been met.” Rios v. Enter. Ass'n Steamfitters Local Union No. 638 of U.A., 520 F.2d 352, 355 (2d Cir. 1975), quoted in Chippewa Cree Tribe of Rocky Boy's Reservation v. United States, 85 Fed. Cl. 646, 653 (2009). Indeed, “[i]ntervention is proper only to protect those interests which are of such a direct and immediate character that the intervenor will either gain or lose by the direct legal operation and effect of the judgment.” Am. Mar. Transp., 870 F.2d at 1561 (internal quotation marks omitted).

Intervention is proper only to protect those interests that are ““of such a direct and immediate character that the intervenor will either gain or lose by the direct legal operation and effect of the judgment.”” United States v. AT & T Co., 642 F.2d 1285, 1292 (D.C. Cir. 1980) (quoting Smith v. Gale, 144 U.S. 509, 518 (1892)). Thus, the interest may not be either indirect or contingent. See, e.g., New Orleans Pub. Serv., Inc. v. United Gas Pipe Line Co., 732 F.2d 452, 463 (5th Cir. 1984); Dilks v. Aloha Airlines, Inc., 642 F.2d 1155, 1157 (9th Cir. 1981) (per curiam).

Performing a proper analysis is difficult when the court is confronted with a specious motion. Nevertheless, the court will scrutinize Mr. Sammons's motion under RCFC 24(a). Pursuant to the first requirement of the test for intervention, the movant must show that his interest in the property is “of such a direct and immediate character that the intervenor will either gain or lose by the direct legal operation and effect of the judgment.” Smith, 144 U.S. at 518, quoted in Chippewa Cree Tribe, 85 Fed. Cl. at 654. In addition, the movant must demonstrate that his interest is legally protectable—“one which the substantive law recognizes as belonging to or being owned by the applicant.” Id. (internal quotation marks omitted). In this case, the movant's alleged interest is both direct and legally protectable. Mr. Sammons claims that he is a member of the “plaintiff-class” and is the beneficial owner of one million dollars' worth of GSE

United States, 71 Fed. Cl. 160, 167 (2006) (noting that interpretation of a rule of the FRCP “informs the Court's analysis” of the corresponding rule of the RCFC).

stock through Cede & Co., which he describes as the “nominal holder of record.”⁵ Intervenor’s Mot. 1. Although no motion for class certification has been filed in this case, Mr. Sammons claims that he owns GSE stock. “[N]o Federal law of which this court is aware has ever imposed certainty as a requirement of proof, particularly at the outset of litigation—and RCFC 24(a) is no exception, as it only requires that the disposition of the case may impede or impair an applicant’s interests.” Klamath Irrigation Dist. v. United States, 64 Fed. Cl. 328, 333 (2005) (internal quotation marks omitted). Assuming that Mr. Sammons is a GSE stockholder, as he claims, then the outcome of this litigation may impact his ownership rights.⁶ Thus, Mr. Sammons has satisfied the first requirement of the four-prong test. However, merely satisfying the first requirement does not end the court’s inquiry.

With respect to the second requirement, the movant must show that “without intervention the disposition of the action may, as a practical matter, impair or impede the applicant[’s] ability to protect [his] interest.” Freeman, 50 Fed. Cl. at 308. In other words, intervention is “inappropriate where relief is available elsewhere.” Chippewa Cree Tribe, 85 Fed. Cl. at 657. In this case, Mr. Sammons asserts that the purpose of his motion for intervention is to challenge this court’s subject matter jurisdiction. According to Mr. Sammons, the Court of Federal Claims cannot adjudicate Fifth Amendment takings claims because it is an Article I court. Mr. Sammons is incorrect. Indeed, as explained above, this court is the exclusive forum for adjudicating Fifth Amendment takings claims against the United States in excess of \$10,000. 28 U.S.C. §§ 1346(a)(3), 1491(a)(1). Ironically, by seeking to attack this court’s jurisdiction, Mr. Sammons unwittingly aligns himself with the defendant, the only party to this litigation challenging this court jurisdiction, albeit on other grounds. Moreover, if Mr. Sammons elects to limit his damages claim against the United States to an amount that does not exceed \$10,000, he may file suit in federal district court. Of course, at least one district court has opined that the

⁵ As explained below, plaintiffs have not yet moved for class certification in this case. Furthermore, if Cede & Co. is a corporation, it may only be represented by counsel. RCFC 83.1(a)(3) specifically provides that an “individual who is not an attorney . . . may not represent a corporation . . . in any other proceeding before this court.” See Talasila, Inc. v. United States, 240 F.3d 1064, 1066 (Fed. Cir.) (“[A corporation] must be represented by counsel in order to pursue its claim against the United States in the Court of Federal Claims.”), reh’g and reh’g en banc denied (Fed. Cir. 2001); Finast Metal Prods. Inc. v. United States, 12 Cl. Ct. 759, 761 (1987) (“A corporate ‘person’ can no more be represented in court by a non-lawyer—even its own president and sole shareholder—than can any individual.”). This rule applies even in those situations in which a financial hardship is imposed on the corporate plaintiff. Richdel, Inc. v. Sunspool Corp., 699 F.2d 1366, 1366 (Fed. Cir. 1983) (noting that “substantial financial hardship” did not waive the rule requiring corporations to be represented by counsel).

⁶ It bears noting that Mr. Sammons also appears to seek to transfer this case to a United States district court, which would, of course, lack jurisdiction over any Fifth Amendment takings claim that exceeded \$10,000. Thus, if this court were to transfer the instant action, it would prejudice every plaintiff in this and all the related actions pending before it.

United States is not liable under the Fifth Amendment.⁷ See Perry Capital, 70 F. Supp. 3d at 240.

Furthermore, despite Mr. Sammons's objection to this court's adjudication of claims brought under the Fifth Amendment's Takings Clause, claims over which this court undeniably possesses subject matter jurisdiction, Mr. Sammons cannot demonstrate that his ability to protect his interest in GSE stock would be impaired if the court denied his motion for the simple reason that he, at any time, remains free to bring a separate suit. See, e.g., TRW Envtl. Safety Sys., Inc. v. United States, 16 Cl. Ct. 516, 519 (1989) (finding that the putative intervenor "would not appear to be substantially prejudiced by a denial of its motion, for [he] retains [his] right to bring a separate action"); Ackley v. United States, 12 Cl. Ct. 306, 309 (1987) (finding that the rights of the putative intervenor would not be prejudiced by the court's denial of his motion to intervene because he had already filed a separate action).

With respect to establishing the third requirement for intervention, the movant must show that his interests are not adequately being represented by the existing parties. To satisfy this requirement, "a movant need only show that the representation of his interests 'may be' inadequate." Fifth Third Bank of W. Ohio v. United States, 52 Fed. Cl. 202, 205 (2002) (quoting Trbovich v. United Mine Workers of Am., 404 U.S. 528, 538 (1972)). In this case, Mr. Sammons claims that "no party to the action is willing to raise the meritorious issue that Judge Sweeney, as a non-article III judge, does not have authority under the Constitution to hear the case." Intervenor's Mot. 1. However, as explained above, the Court of Federal Claims has exclusive jurisdiction over Fifth Amendment takings claims against the United States for claims that exceed \$10,000 in damages, and concurrent jurisdiction with federal district courts over Fifth Amendment takings claims for less than \$10,000. Accordingly, the undersigned possesses the authority to hear plaintiffs' case. Mr. Sammons fails to identify any inadequacy in plaintiffs' representation of his interests. As explained above, the allegations contained in the motion for intervention are not only contrary to law, but are at odds with the postures of both plaintiffs and defendant in this case—none of which has argued that the Court of Federal Claims lacks subject matter over this matter because it is an Article I court. Accordingly, Mr. Sammons fails to meet the third requirement of the test for intervention.

With respect to the final element, timeliness, the court must examine (1) how long the movant knew or reasonably should have known of his rights, (2) whether existing parties would be more prejudiced by the court's granting the motion than the movant would be prejudiced by

⁷ The Perry Capital court found, among other things, that it agreed with the defendants' argument that, "the plaintiffs fail to plead a cognizable property interest, for takings purposes, because the GSEs—and, therefore, the plaintiff shareholders—lack the right to exclude the government from their property." 70 F. Supp. 3d at 241. The court reasoned that because "the GSE shareholders necessarily lack the right to exclude the government from their investment when FHFA places the GSEs under governmental control—e.g., into conservatorship," plaintiffs failed to state a claim upon which relief can be granted pursuant to FRCP 12(b)(6). Id. at 240-42. The court also found that "[e]ven if the class plaintiffs could claim a cognizable property interest—and they cannot—their claims would still fail on a motion to dismiss under existing Supreme Court regulatory takings precedent." Id. at 243.

the court's denying the motion, and (3) whether there exist any unusual circumstances that tip the balance in favor of either granting or denying the motion. Chippewa Cree Tribe, 85 Fed. Cl. at 658. "The court determines timeliness from all the circumstances and exercises 'sound discretion' in making its determination." John R. Sand & Gravel Co. v. United States, 59 Fed. Cl. 645, 649 (2004) (quoting NAACP v. New York, 413 U.S. 345, 366 (1973)), *aff'd*, 143 F. App'x 317 (Fed. Cir. 2005).

Mr. Sammons does not indicate how long he has known about his rights, but there is no question that the Third Amendment was entered into by the Treasury Department and the FHFA on August 17, 2012. However, stockholders have knowledge of a claim when they do not receive a dividend when it is due. In this case, Mr. Sammons could have proceeded, if he thought it was in his best interest, to file suit in district court in 2012. Indeed, because Mr. Sammons refers to himself as a "class-plaintiff," he may be represented in the Perry Capital litigation. In addition, the court notes that the complaint in the instant action was filed on July 9, 2013, and subsequently, other related Fifth Amendment takings cases were filed. Consequently, the court assume Mr. Sammons was aware of his rights at least since the filing in 2013 of the instant action or the related cases.

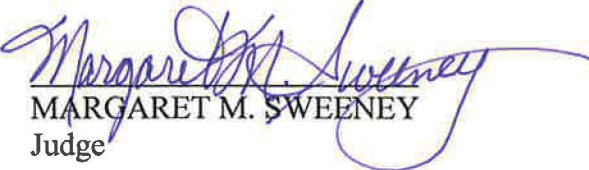
With respect to whether the existing parties would be more prejudiced by the court's granting Mr. Sammons's motion than he would be prejudiced by the court's denying the motion, the court concludes that the case is simply too far down the discovery track to be disrupted by a motion for intervention to challenge the court's jurisdiction. To date, there have been over 330 docket entries in this case. Indeed, after defendant filed its initial motion to dismiss on December 9, 2013, the case was suspended on January 2, 2014, based on the parties' joint request. Since that time, the parties, but primarily plaintiffs, have conducted jurisdictional and merits-based discovery. The scope of that discovery has been the subject of numerous status conferences and orders, and much of that discovery is the subject of a protective order and therefore only available to certain counsel and their experts. In addition, following the June 10, 2016, ripening of plaintiffs' motion to compel, the court conducted an *in camera* review of numerous documents and, in an eighty-one-page decision dated September 20, 2016, granted plaintiffs' motion in its entirety. The documents at issue, which are subject to the court's protective order, will be used by plaintiffs to meet the jurisdictional challenges raised by defendant's motion to dismiss. Thus, because the parties are actively engaged in massive discovery efforts, and because they would be obliged to expend unnecessary time, expense, and other resources to respond to a vacuous motion, the court concludes that they would be more prejudiced by the court's granting Mr. Sammons's motion than he would be prejudiced by the court's denying it.

Furthermore, there do not exist any unusual circumstances that tip the balance in favor of either granting or denying the motion. For these reasons, the court, in an exercise of its discretion, finds Mr. Sammons's motion to be untimely. Accordingly, Mr. Sammons fails to meet the fourth requirement of the test for intervention.

III. CONCLUSION

Because Mr. Sammons's motion to intervene is both ill-conceived and fails to satisfy the requirements of RCFC 24, the motion is **DENIED**.

IT IS SO ORDERED.


MARGARET M. SWEENEY
Judge

APPEAL,ECF,PROTO

US Court of Federal Claims
United States Court of Federal Claims (COFC)
CIVIL DOCKET FOR CASE #: 1:13-cv-00465-MMS
Internal Use Only

FAIRHOLME FUNDS, INC. et al v. USA
Assigned to: Judge Margaret M. Sweeney
Case: [1:13-cv-00466-MMS](#)
Cause: 28:1491 Tucker Act

Date Filed: 07/09/2013
Jury Demand: None
Nature of Suit: 514 Taking - Other
Jurisdiction: U.S. Government
Defendant

Plaintiff

FAIRHOLME FUNDS, INC.
*on behalf of its series The Fairholme
Fund*

represented by **Charles J. Cooper**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

ACADIA INSURANCE COMPANY

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**ADMIRAL INDEMNITY
COMPANY**

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**ADMIRAL INSURANCE
COMPANY**

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**BERKLEY INSURANCE
COMPANY**

represented by **Charles J. Cooper**
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**BERKLEY REGIONAL
INSURANCE COMPANY**

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**CAROLINA CASUALTY
INSURANCE COMPANY**

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**CONTINENTAL WESTERN
INSURANCE COMPANY**

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**MIDWEST EMPLOYERS
CASUALTY INSURANCE
COMPANY**

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**NAUTILUS INSURANCE
COMPANY**

represented by **Charles J. Cooper**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**PREFERRED EMPLOYERS
INSURANCE COMPANY**

represented by **Charles J. Cooper**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

THE FAIRHOLME FUND
a series of Fairholme Funds, Inc.

represented by **Charles J. Cooper**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

USA

represented by **Kenneth Michael Dintzer**
U. S. Department of Justice - Civil Div.
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Fax: (202) 514-8624
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Fax: (202) 626-1700
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JOSEPHINE RATTIEN

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TERMINATED: 08/24/2015
LEAD ATTORNEY
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STEPHEN RATTIEN

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Lawrence David Rosenberg
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TERMINATED: 08/24/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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**PERSHING SQUARE CAPITAL
MANAGEMENT, L.P.**

represented by **Gregory P Joseph**
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LEAD ATTORNEY
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Lawrence David Rosenberg
(See above for address)
TERMINATED: 08/24/2015
LEAD ATTORNEY
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WASHINGTON FEDERAL

represented by **Steve W. Berman**
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MICHAEL MCCREDY BAKER

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ATTORNEY TO BE NOTICED



Amicus



**CITY OF AUSTIN POLICE
RETIREMENT SYSTEM**




represented by **Steve W. Berman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED


Amicus



JOHN YOO





Date Filed	#	Docket Text
10/03/2016	339	NOTICE OF APPEAL, filed by MICHAEL SAMMONS. Filing fee \$ 505, receipt number CFC100002395. Copies to judge, opposing party and CAFC. (hw1) (Entered: 10/03/2016)
09/30/2016	338	ORDER denying 337 Motion to Intervene. Signed by Judge Margaret M. Sweeney. (hw1) Copy to parties. (Entered: 09/30/2016)
09/30/2016	337	MOTION to Intervene, filed by MICHAEL SAMMONS. Service: 9/30/2016. Filed by leave of the Judge. (hw1) (Entered: 09/30/2016)
09/30/2016	 336	**SEALED** JOINT STATUS REPORT , filed by All Plaintiffs. (Attachments: # 1 Exhibit Agreed Upon Redactions to September 20 Order)(Cooper, Charles) (Entered: 09/30/2016)
09/20/2016	 335	**SEALED** OPINION AND ORDER granting 270 Motion to Compel. By no later than October 14, 2016, defendant shall file a memorandum with the court explaining why the court should not require defendant to pay plaintiffs' reasonable expenses incurred in making the motion, including attorney's fees. Signed by Judge Margaret M. Sweeney. (sp) (Entered: 09/20/2016)
06/21/2016	334	REDACTED DOCUMENT, filed by ARNETIA JOYCE ROBINSON redacting 321 MOTION to Remove the "Protected Information" Designations from Documents Referred to in Amended Complaint and in Merits Briefing, and, in the Alternative, Motion to Modify the Protective Order to Permit Reference to these Materials at Oral A . (Attachments: # 1 Exhibit A - List of the Documents, # 2 Exhibit B - Amended Complaint, # 3 Exhibit C - Email, # 4 Appendix Volume 1 (Exhibits 1-15), # 5 Appendix Volume 2 (Exhibits 16-27), # 6 Appendix Volume 3 (Exhibits 28-40), # 7 Appendix Volume 4 (Exhibits 41-55)) (Orr, Jennifer) (Entered: 06/21/2016)
06/10/2016	333	NOTICE, filed by USA of <i>Filing of Declaration</i> (Bezack, Reta) (Entered: 06/10/2016)
06/06/2016	332	NOTICE, filed by MICHAEL MCCREDY BAKER, CITY OF AUSTIN POLICE RETIREMENT SYSTEM, WASHINGTON FEDERAL <i>Notice of Filing of Application of Andrew N. Dodemaide for Access to Protected Information</i> (Berman, Steve) (Entered: 06/06/2016)
06/01/2016	331	ORDER reissuing 326 ORDER denying 285 Motion Regarding Apparent Violation of Second Amended Protective Order. Signed by Judge Margaret M. Sweeney. (sp) (Entered: 06/01/2016)
06/01/2016	330	ORDER granting 329 Joint Motion for Extension of Time to File Joint Status Report. Signed by Judge Margaret M. Sweeney. (sp) (Entered: 06/01/2016)
05/31/2016	329	Joint MOTION for Extension of Time until 05/31/2016 to to File Joint Status Report , filed by USA. Response due by 6/17/2016. (Attachments: # 1 Exhibit)(Bezack, Reta) (Entered: 05/31/2016)


05/25/2016	328	ORDER granting in part and denying in part 327 Motion for Clarification. Signed by Judge Margaret M. Sweeney. (sp) (Entered: 05/25/2016)
05/25/2016	327	MOTION for Clarification of 325 Order , filed by USA. Response due by 6/13/2016. (Bezak, Reta) (Entered: 05/25/2016)
05/20/2016	 326	**SEALED** ORDER denying 285 Motion Regarding Apparent Violation of Second Amended Protective Order. The parties shall file, by no later than Friday, May 27, 2016, a joint status report advising whether the order should remain sealed. Signed by Judge Margaret M. Sweeney. (sp) (Entered: 05/20/2016)
05/20/2016	325	ORDER. By no later than Friday, May 27, 2016, defendant shall provide the court with hard copies of the documents identified in the order for in camera review. Signed by Judge Margaret M. Sweeney. (sp) (Entered: 05/20/2016)
05/19/2016	324	NOTICE, filed by ARNETIA JOYCE ROBINSON <i>OF WITHDRAWAL OF MOTION TO REMOVE THE "PROTECTED INFORMATION" DESIGNATION FROM DOCUMENTS</i> (Orr, Jennifer) (Entered: 05/19/2016)
05/13/2016	323	ORDER granting 322 Motion for Entry of Scheduling Order. Producing entities to provide information regarding removal of protected designations by 5/16/2016. In the absence of an agreement regarding the removal of protected designations, response(s) to 321 Motion due by 5/19/2016, and reply in support of 321 Motion due by 5/20/2016. Signed by Judge Margaret M. Sweeney. (kb1) (Entered: 05/13/2016)
05/11/2016	322	Joint MOTION for Scheduling Order re 321 MOTION to Remove the "Protected Information" Designations from Documents Referred to in Amended Complaint and in Merits Briefing, and, in the Alternative, Motion to Modify the Protective Order to Permit Reference to these Materials at Oral A , filed by ARNETIA JOYCE ROBINSON, USA. Response due by 5/31/2016. (Bezak, Reta) (Entered: 05/11/2016)
05/11/2016	 321	**SEALED** MOTION to Remove the "Protected Information" Designations from Documents Referred to in Amended Complaint and in Merits Briefing, and, in the Alternative, Motion to Modify the Protective Order to Permit Reference to these Materials at Oral Argument , filed by ARNETIA JOYCE ROBINSON. Response due by 5/31/2016. (Attachments: # 1 Exhibit A - List of the Documents, # 2 Exhibit B - Amended Complaint, # 3 Exhibit C - Email, # 4 Appendix Volume 1 (Exhibits 1-15), # 5 Appendix Volume 2 (Exhibits 16-27), # 6 Appendix Volume 3 (Exhibits 28-40), # 7 Appendix Volume 4 (Exhibits 41-55))(Orr, Jennifer) (Entered: 05/11/2016)
05/10/2016	320	ORDER granting nunc pro tunc 293 Motion for Leave to File Response to Joint Status Report. Signed by Judge Margaret M. Sweeney. (sp) (Entered: 05/10/2016)





05/06/2016	319	NOTICE, filed by ARNETIA JOYCE ROBINSON of <i>Filing of Additional Application for Access to Protected Information</i> (Attachments: # 1 Exhibit Declaration of Jennifer B. Orr)(Orr, Jennifer) (Entered: 05/06/2016)
04/20/2016	318	NOTICE, filed by DAVID JACOBS, GARY HINDES of <i>Applications of Certain Counsel Representing Plaintiffs in Jacobs v. Federal Housing Finance Agency, No. 15-708-GMS (D. Del.) for Access to Protected Information</i> (Attachments: # 1 Exhibit A Declaration of Myron T. Steele, # 2 Exhibit B Declaration of Michael A. Pittenger, # 3 Exhibit C Declaration of Christopher N. Kelly, # 4 Exhibit D Declaration of Alan R. Silverstein)(Pittenger, Michael) (Entered: 04/20/2016)
04/18/2016	317	ORDER reissuing 310 Order on Motion for Leave to File Amicus Brief. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 04/18/2016)
04/18/2016	316	JOINT STATUS REPORT <i>Regarding Unsealing of the Court's Order of April 11, 2016 Denying Leave to File Amicus Brief</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 04/18/2016)
04/14/2016	314	NOTICE, filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION (Walsh, Michael) (Entered: 04/14/2016)
04/13/2016	315	Docketed For Administrative Purposes REPORTED ORDER granting Motion to De-Designate Seven Documents. Signed by Judge Margaret M. Sweeney. (jt1) Copy to parties. (Entered: 04/15/2016)
04/13/2016	313	ORDER reissuing for publication 311 Order. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 04/13/2016)
04/13/2016	312	JOINT STATUS REPORT <i>Regarding Unsealing of the Court's De-Designation Order of April 11, 2016</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 04/13/2016)
04/11/2016	 311	**SEALED** ORDER granting in part and denying in part 304 Motion. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 04/11/2016)
04/11/2016	 310	**SEALED** ORDER denying 307 Motion for Leave to File Amicus Brief. Redacted order forthcoming. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 04/11/2016)
04/08/2016	 309	**SEALED** REPLY to Response to Motion re 304 Joint MOTION JOINT MOTION TO REMOVE THE PROTECTED INFORMATION DESIGNATIONS FROM DOCUMENTS FILED IN THE D.C. CIRCUIT CITED IN THE MERITS BRIEFING, AND, IN THE ALTERNATIVE, JOINT MOTION TO MODIFY THE PROTECTIVE ORDER TO PERMIT REFERENCE TO THESE MATERIAL <i>At Oral Argument</i> , filed by All Plaintiffs.(Hume, Hamish) (Entered: 04/08/2016)
04/08/2016	308	RESPONSE to 307 MOTION for Leave to File Amicus Brief , 304 Joint MOTION JOINT MOTION TO REMOVE THE PROTECTED INFORMATION DESIGNATIONS FROM DOCUMENTS FILED IN





		THE D.C. CIRCUIT CITED IN THE MERITS BRIEFING, AND, IN THE ALTERNATIVE, JOINT MOTION TO MODIFY THE PROTECTIVE ORDER TO PERMIT REFERENCE TO THESE MATERIAL , filed by USA. Reply due by 4/18/2016. (Bezak, Reta) (Entered: 04/08/2016)
04/07/2016	307	MOTION for Leave to File Amicus Brief , filed by JOHN YOO. Response due by 4/25/2016. (Attachments: # 1 Proposed Amicus Brief of John Yoo)(Gray, C.) (Entered: 04/07/2016)
04/01/2016	306	ORDER: Defendant's response to plaintiffs' motion 304 due by 4/8/16 at 12 p.m. EDT. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 04/01/2016)
04/01/2016	305	NOTICE, filed by USA re 304 Joint MOTION JOINT MOTION TO REMOVE THE PROTECTED INFORMATION DESIGNATIONS FROM DOCUMENTS FILED IN THE D.C. CIRCUIT CITED IN THE MERITS BRIEFING, AND, IN THE ALTERNATIVE, JOINT MOTION TO MODIFY THE PROTECTIVE ORDER TO PERMIT REFERENCE TO THESE MATERIAL (Bezak, Reta) (Entered: 04/01/2016)
03/31/2016	 304	**SEALED** Joint MOTION JOINT MOTION TO REMOVE THE PROTECTED INFORMATION DESIGNATIONS FROM DOCUMENTS FILED IN THE D.C. CIRCUIT CITED IN THE MERITS BRIEFING, AND, IN THE ALTERNATIVE, JOINT MOTION TO MODIFY THE PROTECTIVE ORDER TO PERMIT REFERENCE TO THESE MATERIALS AT ORAL ARGUMENT re 166 MOTION to Remove the "Protected Information" Designation from Certain Treasury and FHFA Documents , 170 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae , 162 MOTION to Remove the "Protected Information" Designations from Depositions , 165 MOTION to Remove the "Protected Information" Designation from Certain Grant Thornton Documents , 171 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Freddie Mac , 169 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Deloitte , filed by All Plaintiffs. Response due by 4/18/2016. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I)(Hume, Hamish) (Pursuant to 4/11/2016 Order, #311, Attachments 3-9 Unsealed) (ac7). (Entered: 03/31/2016)
03/04/2016	303	APPLICATION for Access to Protected Material by CHRISTIAN D. AMBLER, filed by CHRISTIAN D. AMBLER. (Attachments: # 1 Exhibit)(Ambler, Christian) (Entered: 03/04/2016)
03/01/2016	302	NOTICE, filed by MICHAEL MCCREDY BAKER, CITY OF AUSTIN POLICE RETIREMENT SYSTEM, WASHINGTON FEDERAL <i>Notice of Filing Applications of Andrew D. Abramowitz and</i>


		<i>James McGovern for Access to Protected Information</i> (Berman, Steve) (Entered: 03/01/2016)
02/19/2016	301	REDACTED DOCUMENT, filed by USA redacting 284 Response to Motion to <i>Compel</i> . (Attachments: # 1 Appendix)(Bezak, Reta) (Entered: 02/19/2016)
02/12/2016	300	ORDER denying as moot 298 motion to withdraw. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 02/12/2016)
02/12/2016	299	NOTICE, filed by JOSEPH CACCIAPALLE <i>Notice of Application for Access to Protected Information</i> (Attachments: # 1 Declaration of Matthew Goldstein)(Zagar, Eric) (Entered: 02/12/2016)
02/12/2016	298	MOTION to Withdraw 267 Order Striking Document , filed by BRADLEY PAYNTER, IDA SAXTON, THOMAS SAXTON. Response due by 2/29/2016. (Schneebeck, Harold) (Entered: 02/12/2016)
02/11/2016	297	REDACTED DOCUMENT, filed by All Plaintiffs redacting 290 Reply to Response to Motion to <i>Compel</i> . (Attachments: # 1 Redacted Appendix)(Cooper, Charles) (Entered: 02/11/2016)
02/09/2016	296	REDACTED DOCUMENT, filed by All Plaintiffs redacting 286 Response to Motion . (Cooper, Charles) (Entered: 02/09/2016)
02/09/2016	295	REDACTED DOCUMENT, filed by USA redacting 291 Reply to Response to Motion <i>PUBLIC VERSION</i> . (Schiavetti, Anthony) (Entered: 02/09/2016)
02/09/2016	294	REDACTED DOCUMENT, filed by USA redacting 285 Unopposed MOTION Expedited <i>Relief PUBLIC VERSION</i> . (Schiavetti, Anthony) (Entered: 02/09/2016)
02/09/2016	293	MOTION for Leave to File Washington Federal Plaintiffs' Response To Joint Status Report Suggesting Further Proceedings , filed by MICHAEL MCCREDY BAKER, CITY OF AUSTIN POLICE RETIREMENT SYSTEM, WASHINGTON FEDERAL. Response due by 2/26/2016. (Attachments: # 1 Exhibit A)(Berman, Steve) (Entered: 02/09/2016)
02/08/2016	292	ORDER reissuing for publication 287 Order. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 02/08/2016)
02/04/2016	 291	**SEALED** REPLY to Response to Motion re 285 Unopposed MOTION Expedited <i>Relief</i> , filed by USA.(Schiavetti, Anthony) (Entered: 02/04/2016)
02/01/2016	 290	**SEALED** REPLY to Response to Motion re 270 MOTION to <i>Compel</i> , filed by All Plaintiffs. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 02/01/2016)
01/29/2016	289	JOINT STATUS REPORT <i>Regarding Unsealing of the Court's Order of January 26, 2016</i> , filed by USA. (Schiavetti, Anthony) (Entered: 01/29/2016)




01/28/2016	288	JOINT STATUS REPORT <i>Suggesting Future Proceedings</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 01/28/2016)
01/26/2016	 287	**SEALED** ORDER. Joint status report due by 1/29/16. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 01/26/2016)
01/25/2016	 286	**SEALED** RESPONSE to 285 Unopposed MOTION Expedited <i>Relief</i> , filed by All Plaintiffs. Reply due by 2/4/2016. (Cooper, Charles) (Entered: 01/25/2016)
01/25/2016	 285	**SEALED** Unopposed MOTION Expedited <i>Relief</i> , filed by USA. Response due by 2/11/2016. (Schiavetti, Anthony) (Entered: 01/25/2016)
01/21/2016	 284	**SEALED** RESPONSE to 270 MOTION to Compel , filed by USA. Reply due by 2/1/2016. (Attachments: # 1 Appendix)(Moses, Jana) (Entered: 01/21/2016)
01/21/2016	283	ORDER granting 282 Motion for Extension of Time. Status Report due by 1/28/16. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 01/21/2016)
01/20/2016	282	Joint MOTION for Extension of Time until 01/28/2016 to file Joint Status Report , filed by USA. Response due by 2/8/2016. (Bezak, Reta) (Entered: 01/20/2016)
12/28/2015	281	ORDER granting 280 Motion for Extension of Time to File Response to 270 MOTION to Compel. Response due by 1/21/2016. Signed by Judge Margaret M. Sweeney. (kb1) (Entered: 12/28/2015)
12/24/2015	280	Second MOTION for Extension of Time until 01/21/2016 to File Response as to 270 MOTION to Compel , filed by USA. Response due by 1/11/2016. (Bezak, Reta) (Entered: 12/24/2015)
12/18/2015	279	ORDER re 276 Notice filed by ARNETIA JOYCE ROBINSON. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 12/18/2015)
12/14/2015	278	RESPONSE to 277 Response, 276 Notice (Other) <i>Reply in Support of Applications for Access to Protected Information</i> , filed by ARNETIA JOYCE ROBINSON. (Orr, Jennifer) (Entered: 12/14/2015)
12/11/2015	277	RESPONSE to 276 Notice (Other) <i>in Opposition</i> , filed by USA. (Bezak, Reta) (Entered: 12/11/2015)
12/11/2015	276	NOTICE, filed by ARNETIA JOYCE ROBINSON <i>of Applications for Access to Protected Information of Certain Attorneys</i> (Attachments: # 1 Exhibit Declaration of Robert B. Craig, # 2 Exhibit Declaration of Jonathan D. Tebbs)(Orr, Jennifer) (Entered: 12/11/2015)
12/08/2015	275	ORDER granting 273 Motion for Extension of Time to File re 270 . Response. Defendant's response due by 1/11/16. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 12/08/2015)
12/08/2015	274	

		APPLICATION for Access to Protected Material by Nicholas L. McQuaid, Albert L. Sanders, Jr., and Brent S. Wible, filed by USA. (Schiavetti, Anthony) (Entered: 12/08/2015)
12/08/2015	273	Unopposed MOTION for Extension of Time until 01/11/2016 to File Response as to 270 MOTION to Compel , filed by USA. Response due by 12/28/2015. (Bezak, Reta) (Entered: 12/08/2015)
12/07/2015	272	REDACTED DOCUMENT, filed by All Plaintiffs redacting 270 MOTION to Compel . (Attachments: # 1 Appendix Volume 1 - Redacted, # 2 Appendix Volume 2 - Redacted, # 3 Appendix Volume 3 - Redacted, # 4 Appendix Volume 4 - Redacted)(Cooper, Charles) (Entered: 12/07/2015)
11/24/2015	271	APPLICATION for Access to Protected Material by Jonathan Neuberger, Stuart Gurra, Rachel Lin and Yiting Ji, filed by USA. (Attachments: # 1 Exhibit Declarations)(Acevedo, Mariana) (Entered: 11/24/2015)
11/23/2015	 270	**SEALED** MOTION to Compel , filed by All Plaintiffs. Response due by 12/10/2015. (Attachments: # 1 Appendix Volume 1, # 2 Appendix Volume 2, # 3 Appendix Volume 3, # 4 Appendix Volume 4) (Cooper, Charles) (Entered: 11/23/2015)
11/19/2015	269	ORDER granting 268 APPLICATION for Access to Protected Material by Certain Counsel filed by JOSEPH CACCIAPALLE. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/19/2015)
11/19/2015	268	APPLICATION for Access to Protected Material by Certain Counsel, filed by JOSEPH CACCIAPALLE. (Attachments: # 1 Exhibit)(Zagar, Eric) (Entered: 11/19/2015)
11/19/2015	267	ORDER Striking 266 Notice of Appearance. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/19/2015)
11/18/2015	266	NOTICE of Appearance by Harold N. Schneebeck for BRADLEY PAYNTER, IDA SAXTON, THOMAS SAXTON .. (Schneebeck, Harold) (Stricken pursuant to 11/19/2015 Order) (ac7). (Entered: 11/18/2015)
11/18/2015	265	UNREPORTED ORDER granting 260 Saxton Plaintiffs' Counsel's Applications for Access to Protected Information. Signed by Judge Margaret M. Sweeney. (kb1) (Entered: 11/18/2015)
11/17/2015	264	ORDER reissuing for publication 257 Order. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/17/2015)
11/16/2015	263	RESPONSE to 260 Notice (Other), <i>in Opposition</i> , filed by USA. (Bezak, Reta) (Entered: 11/16/2015)
11/16/2015	262	JOINT STATUS REPORT <i>Regarding Unsealing of the Court's Order of November 10, 2015</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 11/16/2015)
11/16/2015	261	


		REDACTED DOCUMENT, filed by All Plaintiffs redacting 252 Response to Motion to <i>Quash</i> . (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 11/16/2015)
11/16/2015	260	NOTICE, filed by THOMAS SAXTON, IDA SAXTON, BRADLEY PAYNTER <i>OF FILING OF APPLICATIONS OF CERTAIN COUNSEL REPRESENTING PLAINTIFFS IN SAXTON V. FHFA, NO. 15-47 (N.D. IOWA) FOR ACCESS TO PROTECTED INFORMATION</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Schneebeck, Harold) (Entered: 11/16/2015)
11/16/2015	259	REDACTED DOCUMENT, filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION redacting 253 Reply to Response to Motion . (Hudson, David) (Entered: 11/16/2015)
11/16/2015	258	REDACTED DOCUMENT, filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION redacting 250 Corrected MOTION to Quash . (Attachments: # 1 Appendix)(Hudson, David) (Entered: 11/16/2015)
11/10/2015	 257	**SEALED** ORDER denying 250 Motion to Quash. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/10/2015)
11/09/2015	256	SECOND AMENDED PROTECTIVE ORDER. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/09/2015)
11/09/2015	255	ORDER granting relief requested in 254 Notice filed by Perry Capital LLC. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/09/2015)
11/06/2015	254	NOTICE, filed by PERRY CAPITAL LLC re 217 Protective Order, 249 Order, 226 Notice (Other), <i>of Filing of Applications of Certain Counsel Representing Perry Capital LLC for Access to Protected Information</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Text of Proposed Order (Exhibit D), # 5 Text of Proposed Order (Exhibit E)) (Chesley, John) (Entered: 11/06/2015)
10/29/2015	 253	**SEALED** REPLY to Response to Motion re 250 Corrected MOTION to Quash , filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION.(Hudson, David) (Entered: 10/29/2015)
10/19/2015	 252	**SEALED** RESPONSE to 250 Corrected MOTION to Quash , filed by All Plaintiffs. Reply due by 10/29/2015. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 10/19/2015)
10/14/2015	251	NOTICE, filed by All Plaintiffs <i>Notice of Appearance of Additional Attorneys</i> (Cooper, Charles) (Entered: 10/14/2015)
10/09/2015	 250	**SEALED** Corrected MOTION to Quash , filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION. Response due by 10/26/2015. (Attachments: # 1 Appendix)(Hudson, David) (Attachment 1 replaced on 10/9/2015) (ar). (Entered: 10/09/2015)
10/08/2015	249	

		ORDER re 248 Notice filed by PERRY CAPITAL LLC. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 10/08/2015)
10/07/2015	248	NOTICE, filed by PERRY CAPITAL LLC re 226 Notice (Other), <i>Regarding Pending Applications of Certain Counsel Representing Perry Capital LLC For Access To Protected Information, or, in the Alternative, Motion to Amend the Amended Protective Order</i> (Chesley, John) (Entered: 10/07/2015)
10/02/2015	 247	**SEALED** MOTION to Quash , filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION. Response due by 10/19/2015. (Attachments: # 1 Appendix)(Hudson, David) (Entered: 10/02/2015)
09/30/2015	246	ORDER granting 245 motion. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 09/30/2015)
09/29/2015	245	MOTION for General Leave to File Discovery Materials Under Seal in Other Litigation Challenging the Net Worth Sweep , filed by All Plaintiffs. Response due by 10/16/2015. (Cooper, Charles) (Entered: 09/29/2015)
09/22/2015	 244	**SEALED** TRANSCRIPT of Proceedings held on September 4, 2015 before Judge Margaret M. Sweeney. Total No. of Pages: 1-68. To purchase a copy, contact the clerk's office at (202) 357-6414. (ac7) (Entered: 09/22/2015)
09/22/2015	 243	**SEALED** Notice Of Filing Of Certified Transcript for proceedings held on September 4, 2015, in Washington, D.C. (ac7) (Entered: 09/22/2015)
09/15/2015	242	REDACTED DOCUMENT, filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION redacting 223 Response to Motion, <i>Response to Motion to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae and Deloitte.</i> (Attachments: # 1 Appendix)(Hudson, David) (Entered: 09/15/2015)
09/14/2015	241	REDACTED DOCUMENT, filed by All Plaintiffs redacting 232 Reply to Response to Motion,,,,. (Attachments: # 1 Exhibit 1 - Public, Redacted Version of D.C. Cir. Motion for Judicial Notice)(Cooper, Charles) (Entered: 09/14/2015)
09/04/2015	240	ORDER resolving various motions. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 09/04/2015)
09/04/2015		Minute Entry - Was the proceeding sealed to the public? Y. Proceeding held in Washington, DC on 9/4/15 at 10 a.m., ended on 9/4/15, before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 09/04/2015)
09/02/2015	 239	


		SEALEDJOINT STATUS REPORT <i>Regarding September 4 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 09/02/2015)
09/01/2015	238	NOTICE, filed by MICHAEL MCCREDY BAKER, CITY OF AUSTIN POLICE RETIREMENT SYSTEM, WASHINGTON FEDERAL <i>Notice of Filing of Applications of Jennifer Fountain Connolly, Robert M. Rosen and Joshua B. Kaplan for Access to Protected Information</i> (Attachments: # 1 Exhibit A - Declaration of Jennifer Fountain Connolly, # 2 Exhibit B - Declaration of Robert M. Roseman, # 3 Exhibit C - Declaration of Joshua B. Kaplan)(Berman, Steve) (Entered: 09/01/2015)
08/24/2015		NOTICE re: Motion to Substitute Attorney (Consented) pursuant to Rule 83.1(c)(4). Added attorney Gregory P Joseph for PERSHING SQUARE CAPITAL MANAGEMENT, L.P., LOUISE RAFTER, JOSEPHINE RATTIEN, Gregory P Joseph and STEPHEN RATTIEN. Attorney Lawrence David Rosenberg terminated. (ac7) (Entered: 08/24/2015)
08/24/2015	237	Consented MOTION to Substitute Attorney Gregory P. Joseph in place of Lawrence David Rosenberg , filed by PERSHING SQUARE CAPITAL MANAGEMENT, L.P., LOUISE RAFTER, JOSEPHINE RATTIEN, STEPHEN RATTIEN. (Attachments: # 1 Exhibit Ex. 1, # 2 Exhibit Ex. 2)(Joseph, Gregory) (Entered: 08/24/2015)
08/24/2015	236	REDACTED DOCUMENT, filed by GRANT THORNTON LLP redacting 224 <i>Response In Opposition To Plaintiffs' Motion to Remove the "Protected Information" Designated from Certain Grant Thornton Documents</i> . (Harper, Richard) (Entered: 08/24/2015)
08/21/2015	235	STATUS CONFERENCE ORDER: A status conference shall be held on Friday, September 4, 2015 at 10 a.m. before Judge Margaret M. Sweeney. Because protected information will be discussed, the status conference shall be closed to the public. Only those counsel admitted to the protective order may participate. The parties' sealed joint status report is due by Wednesday, September 2, 2015 at 5 p.m. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 08/21/2015)
08/21/2015	234	REDACTED DOCUMENT, filed by FEDERAL HOME LOAN MORTGAGE CORPORATION redacting 225 <i>Response, In Opposition To Plaintiffs' Motion To Remove The "Protected Information" Designation From Certain Documents Produced By Freddie Mac</i> . (Ciatti, Michael) (Entered: 08/21/2015)
08/21/2015	233	APPLICATION for Access to Protected Material by Jennifer O'Connor, James Walsh, and Allison Murphy, filed by USA.(Schiavetti, Anthony) (Entered: 08/21/2015)
08/20/2015	 232	**SEALED**REPLY to Response to Motion re 166 MOTION to Remove the "Protected Information" Designation from Certain Treasury



		and FHFA Documents , 170 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae , 171 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Freddie Mac , 162 MOTION to Remove the "Protected Information" Designations from Depositions , 165 MOTION to Remove the "Protected Information" Designation from Certain Grant Thornton Documents , 169 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Deloitte , filed by All Plaintiffs. (Attachments: # 1 Exhibit 1 - Fairholme's Public, Redacted Motion for Judicial Notice and Supplementation of the Record (D.C. Cir.))(Cooper, Charles) (Entered: 08/20/2015)
08/20/2015	231	RESPONSE to 227 <i>Response Reply in Support of Application for Access to Protected Information</i> , filed by PERRY CAPITAL LLC. (Chesley, John) (Entered: 08/20/2015)
08/18/2015	230	NOTICE, filed by BRYNDON FISHER, BRUCE REID, ERICK SHIPMON re 217 Protective Order <i>Corrected Notice Re: Dkt. No. 229</i> (Attachments: # 1 Exhibit A - Declaration of Francis Der)(Schubert, Robert) (Entered: 08/18/2015)
08/18/2015	229	NOTICE, filed by BRYNDON FISHER, BRUCE REID, ERICK SHIPMON re 217 Protective Order (Attachments: # 1 Exhibit A - Declaration of Francis Der)(Schubert, Robert) (Entered: 08/18/2015)
08/17/2015	228	REPLY to Response to Motion re 177 MOTION to Intervene <i>And For Order De-Designating Discovery Materials</i> , filed by THE NEW YORK TIMES COMPANY. (McCraw, David) (Entered: 08/17/2015)
08/12/2015	227	RESPONSE to 226 <i>Notice in Opposition</i> , filed by USA. (Bezak, Reta) (Entered: 08/12/2015)
08/11/2015	226	NOTICE, filed by PERRY CAPITAL LLC re 217 Protective Order of <i>Filing of Applications of Certain Counsel Representing Perry Capital LLC for Access to Protected Information</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Text of Proposed Order (Exhibit D), # 5 Text of Proposed Order (Exhibit E))(Chesley, John) (Entered: 08/11/2015)
08/10/2015	 225	**SEALED**RESPONSE to 171 Motion for Miscellaneous Relief, <i>to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Freddie Mac</i> , filed by FEDERAL HOME LOAN MORTGAGE CORPORATION. (Attachments: # 1 Appendix)(Ciatti, Michael) (Entered: 08/10/2015)
08/10/2015	 224	**SEALED**RESPONSE to 165 Motion for Miscellaneous Relief, <i>TO REMOVE THE PROTECTED INFORMATION DESIGNATION FROM CERTAIN GRANT THORNTON DOCUMENTS</i> , filed by GRANT THORNTON LLP.(Harper, Richard) (Entered: 08/10/2015)
08/10/2015	 223	







		SEALED RESPONSE to 170 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae , 169 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Deloitte , filed by FEDERAL NATIONAL MORTGAGE ASSOCIATION. Reply due by 8/20/2015. (Attachments: # 1 Appendix)(Hudson, David) (Entered: 08/10/2015)
08/10/2015	222	RESPONSE to 166 MOTION to Remove the "Protected Information" Designation from Certain Treasury and FHFA Documents , 162 MOTION to Remove the "Protected Information" Designations from Depositions , 165 MOTION to Remove the "Protected Information" Designation from Certain Grant Thornton Documents , filed by USA. Reply due by 8/20/2015. (Schiavetti, Anthony) (Entered: 08/10/2015)
08/10/2015	221	RESPONSE to 177 MOTION to Intervene <i>And For Order De-Designating Discovery Materials</i> , filed by USA. Reply due by 8/20/2015. (Koprowski, Agatha) (Entered: 08/10/2015)
08/07/2015	220	ORDER granting 219 Motion for Extension of Time to Respond to 161 Defendant's Supplemental Motion to Dismiss. Plaintiff's Response due by 9/9/2015. Signed by Judge Margaret M. Sweeney. (kb1) (Entered: 08/07/2015)
08/06/2015	219	Unopposed MOTION for Extension of Time until September 9, 2015 to File a Response to the Government's Supplemental Motion to Dismiss , filed by All Plaintiffs. Response due by 8/24/2015. (Cooper, Charles) (Entered: 08/06/2015)
08/03/2015	218	(Public, Redacted Version) MOTION for Leave to File Materials Designated as "Protected Information" Under Seal re 211 MOTION for Leave to File Materials Designated as "Protected Information" Under Seal , filed by All Plaintiffs. Response due by 8/20/2015. (Attachments: # 1 Appendix Volume 1, # 2 Appendix Volume 2)(Cooper, Charles) (Entered: 08/03/2015)
07/29/2015	217	AMENDED PROTECTIVE ORDER. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/29/2015)
07/29/2015	216	ORDER granting plaintiffs' unopposed motion to amend the protective order. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/29/2015)
07/27/2015	215	Unopposed MOTION to Amend/Correct 73 Protective Order , filed by All Plaintiffs. Response due by 8/13/2015. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Cooper, Charles) (Entered: 07/27/2015)
07/23/2015	214	ORDER granting 213 Motion for Extension of Time to File Proposed Amended Protective Order (discussed in the court's 7/10/2015 order in Cacciapalle v. United States, no. 13-466C (consolidated)). Plaintiffs shall file the proposed amended protective order by 7/27/2015. Signed by Judge Margaret M. Sweeney. (kb1) (Entered: 07/23/2015)



07/22/2015	213	Unopposed MOTION for Extension of Time until 07/27/2015 to File <i>a Proposed Amended Protective Order</i> , filed by All Plaintiffs. Response due by 8/10/2015. (Cooper, Charles) (Entered: 07/22/2015)
07/21/2015	212	ORDER granting 211 Motion for Leave to File Certain Materials Designated as "Protected Information" Under Seal with the D.C. Circuit and the D.C. District Court. Signed by Judge Margaret M. Sweeney. (kb1) (Entered: 07/21/2015)
07/20/2015	 211	**SEALED** MOTION for Leave to File Materials Designated as "Protected Information" Under Seal , filed by All Plaintiffs. Response due by 8/6/2015. (Attachments: # 1 Appendix Volume 1, # 2 Appendix Volume 2)(Cooper, Charles) (Entered: 07/20/2015)
07/16/2015	210	REPLY to Response to Motion re 164 MOTION to Stay Briefing <i>on Defendant's Supplemental Motion to Dismiss</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 07/16/2015)
07/15/2015	209	ORDER: Defendant's response to The New York Times Company's Motion to Intervene due by 8/10/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/15/2015)
07/15/2015	208	ORDER granting in part and denying in part 195 , 196 , and 198 . Responses to plaintiffs' various motions due by 8/10/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/15/2015)
07/15/2015	207	MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Freddie Mac (Public, Redacted Version) re 171 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Freddie Mac , filed by All Plaintiffs. Response due by 8/3/2015. (Cooper, Charles) (Entered: 07/15/2015)
07/14/2015	206	MOTION to Remove the "Protected Information" Designation from Certain Grant Thornton Documents (Public, Redacted Version) re 165 MOTION to Remove the "Protected Information" Designation from Certain Grant Thornton Documents , filed by All Plaintiffs. Response due by 7/31/2015. (Attachments: # 1 Appendix Volume 1, # 2 Appendix Volume 2, # 3 Appendix Volume 3)(Cooper, Charles) (Entered: 07/14/2015)
07/14/2015	205	MOTION to Remove the "Protected Information" Designation from Certain Treasury and FHFA Documents (Public, Redacted Version) re 166 MOTION to Remove the "Protected Information" Designation from Certain Treasury and FHFA Documents , filed by All Plaintiffs. Response due by 7/31/2015. (Cooper, Charles) (Entered: 07/14/2015)
07/14/2015	204	MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by PricewaterhouseCoopers (Public, Redacted Version) re 172 MOTION to Remove the "Protected Information" Designation from Certain



		Unredacted Information in Documents Produced by PricewaterhouseCoopers , filed by All Plaintiffs. Response due by 7/31/2015. (Cooper, Charles) (Entered: 07/14/2015)
07/14/2015	203	MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Deloitte (Public, Redacted Version) re 169 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Deloitte , filed by All Plaintiffs. Response due by 7/31/2015. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 07/14/2015)
07/14/2015	202	MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae (Public, Redacted Version) re 170 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae , filed by All Plaintiffs. Response due by 7/31/2015. (Cooper, Charles) (Entered: 07/14/2015)
07/14/2015	201	REPLY to Response to Motion re 198 MOTION for Extension of Time until 08/17/2015 to Respond to Plaintiffs' Various Motions to Remove Protected Information Designation from Certain Documents, and The New York Times Company's Motion to Intervene , filed by USA. (Bezak, Reta) (Entered: 07/14/2015)
07/14/2015	200	RESPONSE to 198 MOTION for Extension of Time until 08/17/2015 to Respond to Plaintiffs' Various Motions to Remove Protected Information Designation from Certain Documents, and The New York Times Company's Motion to Intervene , filed by The New York Times Company. Reply due by 7/24/2015. (McCraw, David) (Entered: 07/14/2015)
07/14/2015	199	RESPONSE to 198 MOTION for Extension of Time until 08/17/2015 to Respond to Plaintiffs' Various Motions to Remove Protected Information Designation from Certain Documents, and The New York Times Company's Motion to Intervene , 195 MOTION for Extension of Time until August 17, 2015 to Respond to Plaintiffs June 18, 2015 Motion to Remove the Protected Information Designation from Certain Grant Thornton Documents , filed by All Plaintiffs. Reply due by 7/24/2015. (Cooper, Charles) (Entered: 07/14/2015)
07/13/2015	198	MOTION for Extension of Time until 08/17/2015 to Respond to Plaintiffs' Various Motions to Remove Protected Information Designation from Certain Documents, and The New York Times Company's Motion to Intervene , filed by USA. Response due by 7/30/2015. (Bezak, Reta) (Entered: 07/13/2015)
07/13/2015	197	NOTICE, filed by All Plaintiffs <i>of Filing of Applications of Stacey K. Grigsby, Eric L. Zagar, and Joshua B. Kaplan for Access to Protected Information</i> (Attachments: # 1 Stacey K. Grigsby Application, # 2 Eric L. Zagar Application, # 3 Joshua B. Kaplan Application)(Cooper, Charles) (Entered: 07/13/2015)


07/13/2015	196	Unopposed MOTION for Extension of Time to File Response as to 172 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by PricewaterhouseCoopers , 170 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae , 171 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Freddie Mac , 169 MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Deloitte , filed by FEDERAL HOME LOAN MORTGAGE CORPORATION. Response due by 7/30/2015. (Ciatti, Michael) (Entered: 07/13/2015)
07/13/2015	195	MOTION for Extension of Time until August 17, 2015 to Respond to Plaintiffs June 18, 2015 Motion to Remove the Protected Information Designation from Certain Grant Thornton Documents , filed by GRANT THORNTON LLP. Response due by 7/30/2015. (Harper, Richard) (Entered: 07/13/2015)
07/09/2015	 194	**SEALED** ORDER granting limited relief. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/09/2015)
07/09/2015	193	ORDER granting 188 motion for extension of time to complete discovery. All jurisdictional discovery to be completed by 9/4/15; status report due 9/18/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/09/2015)
07/08/2015	192	STATUS CONFERENCE ORDER: A status conference shall be held on Thursday, August 13, 2015 at 1 p.m. before Judge Margaret M. Sweeney. Because protected information will be discussed, the status conference shall be closed to the public. Only those counsel admitted to the protective order may participate. The parties' sealed joint status report is due by August 11, 2015 at 5 p.m. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/08/2015)
07/08/2015	191	ORDER granting 189 Motion for Extension of Time to File Response. Response due by 8/10/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/08/2015)
07/08/2015	190	ORDER granting 181 Motion for Extension of Time to File Response. Response due by 7/13/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/08/2015)
07/08/2015	189	Unopposed MOTION for Extension of Time until August 10, 2015 to File Response as to 161 Supplemental MOTION to Dismiss pursuant to Rule 12(b)(1) (<i>Time Sensitive</i>), filed by All Plaintiffs. Response due by 7/27/2015. (Cooper, Charles) (Entered: 07/08/2015)
07/08/2015	188	Joint MOTION for Extension of Time,until 09/04/2015, to Complete Discovery , filed by USA. Response due by 7/27/2015. (Schwind, Gregg) (Entered: 07/08/2015)


07/07/2015	 187	**SEALED** ORDER granting 183 Motion for Extension of Time. Defendant's response due by 7/13/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/07/2015)
07/07/2015	 186	**SEALED** ORDER granting limited relief as to 162 . Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/07/2015)
07/07/2015	185	ORDER vacating status conference scheduled for 7/7/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/07/2015)
07/07/2015	184	NOTICE, filed by All Plaintiffs of <i>Joint Filing of Application of Charles E. Davidow for Access to Protected Information</i> (Attachments: # 1 Davidow Application)(Cooper, Charles) (Entered: 07/07/2015)
07/06/2015	183	Unopposed MOTION for Extension of Time until 7/13/2015 to To Respond To Plaintiffs' Motion To Remove The "Protected Information" Designation From Certain Grant Thorton Documents , filed by USA. Response due by 7/23/2015. (Acevedo, Mariana) (Entered: 07/06/2015)
07/06/2015	182	RESPONSE to 164 MOTION to Stay Briefing on <i>Defendant's Supplemental Motion to Dismiss</i> , filed by USA. Reply due by 7/16/2015. (Hosford, Elizabeth) (Entered: 07/06/2015)
07/06/2015	181	Unopposed MOTION for Extension of Time to File Response as to 165 MOTION to Remove the "Protected Information" Designation from Certain Grant Thornton Documents , filed by Grant Thornton LLP. Response due by 7/23/2015. (Harper, Richard) (Entered: 07/06/2015)
07/06/2015	180	JOINT STATUS REPORT <i>Regarding July 7 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 07/06/2015)
07/02/2015	179	NOTICE, filed by All Plaintiffs of <i>Joint Filing of Applications for Access to Protected Information</i> (Attachments: # 1 Deloitte Applications, # 2 Fannie Mae Applications, # 3 Freddie Mac Applications, # 4 PwC Applications)(Cooper, Charles) (Entered: 07/02/2015)
07/02/2015	178	RESPONSE to 167 Notice of Additional Authority , filed by All Plaintiffs. (Cooper, Charles) (Entered: 07/02/2015)
06/30/2015	177	MOTION to Intervene <i>And For Order De-Designating Discovery Materials</i> , filed by The New York Times Company. Response due by 7/17/2015. (McCraw, David) (Entered: 06/30/2015)
06/29/2015	176	ORDER granting 175 Motion for Extension of Time to File Response to 162 Motion to Remove the "Protected Information" Designation from Certain Depositions. Defendant's response due by 7/13/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/29/2015)
06/29/2015	175	MOTION for Extension of Time until 07/13/2015 to File Response as to 162 MOTION to Remove the "Protected Information" Designations

		from Depositions , filed by USA. Response due by 7/16/2015. (Schwind, Gregg) (Entered: 06/29/2015)
06/29/2015	174	STATUS CONFERENCE ORDER: A status conference shall be held on Tuesday, July 7, 2015 at 1 p.m. before Judge Margaret M. Sweeney. Because protected information will be discussed, the status conference shall be closed to the public. Only those counsel admitted to the protective order may participate. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/29/2015)
06/29/2015	173	NOTICE, filed by USA <i>Application for Access to Protected Information</i> (Hosford, Elizabeth) (Entered: 06/29/2015)
06/26/2015	 172	**SEALED** MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by PricewaterhouseCoopers , filed by All Plaintiffs. Response due by 7/13/2015. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 06/26/2015)
06/26/2015	 171	**SEALED** MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Freddie Mac , filed by All Plaintiffs. Response due by 7/13/2015. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 06/26/2015)
06/26/2015	 170	**SEALED** MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Fannie Mae , filed by All Plaintiffs. Response due by 7/13/2015. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 06/26/2015)
06/26/2015	 169	**SEALED** MOTION to Remove the "Protected Information" Designation from Certain Unredacted Information in Documents Produced by Deloitte , filed by All Plaintiffs. Response due by 7/13/2015. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 06/26/2015)
06/25/2015	168	MOTION To Remove the "Protected Information" Designations from the Depositions of Edward DeMarco and Mario Ugoletti (Public Redacted Version) re 162 MOTION to Remove the "Protected Information" Designations from Depositions , filed by All Plaintiffs. Response due by 7/13/2015. (Cooper, Charles) (Entered: 06/25/2015)
06/24/2015	167	NOTICE of Additional Authority (Attachments: # 1 Exhibit (Pizsel Opinion))(Schwind, Gregg) (Entered: 06/24/2015)
06/24/2015	 166	**SEALED** MOTION to Remove the "Protected Information" Designation from Certain Treasury and FHFA Documents , filed by All Plaintiffs. Response due by 7/13/2015. (Attachments: # 1 Appendix) (Cooper, Charles) (Entered: 06/24/2015)
06/18/2015	 165	


		SEALED MOTION to Remove the "Protected Information" Designation from Certain Grant Thornton Documents , filed by All Plaintiffs. Response due by 7/6/2015. (Attachments: # 1 Appendix Volume 1, # 2 Appendix Volume 2, # 3 Appendix Volume 3)(Cooper, Charles) (Entered: 06/18/2015)
06/17/2015	164	MOTION to Stay Briefing on <i>Defendant's Supplemental Motion to Dismiss</i> , filed by All Plaintiffs. Response due by 7/6/2015. (Cooper, Charles) (Entered: 06/17/2015)
06/15/2015	163	JOINT STATUS REPORT <i>Regarding June 17 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 06/15/2015)
06/12/2015	 162	**SEALED** MOTION to Remove the "Protected Information" Designations from Depositions , filed by All Plaintiffs. Response due by 6/29/2015. (Attachments: # 1 Appendix)(Cooper, Charles) (Entered: 06/12/2015)
06/08/2015	 161	Supplemental MOTION to Dismiss pursuant to Rule 12(b)(1) , filed by USA. Response due by 7/9/2015. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Schwind, Gregg) (Entered: 06/08/2015)
06/04/2015	160	ORDER granting 159 plaintiffs' motion for leave to file sur-reply. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/04/2015)
06/02/2015	159	MOTION for Leave to File Sur-Rebuttal , filed by All Plaintiffs. Response due by 6/19/2015. (Attachments: # 1 Sur-Rebuttal) (Cooper, Charles) (Entered: 06/02/2015)
06/02/2015	158	ORDER granting 157 defendant's motion for leave to file sur-response. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/02/2015)
06/01/2015	157	MOTION for Leave to File Sur-Reply , filed by USA. Response due by 6/18/2015. (Attachments: # 1 Sur-Reply)(Schwind, Gregg) (Entered: 06/01/2015)
06/01/2015	156	JOINT STATUS REPORT <i>Regarding June 3 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 06/01/2015)
05/27/2015	155	REPLY to Response to Motion re 148 MOTION to Remove the "Protected Information" Designation from Defendant's March 20 Privilege Log , filed by ACADIA INSURANCE COMPANY, ADMIRAL INDEMNITY COMPANY, ADMIRAL INSURANCE COMPANY, BERKLEY INSURANCE COMPANY, BERKLEY REGIONAL INSURANCE COMPANY, CAROLINA CASUALTY INSURANCE COMPANY, CONTINENTAL WESTERN INSURANCE COMPANY, FAIRHOLME FUNDS, INC., MIDWEST EMPLOYERS CASUALTY INSURANCE COMPANY, NAUTILUS INSURANCE COMPANY, PREFERRED EMPLOYERS INSURANCE COMPANY, THE FAIRHOLME FUND. (Attachments: # 1 Exhibits I, J, and K)(Cooper, Charles) (Entered: 05/27/2015)


05/18/2015	154	RESPONSE to 148 MOTION to Remove the "Protected Information" Designation from Defendant's March 20 Privilege Log , filed by USA. Reply due by 5/29/2015. (Schwind, Gregg) (Entered: 05/18/2015)
05/18/2015	153	JOINT STATUS REPORT Regarding May 20 Status Conference, filed by All Plaintiffs. (Cooper, Charles) (Entered: 05/18/2015)
05/12/2015	152	MOTION To Remove the "Protected Information" Designation from Defendant's March 20 Privilege Log re 148 MOTION to Remove the "Protected Information" Designation from Defendant's March 20 Privilege Log (Public, Redacted Version), filed by All Plaintiffs. Response due by 5/29/2015. (Cooper, Charles) (Entered: 05/12/2015)
05/11/2015	151	ORDER granting 150 Motion for Extension of Time to File Response. Response due by 5/18/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 05/11/2015)
05/08/2015	150	Unopposed MOTION for Extension of Time until 5/18/2015 to File Response as to 148 MOTION to Remove the "Protected Information" Designation from Defendant's March 20 Privilege Log , filed by All Defendants. Response due by 5/26/2015. (Laufgraben, Eric) (Entered: 05/08/2015)
05/04/2015	149	JOINT STATUS REPORT Regarding May 6 Status Conference, filed by All Plaintiffs. (Cooper, Charles) (Entered: 05/04/2015)
04/23/2015	 148	**SEALED** MOTION to Remove the "Protected Information" Designation from Defendant's March 20 Privilege Log, filed by All Plaintiffs. Response due by 5/11/2015. (Attachments: # 1 Appendix) (Cooper, Charles) (Entered: 04/23/2015)
04/20/2015	147	JOINT STATUS REPORT Regarding April 22 Status Conference, filed by All Plaintiffs. (Cooper, Charles) (Entered: 04/20/2015)
04/07/2015	146	APPLICATION for Access to Protected Material by Robert Hutchins, Andrew Ackel, Amanda Levesque, Leigh Lovelady, and Timothy Varner, filed by USA.(Schiavetti, Anthony) (Entered: 04/07/2015)
04/06/2015	145	JOINT STATUS REPORT Regarding April 8 Status Conference, filed by All Plaintiffs. (Cooper, Charles) (Entered: 04/06/2015)
04/01/2015	 144	TRANSCRIPT of Proceedings held on March 31, 2015 before Judge Margaret M. Sweeney. Total No. of Pages: 1-30. Procedures Re: Electronic Transcripts and Redactions . To order a copy of the proceeding (click HERE) Notice of Intent to Redact due 4/8/2015. Redacted Transcript Deadline set for 5/4/2015. Release of Transcript Restriction set for 7/2/2015. (ew) (Entered: 04/01/2015)
04/01/2015	143	Notice Of Filing Of Certified Transcript for proceedings held on March 31, 2015 in Washington, D.C. (ew) (Entered: 04/01/2015)
03/31/2015	142	NOTICE, filed by All Plaintiffs of Filing of Application of Joseph Orlando for Access to Protected Information (Attachments: # 1


		Declaration of Joseph A. Orlando)(Cooper, Charles) (Entered: 03/31/2015)
03/31/2015		Minute Entry - Was the proceeding sealed to the public? N. Proceeding held in Washington, DC on 3/31/15, ended on 3/31/15, before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 03/31/2015)
03/30/2015	141	NOTICE, filed by All Plaintiffs <i>Concerning Attorneys in Related Cases Who Plan To Listen to March 31 Status Conference</i> (Cooper, Charles) (Entered: 03/30/2015)
03/23/2015	140	STATUS CONFERENCE ORDER: Status Conference set for 3/31/15 at 11:00 a.m. before Judge Margaret M. Sweeney. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 03/23/2015)
03/23/2015	139	JOINT STATUS REPORT <i>Regarding March 25 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 03/23/2015)
03/16/2015	138	ORDER granting 136 motion for extension of time to complete discovery. All jurisdictional discovery to be completed by 6/29/15; status report due 7/13/15. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 03/16/2015)
03/09/2015	137	JOINT STATUS REPORT <i>Regarding March 11 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 03/09/2015)
03/06/2015	136	Joint MOTION for Extension of Time,until June 29, 2015, to Complete Discovery , filed by USA. Response due by 3/23/2015. (Schwind, Gregg) (Entered: 03/06/2015)
02/27/2015	 135	TRANSCRIPT of Proceedings held on February 25, 2015 before Judge Margaret M. Sweeney. Total No. of Pages: 1-33. Procedures Re: Electronic Transcripts and Redactions . To order a copy of the proceeding (click HERE) Notice of Intent to Redact due 3/6/2015. Redacted Transcript Deadline set for 3/30/2015. Release of Transcript Restriction set for 5/29/2015. (ew) (Entered: 02/27/2015)
02/27/2015	134	Notice Of Filing Of Certified Transcript for proceedings held on February 25, 2015 in Washington, D.C. (ew) (Entered: 02/27/2015)
02/25/2015		Minute Entry - Was the proceeding sealed to the public? N. Proceeding held in Washington, DC on 2/25/15 at 11:00 a.m., ended on 2/25/15, before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 02/25/2015)
02/23/2015	133	STATUS CONFERENCE ORDER: Status Conference set for 2/25/15 at 11:00 a.m. before Judge Margaret M. Sweeney. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 02/23/2015)


02/23/2015	132	JOINT STATUS REPORT <i>Regarding February 25 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 02/23/2015)
02/09/2015	131	JOINT STATUS REPORT <i>Regarding February 11, 2015 Status Conference</i> , filed by USA. (Schwind, Gregg) (Entered: 02/09/2015)
02/05/2015	130	RESPONSE to 129 Notice of Additional Authority , filed by All Plaintiffs. (Cooper, Charles) (Entered: 02/05/2015)
02/03/2015	129	NOTICE of Additional Authority (Attachments: # 1 Exhibit A) (Schwind, Gregg) (Entered: 02/03/2015)
02/02/2015	128	NOTICE, filed by USA <i>With Respect to Applications of Robert Corso, Mark McMahon, Maria Nizza, Nikhil Rupani, Christo Tzankov, and John Campbell for Access to Protected Information</i> (Schwind, Gregg) (Entered: 02/02/2015)
01/29/2015	 127	TRANSCRIPT of Proceedings held on January 28, 2015 before Judge Margaret M. Sweeney. Total No. of Pages: 1-38. Procedures Re: Electronic Transcripts and Redactions . To order a copy of the proceeding (click HERE) Notice of Intent to Redact due 2/5/2015. Redacted Transcript Deadline set for 3/2/2015. Release of Transcript Restriction set for 4/30/2015. (ew) (Entered: 01/30/2015)
01/29/2015	126	Notice Of Filing Of Certified Transcript for proceedings held on January 28, 2015 in Washington, D.C. (ew) (Entered: 01/30/2015)
01/28/2015		Minute Entry - Was the proceeding sealed to the public? N. Proceeding held in Washington, DC on 1/28/2015 at 10:00 a.m., ended on 1/28/2015, before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 01/28/2015)
01/26/2015	125	NOTICE, filed by All Plaintiffs re 73 <i>Protective Order of Filing of Applications of Robert Corso, Mark McMahon, Maria Nizza, Nikhil Rupani, Christo Tazankov, and John Campbell for Access to Protected Information</i> (Attachments: # 1 Declarations of Robert Corso, Mark McMahon, Maria Nizza, Nikhil Rupani, Christo Tzankov, and John Campbell)(Cooper, Charles) (Entered: 01/26/2015)
01/26/2015	124	NOTICE REGARDING EX PARTE AND OTHER INAPPROPRIATE COMMUNICATIONS TO CHAMBERS. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 01/26/2015)
01/26/2015	123	STATUS CONFERENCE ORDER: A status conference shall be held on Wednesday, January 28, 2015 at 10 a.m. before Judge Margaret M. Sweeney. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 01/26/2015)
01/26/2015	122	JOINT STATUS REPORT <i>Regarding January 28 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 01/26/2015)


01/23/2015	121	NOTICE of Additional Authority <i>Supporting Rafter Amici</i> (Rosenberg, Lawrence) (Entered: 01/23/2015)
01/12/2015	120	JOINT STATUS REPORT <i>Regarding January 14 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 01/12/2015)
12/29/2014	119	JOINT STATUS REPORT <i>Regarding December 31 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 12/29/2014)
12/18/2014	118	NOTICE, filed by All Plaintiffs re 106 Response, of <i>Filing of Plaintiffs' Public, Redacted Response in Opposition to Defendant's Motion to Stay All Proceedings</i> (Attachments: # 1 Plaintiffs' Public, Redacted Response in Opposition to Defendant's Motion to Stay All Proceedings)(Cooper, Charles) (Entered: 12/18/2014)
12/15/2014	117	JOINT STATUS REPORT <i>Regarding December 17 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 12/15/2014)
12/12/2014	116	ORDER granting 115 defendant's motion for leave to respond to amicus briefs regarding motion to stay proceedings. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 12/12/2014)
12/10/2014	115	Unopposed MOTION for Leave to Respond to Briefs of Amici Curiae re 103 MOTION to Stay Proceedings Pending Appeal Of District Court Decision , filed by USA. Response due by 12/29/2014. (Hosford, Elizabeth) (Entered: 12/10/2014)
12/05/2014	114	AMICUS BRIEF <i>Regarding Defendant's Motion to Stay</i> , filed by MICHAEL MCCREDY BAKER, CITY OF AUSTIN POLICE RETIREMENT SYSTEM, WASHINGTON FEDERAL. (Berman, Steve) (Entered: 12/05/2014)
12/01/2014	113	JOINT STATUS REPORT <i>Regarding December 3 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 12/01/2014)
11/26/2014	112	ORDER granting 109 motion for leave to file amicus brief opposing defendant's motion to stay proceedings. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/26/2014)
11/25/2014	111	RESPONSE to 109 MOTION for Leave to File Amicus Brief <i>Regarding Defendant's Motion to Stay</i> , filed by USA. Reply due by 12/5/2014. (Schwind, Gregg) (Entered: 11/25/2014)
11/25/2014	110	REPLY to Response to Motion re 103 MOTION to Stay Proceedings Pending Appeal Of District Court Decision , filed by USA. (Hosford, Elizabeth) (Entered: 11/25/2014)
11/25/2014	109	MOTION for Leave to File Amicus Brief <i>Regarding Defendant's Motion to Stay</i> , filed by WASHINGTON FEDERAL, MICHAEL MCCREDY BAKER, CITY OF AUSTIN POLICE RETIREMENT SYSTEM. Response due by 12/12/2014. (Berman, Steve) (Entered: 11/25/2014)
11/24/2014	108	


		ORDER granting 107 motion for leave to file amicus brief opposing defendant's motion to stay proceedings. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 11/24/2014)
11/21/2014	107	MOTION for Leave to File Amicus Brief <i>Opposing Motion for Stay</i> , filed by LOUISE RAFTER, JOSEPHINE RATTIEN, STEPHEN RATTIEN, PERSHING SQUARE CAPITAL MANAGEMENT, L.P.. Response due by 12/8/2014. (Attachments: # 1 Exhibit Exhibit A) (Rosenberg, Lawrence) (Entered: 11/21/2014)
11/17/2014	 106	**SEALED** RESPONSE to 103 Motion to Stay , filed by All Plaintiffs. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Cooper, Charles) (Entered: 11/17/2014)
11/17/2014	105	JOINT STATUS REPORT <i>Regarding November 19 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 11/17/2014)
11/03/2014	104	JOINT STATUS REPORT <i>Regarding November 5 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 11/03/2014)
10/28/2014	103	MOTION to Stay Proceedings Pending Appeal Of District Court Decision , filed by USA. Response due by 11/17/2014. (Attachments: # 1 Exhibit A)(Hosford, Elizabeth) (Entered: 10/28/2014)
10/20/2014	102	JOINT STATUS REPORT <i>Regarding October 22 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 10/20/2014)
10/15/2014	101	REPORTED ORDER denying J. Timothy Howard's application for admission to the protective order. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 10/15/2014)
10/07/2014	100	JOINT STATUS REPORT <i>Regarding October 9 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 10/07/2014)
09/29/2014		NOTICE: No Status Conference set for the week of 09/29/2014. (ac7) (Entered: 09/29/2014)
09/26/2014	99	JOINT STATUS REPORT <i>Regarding October 1 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 09/26/2014)
09/22/2014	98	STATUS REPORT ORDER. Joint status report due by 9/26/14 at 5:00 p.m. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 09/22/2014)
09/22/2014	97	JOINT STATUS REPORT <i>Regarding September 24 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 09/22/2014)
09/15/2014	96	RESPONSE to 95 Response <i>Defendant's Opposition to the Application of J. Timothy Howard for Access to Protected Information</i> , filed by All Plaintiffs. (Attachments: # 1 Exhibit Declaration of J. Timothy Howard, # 2 Exhibit "The Mortgage Wars" by Timothy Howard (except)) (Cooper, Charles) (Entered: 09/15/2014)
09/11/2014	95	

		RESPONSE to <i>Application of Timothy Howard for Access Under Protective Order</i> , filed by USA. (Attachments: # 1 Exhibit A-D) (Schwind, Gregg) (Entered: 09/11/2014)
09/09/2014	94	ORDER rescheduling tentative status conference from 10/8/14 to 10/9/14. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 09/09/2014)
09/08/2014	93	NOTICE, filed by All Plaintiffs re 73 <i>Protective Order of Filing of Application of J. Timothy Howard for Access to Protected Information</i> (Attachments: # 1 Exhibit Declaration of J. Timothy Howard)(Cooper, Charles) (Entered: 09/08/2014)
09/08/2014	92	DISCOVERY SCHEDULING ORDER: All jurisdictional discovery to be completed by 3/27/15; status report due 4/13/15 . Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 09/08/2014)
09/08/2014	91	JOINT STATUS REPORT <i>Regarding September 10 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 09/08/2014)
09/05/2014	90	JOINT STATUS REPORT <i>Regarding Proposed Discovery Completion Date</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 09/05/2014)
08/25/2014	89	JOINT STATUS REPORT <i>Regarding August 27 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 08/25/2014)
08/18/2014	 88	TRANSCRIPT of Proceedings held on August 13, 2014 before Judge Margaret M. Sweeney. Total No. of Pages: 1-46. Procedures Re: Electronic Transcripts and Redactions . To purchase a copy, contact the clerk's office at (202) 357-6414. Notice of Intent to Redact due 8/25/2014. Redacted Transcript Deadline set for 9/18/2014. Release of Transcript Restriction set for 11/17/2014. (ew) (Entered: 08/18/2014)
08/18/2014	87	Notice Of Filing Of Certified Transcript for proceedings held on August 13, 2014 in Washington, DC. (ew) (Entered: 08/18/2014)
08/15/2014	86	ORDER regarding letter sent to the court. Signed by Judge Margaret M. Sweeney. (Attachments: # 1 Letter)(ta) Copy to parties. (Entered: 08/15/2014)
08/13/2014	85	ORDER setting forth guidelines for future status conferences and requiring joint status report no later than Friday, September 5, 2014 . Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 08/13/2014)
08/13/2014		Minute Entry - Proceeding held in Washington, DC on 8/13/2014 at 11:00 a.m., ended on 8/13/2014, before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 08/13/2014)
08/12/2014	84	JOINT STATUS REPORT <i>Regarding August 13 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 08/12/2014)


08/08/2014	83	STATUS CONFERENCE ORDER: A status conference shall be held on Wednesday, August 13, 2014 at 11 a.m. before Judge Margaret M. Sweeney. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 08/08/2014)
08/08/2014	82	ORDER regarding letter sent to the court. Signed by Judge Margaret M. Sweeney. (Attachments: # 1 Letter)(ta) Copy to parties. (Entered: 08/08/2014)
08/07/2014	81	JOINT STATUS REPORT <i>Regarding August Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 08/07/2014)
08/06/2014	80	NOTICE, filed by All Plaintiffs re 73 Protective Order of Filing of Application of Michael S. Green for Access to Protected Information (Attachments: # 1 Exhibit Declaration of Michael S. Green)(Cooper, Charles) (Entered: 08/06/2014)
08/06/2014	79	NOTICE, filed by All Plaintiffs re 73 Protective Order of Filing of Application of Nikki Chtaini for Access to Protected Information (Attachments: # 1 Exhibit Declaration of Nikki Chtaini)(Cooper, Charles) (Entered: 08/06/2014)
08/05/2014	78	STATUS CONFERENCE AND STATUS REPORT ORDER. The court will conduct a status conference on 8/11/2014 at a time to be determined. A Joint Status Report regarding the status conference is due by 8/7/2014. Signed by Judge Margaret M. Sweeney. (kb1) (Entered: 08/05/2014)
08/05/2014	77	JOINT STATUS REPORT <i>Regarding August 7 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 08/05/2014)
07/25/2014	76	NOTICE, filed by All Plaintiffs <i>of Filing</i> (Cooper, Charles) (Entered: 07/25/2014)
07/22/2014	 75	TRANSCRIPT of Proceedings held on July 16, 2014 before Judge Margaret M. Sweeney. Total No. of Pages: 1-44. Procedures Re: Electronic Transcripts and Redactions . To purchase a copy, contact the clerk's office at (202) 357-6414. Notice of Intent to Redact due 7/29/2014. Redacted Transcript Deadline set for 8/22/2014. Release of Transcript Restriction set for 10/20/2014. (dw1) (Entered: 07/22/2014)
07/22/2014	74	Notice Of Filing Of Certified Transcript for proceedings held on July 16, 2014 in Washington, DC. (dw1) (Entered: 07/22/2014)
07/16/2014	73	PROTECTIVE ORDER. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. Modified on 8/8/2014 - corrected text (jt1). (Entered: 07/16/2014)
07/16/2014	72	REPORTED ORDER granting in part and denying in part 49 defendant's motion for a protective order. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/16/2014)
07/16/2014		Minute Entry - Was the proceeding sealed to the public N. Proceeding held in Washington, DC on 7/16/2014 at 2:00 p.m., ended on 7/16/2014,

		before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 07/16/2014)
07/15/2014	71	JOINT STATUS REPORT <i>Regarding July 16 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 07/15/2014)
07/14/2014	70	ORDER regarding future status conferences and the jurisdictional discovery deadline in this case. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/14/2014)
07/11/2014	69	JOINT STATUS REPORT <i>Regarding Proposed Protective Order</i> , filed by USA. (Attachments: # 1 Exhibit 1 (Fairholme Proposed Order), # 2 Exhibit 2 (US Proposed Order), # 3 Exhibit 3 (Combined Proposed Order))(Schwind, Gregg) (Entered: 07/11/2014)
07/10/2014	68	ORDER Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 07/10/2014)
06/24/2014	67	ORDER: In light of the parties' telephonic request for an extension of time, they shall file a proposed protective order no later than Friday, July 11, 2014 . Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/24/2014)
06/23/2014	66	STATUS REPORT , filed by USA. (Schwind, Gregg) (Entered: 06/23/2014)
06/23/2014	65	STATUS REPORT <i>Concerning ESI Date Ranges</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 06/23/2014)
06/20/2014	 64	TRANSCRIPT of Proceedings held on June 19, 2014 before Judge Margaret M. Sweeney. Total No. of Pages: 1-60. Procedures Re: Electronic Transcripts and Redactions . To purchase a copy, contact the clerk's office at (202) 357-6414. Notice of Intent to Redact due 6/27/2014. Redacted Transcript Deadline set for 7/21/2014. Release of Transcript Restriction set for 9/18/2014. (dw1) (Entered: 06/20/2014)
06/20/2014	63	Notice Of Filing Of Certified Transcript for proceedings held on June 19, 2014 in Washington, DC. (dw1) (Entered: 06/20/2014)
06/19/2014		Minute Entry - Was the proceeding sealed to the public N. Proceeding held in Washington, DC on 6/19/2014 at 11:00 a.m., ended on 6/19/2014, before Judge Margaret M. Sweeney: Oral Argument. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 06/19/2014)
06/19/2014	62	ORDER: The parties shall file respective status reports no later than Monday, June 23, 2014 at 12:00 p.m. , and a proposed protective order no later than Tuesday, June 24, 2014 at 5:00 p.m. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/19/2014)

06/18/2014	61	JOINT STATUS REPORT <i>Regarding June 19 Oral Argument</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 06/18/2014)
06/17/2014	60	REPLY to Response to Motion re 49 MOTION for Protective Order , filed by USA. (Schwind, Gregg) (Entered: 06/17/2014)
06/17/2014	59	JOINT STATUS REPORT <i>Regarding June 18 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 06/17/2014)
06/10/2014	58	RESPONSE to 49 MOTION for Protective Order , filed by All Plaintiffs. Reply due by 6/20/2014. (Attachments: # 1 Appendix) (Cooper, Charles) (Entered: 06/10/2014)
06/09/2014	57	SCHEDULING ORDER: Plaintiff's response regarding 49 defendant's motion for a protective order shall be filed no later than Tuesday, June 10, 2014 ; defendant's reply, if any, shall be filed no later than Tuesday, June 17, 2014. Oral Argument set for Thursday, June 19, 2014 at 11:00 AM before Judge Margaret M. Sweeney. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/09/2014)
06/06/2014	56	JOINT STATUS REPORT <i>Regarding Proposed Briefing Schedule</i> , filed by USA. (Schwind, Gregg) (Entered: 06/06/2014)
06/05/2014		Minute Entry - Proceeding held in Washington, DC on 6/4/2014 at 11:00 a.m. before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 06/05/2014)
06/05/2014	 55	TRANSCRIPT of Proceedings held on June 4, 2014 before Judge Margaret M. Sweeney. Total No. of Pages: 1-46. Procedures Re: Electronic Transcripts and Redactions . To purchase a copy, contact the clerk's office at (202) 357-6414. Notice of Intent to Redact due 6/12/2014. Redacted Transcript Deadline set for 7/7/2014. Release of Transcript Restriction set for 9/5/2014. (dw1) (Entered: 06/05/2014)
06/05/2014	54	Notice Of Filing Of Certified Transcript for proceedings held on June 4, 2014 in Washington, DC. (dw1) (dw1). (Entered: 06/05/2014)
06/04/2014	53	STATUS REPORT ORDER: The parties shall file a joint status report suggesting a briefing schedule regarding 49 defendant's motion for a protective order no later than Friday, June 6, 2014. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/04/2014)
06/03/2014	52	ORDER granting 50 defendant's motion to amend the appendix attached to 49 defendant's motion for a protective order. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 06/03/2014)
06/03/2014	51	JOINT STATUS REPORT <i>Regarding June 4 Status Conference</i> , filed by All Plaintiffs. (Cooper, Charles) (Entered: 06/03/2014)
06/02/2014	50	Unopposed MOTION to Amend/Correct 49 MOTION for Protective Order <i>Appendix</i> , filed by USA. Response due by 6/19/2014.

		(Attachments: # 1 Appendix Corrected Appendix)(Hosford, Elizabeth) (Entered: 06/02/2014)
05/30/2014	49	MOTION for Protective Order , filed by USA. Response due by 6/16/2014. (Hosford, Elizabeth) (Entered: 05/30/2014)
05/20/2014	48	JOINT STATUS REPORT , filed by All Plaintiffs. (Cooper, Charles) (Entered: 05/20/2014)
05/16/2014	47	ORDER granting 46 defendant's unopposed motion to amend the court's April 4, 2014 jurisdictional discovery schedule. The parties shall attempt to resolve objections, and discuss any issues regarding the format for production of responsive materials, no later than Friday, May 23, 2014 . If objections are not resolved by then, the objecting party shall bear the burden of moving for a protective order no later than Friday, May 30, 2014 . All other portions of the April 4, 2014 discovery order shall remain in effect Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 05/16/2014)
05/16/2014	46	Unopposed MOTION to Amend Schedule re: 40 Scheduling Order,, filed by USA. Response due by 6/2/2014. (Schwind, Gregg) (Entered: 05/16/2014)
05/09/2014	 45	TRANSCRIPT of Proceedings held on May 7, 2014 before Judge Margaret M. Sweeney. Total No. of Pages: 29. Procedures Re: Electronic Transcripts and Redactions . To purchase a copy, contact the clerk's office at (202) 357-6414. Notice of Intent to Redact due 5/16/2014. Redacted Transcript Deadline set for 6/9/2014. Release of Transcript Restriction set for 8/7/2014. (dls) (Entered: 05/09/2014)
05/09/2014	44	Notice Of Filing Of Certified Transcript for proceedings held on May 7, 2014. (dls) (Entered: 05/09/2014)
05/07/2014		Minute Entry - Proceeding held in Washington, DC on 5/7/2014 at 11:00 a.m. before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE) (ta) (Entered: 05/07/2014)
05/06/2014	43	JOINT STATUS REPORT , filed by USA. (Schwind, Gregg) (Entered: 05/06/2014)
04/22/2014	42	JOINT STATUS REPORT , filed by USA. (Schwind, Gregg) (Entered: 04/22/2014)
04/09/2014	41	ORDER setting forth guidelines for status conferences and other issues in the Fannie Mae/Freddie Mac cases. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 04/09/2014)
04/04/2014	40	SCHEDULING ORDER: Discovery closes on 7/31/2014. A telephonic status conferences will occur every two weeks, with the first on 4/23/2014, unless both parties concur and inform the court beforehand that the status conference is unnecessary. Joint status

		report due by 8/14/2014. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 04/04/2014)
03/27/2014	39	RESPONSE to <i>Plaintiffs' Opposition to Discovery Plan</i> , filed by USA. (Schwind, Gregg) (Entered: 03/27/2014)
03/25/2014	38	RESPONSE to 37 Status Report , filed by All Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Cooper, Charles) (Entered: 03/25/2014)
03/21/2014	37	STATUS REPORT <i>Proposed Discovery Plan</i> , filed by USA. (Attachments: # 1 Exhibit 1 and 2)(Schwind, Gregg) (Entered: 03/21/2014)
03/21/2014	36	STATUS REPORT <i>Proposing Discovery Schedule</i> , filed by FAIRHOLME FUNDS, INC., THE FAIRHOLME FUND. (Cooper, Charles) (Entered: 03/21/2014)
03/21/2014	35	JOINT STATUS REPORT , filed by USA. (Schwind, Gregg) (Entered: 03/21/2014)
03/19/2014	34	ORDER: Defendant's 33 Motion to Lift Stay of Briefing Regarding Motion to Dismiss, or in the Alternative, Motion for Reconsideration of Stay, is DENIED; Parties shall file joint status report proposing discovery schedule regarding jurisdiction by Friday, March 21, 2014. Signed by Judge Margaret M. Sweeney. (ta) Copy to parties. (Entered: 03/19/2014)
03/17/2014	33	MOTION to Lift Stay of briefing on motion to dismiss (Response due by 4/3/2014.), MOTION to Stay discovery , and in the alternative,, MOTION for Reconsideration , and motion to stay March 20, 2014 deadline for filing of joint discovery schedule, filed by USA.(Volk, Daniel) (Entered: 03/17/2014)
02/26/2014	32	REPORTED Order granting 22 Motion for Discovery; Status report proposing a discovery schedule due by 3/20/2014.. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. Modified on 3/5/2014 - corrected pdf (jt1). (Entered: 02/26/2014)
02/24/2014	31	REPLY to Response to Motion re 22 MOTION for Discovery and Continuance To Permit Discovery , filed by All Plaintiffs. (Cooper, Charles) (Entered: 02/24/2014)
02/12/2014	30	RESPONSE to 22 MOTION for Discovery and Continuance To Permit Discovery , filed by USA. Reply due by 2/24/2014. (Schwind, Gregg) (Entered: 02/12/2014)
02/06/2014	29	ORDER: On February 3, 2014, the court issued orders in Washington Federal et al. v. United States, No. 13-385 and Fisher et al. v. United States, No. 608, directing plaintiffs to advise the court by February 18, 2014, whether they, like Fairholme, intend to seek discovery related to the court's jurisdiction. On February 4, 2014, defendant filed a third motion for enlargement of time to response to plaintiffs' motion for discovery, in light of this order. For good cause shown, the court hereby grants defendant's motion for discovery until the date plaintiffs in

		Washington Federal and Fisher respond to the court's orders. In the event either party files a motion for discovery, defendant's response shall be filed by no later than 14 days after the motion(s) is/are filed. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (lld). (Entered: 02/06/2014)
02/04/2014	28	Third MOTION for Extension of Time until 02/10/2014 to File Response to <i>Plaintiffs' Motion for Discovery</i> , filed by USA. Response due by 2/21/2014. (Schwind, Gregg) (Entered: 02/04/2014)
01/16/2014	27	ORDER granting 26 Motion for Extension of Time to File Response until 2/4/14. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (Entered: 01/16/2014)
01/15/2014	26	Second MOTION for Extension of Time until 02/04/2014 to File Response to <i>Plaintiffs' Motion for Discovery</i> , filed by USA. Response due by 2/3/2014. (Schwind, Gregg) (Entered: 01/15/2014)
01/02/2014	25	ORDER: The court grants plaintiffs' unopposed request to suspend the briefing schedule for the United States' Motion to Dismiss pending the court's resolution of plaintiffs' motion for discovery. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (Entered: 01/02/2014)
01/02/2014	24	ORDER granting 23 Motion for Extension of Time to File Response. Response due 1/21/14. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (Entered: 01/02/2014)
12/31/2013	23	Unopposed MOTION for Extension of Time until 01/21/2014 to File Response to <i>Plaintiffs' Motion for Discovery</i> , filed by USA. Response due by 1/17/2014. (Schwind, Gregg) (Entered: 12/31/2013)
12/20/2013	22	MOTION for Discovery <i>and Continuance To Permit Discovery</i> , filed by All Plaintiffs. Response due by 1/6/2014. (Attachments: # 1 Exhibit A - Declaration of Vincent J. Colatriano, # 2 Exhibit 1)(Cooper, Charles) (Entered: 12/20/2013)
12/11/2013	21	ORDER granting 19 Motion for Leave to File Excess Pages. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (Entered: 12/11/2013)
12/09/2013	 20	MOTION to Dismiss pursuant to Rules 12(b)(1) and (6) , filed by USA. Response due by 1/9/2014. (Schwind, Gregg) (Entered: 12/09/2013)
12/06/2013	19	Unopposed MOTION for Leave to Exceed Page Limit of Motion to Dismiss by 10 pages , filed by USA. Response due by 12/23/2013. (Hosford, Elizabeth) (Entered: 12/06/2013)
10/29/2013	18	ORDER: Coordinating with case nos. 13-466C, 13-496C and 13-542C, as well as with 13-385C, 13-672C, 13-608C, and 13-698C. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. Modified on 4/8/2014 - clarification (jt1). (Entered: 10/29/2013)
10/07/2013	17	

		TRANSCRIPT of Proceedings held on September 26, 2013 before Judge Margaret M. Sweeney. Total No. of Pages: 18. Procedures Re: Electronic Transcripts and Redactions . To purchase a copy, contact the clerk's office at (202) 357-6414. Notice of Intent to Redact due 10/15/2013. Redacted Transcript Deadline set for 11/7/2013. Release of Transcript Restriction set for 1/6/2014. (dls) (dls). (Entered: 10/07/2013)
10/07/2013	16	Notice Of Filing Of Certified Transcript for proceedings held on September 26, 2013. (dls) (Entered: 10/07/2013)
09/26/2013	15	ORDER: Defendant's answer due 12/9/13. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (Entered: 09/26/2013)
09/26/2013		Minute Entry for proceeding held in Washington, DC on 9/26/2013 before Judge Margaret M. Sweeney: Status Conference. [Total number of days of proceeding: 1]. Official Record of proceeding taken via electronic digital recording (EDR). To order a certified transcript or an audio copy of the proceeding (click HERE)(lp1) (Entered: 09/26/2013)
09/26/2013	14	ORDER granting 13 Motion for Status Conference. After consulting with counsel, the court has scheduled a status conference for Thursday, September 26, 2013 at 11:30 a.m. EDT. The parties shall appear by telephone, and the court will contract the parties to initiate the conference call. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (Entered: 09/26/2013)
09/24/2013	13	Unopposed MOTION for Status Conference , filed by USA. Response due by 10/11/2013. (Volk, Daniel) (Entered: 09/24/2013)
09/18/2013	12	ORDER denying 7 defendant's Motion to Stay after full briefing and careful consideration, and for the reasons set forth in plaintiffs' response in opposition. Signed by Judge Margaret M. Sweeney. (lp1) Copy to parties. (Entered: 09/18/2013)
09/09/2013	11	REPLY to Response to Motion re 7 MOTION to Stay All Proceedings <i>and alternatively</i> MOTION for Extension of Time until 12/9/2013 to File Answer re 1 Complaint, , filed by USA. (Volk, Daniel) (Entered: 09/09/2013)
08/30/2013	10	RESPONSE to 7 MOTION to Stay All Proceedings <i>and alternatively</i> MOTION for Extension of Time until 12/9/2013 to File Answer re 1 Complaint, , filed by All Plaintiffs. Reply due by 9/9/2013. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Cooper, Charles) (Entered: 08/30/2013)
08/27/2013	9	ORDER granting 8 Motion for Extension of Time. Plaintiffs' response to motion to stay due 8/30/13. Signed by Judge Margaret M. Sweeney. (ps2) Copy to parties. (Entered: 08/27/2013)
08/26/2013	8	Unopposed MOTION for Extension of Time until 8/30/2013 to Respond to Government's Stay Motion , filed by All Plaintiffs. Response due by 9/12/2013. (Cooper, Charles) (Entered: 08/26/2013)
08/09/2013	7	

		MOTION to Stay All Proceedings <i>and alternatively</i> , MOTION for Extension of Time until 12/9/2013 to File Answer re <u>1</u> Complaint, (Response due by 8/26/2013.), filed by USA.(Volk, Daniel) (Entered: 08/09/2013)
07/17/2013	<u>6</u>	NOTICE of Appearance by Kenneth Michael Dintzer for USA . (Dintzer, Kenneth) (Entered: 07/17/2013)
07/09/2013	<u>5</u>	Rule 7.1 Disclosure Statement, filed by All Plaintiffs. (ar) (Entered: 07/09/2013)
07/09/2013	<u>4</u>	NOTICE of Directly Related Case(s) [13-385], filed by All Plaintiffs. (ar) (Entered: 07/09/2013)
07/09/2013	<u>3</u>	NOTICE of Designation of Electronic Case. (ar) (Entered: 07/09/2013)
07/09/2013	<u>2</u>	NOTICE of Assignment to Judge Margaret M. Sweeney (ar) (Entered: 07/09/2013)
07/09/2013	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$400, Receipt number 075300) (Copy Served Electronically on Department of Justice), filed by All Plaintiffs. Answer due by 9/9/2013. (Attachments: # <u>1</u> Civil Cover Sheet)(ar) (Entered: 07/09/2013)

United States Court of Appeals for the Federal Circuit



Key Rule Changes – April 2016

Key changes to the Federal Circuit local rules are included below as a courtesy to assist you in preparing your appeal. **Cases opened on or after April 1, 2016 must comply with the updated rules.** For complete details, please review the current rules and potential future changes by visiting the Court's online Rules and Notices pages at: www.cafc.uscourts.gov.

Briefs *Rule 28(g)(1)*: You may file a formal brief or an informal brief, but not both. Six paper copies are required for a formal brief; 3 for an informal brief.

Email Address The addition of a contact email address is required pursuant to *Rule 15(a)*, *Rule 47.3(c)(1)(2)*, and *Rule 8(c)*.

Email Transmission for Pro Se Filers *Rule 8(c)*, *Rule 8 – Practice Notes* and *Rule 25(c)(2)(A)*: A motion, response to a motion, reply to a response, or letter may now be filed by email (prose@cafc.uscourts.gov) or facsimile transmission if submitted by a pro se party. The certificate of service must state whether a copy has been served on all parties by email or facsimile transmission.

No other document, including for example an appeal or petition, may be filed or served by email or facsimile. A petition or appeal submitted by a pro se party **must** be filed with the court by mail or delivery, and the court must **receive** the document by the due date.

Forms Review the new forms on the website at: www.cafc.uscourts.gov. Most of the forms have been updated, specifically forms 11-16 (Informal Briefs).

Merits System Protection Board *Rule 47.9(a)*: The 60 day window for filing a petition for review of a final order or decision now starts the **date the Board or arbitrator issues notice**, not when the Director receives notice.

Number of Copies The number of copies of briefs, appendices, motions, petitions for rehearing, and other documents are incorporated into the rules, previously in separate ECF rules and Administrative Order.

Appeal Rule 15(a): Petition for Review/Notice of Appeals copies now 1 (from 3); additional copies are no longer required.

Appendix Rule 30(a)(7): The number of paper copies of the appendix to be served on or by each pro se party is now 1 (from 2).

Briefs Rule 31(b) and Rule 31(e)(4): The number of paper copies of briefs for filing with the court is now 3 (not 12). For informal briefs the original copy is no longer required to be filed with the court.

Case-Initiating Documents Rule 25(b)(2): Case-initiating documents submitted by pro se parties must be provided to the court in paper. Only one copy is required. The paper document must be served on opposing counsel at the same time it is mailed or delivered to the court.

All Other Documents Rule 25(c)(2)(B): Unless otherwise ordered in a particular case, three paper copies of any briefs, appendices, or petition for rehearing must be submitted to the court on or before the due dates provided in these rules. For all other documents, including for example motions or letters, only one paper copy is required.

Informal Petition for Panel Rehearing Rule 40(f): The number of paper copies required for informal petitions and answers is now three copies (original no longer required).

Petitions for Hearing or Rehearing En Banc Rule 35(c)(4) and (f): The original copy is no longer required to be filed.

Statement Concerning Discrimination Rules 15(c) and 15(c)(2): When a claim of discrimination is made in a motion or brief, the respondent must now state (in their filing) whether the respondent agrees or not. The respondent should also indicate whether or not they believe that the court has jurisdiction over the petition for review, with reasons provided as necessary.