

IN THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT

ATIF F. BHATTI, TYLER D. WHITNEY,  
MICHAEL F. CARMODY,  
Plaintiffs-Appellants,

v.

FEDERAL HOUSING FINANCE AGENCY;  
MELVIN L. WATT, in his official capacity as  
Director of the Federal Housing Finance Agency;  
UNITED STATES DEPARTMENT OF  
TREASURY.

Defendants-Appellees.

No. 18-2506

**UNOPPOSED MOTION FOR AN 8-DAY EXTENSION OF TIME TO  
FILE RESPONSE BRIEFS**

Pursuant to Rules 26 and 27 of the Federal Rules of Appellate Procedure, Treasury respectfully moves for an extension of eight (8) days, to and including November 13, 2018, in which to file its response brief. In light of the extension necessary for Treasury's brief, Treasury also requests that the time for filing FHFA's brief be extended, as well. In support of this motion, Treasury states the following:

1. This case challenges actions taken by Treasury and the Federal Housing Finance Agency (FHFA) with respect to the operation of the conservatorships of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac). The district court granted defendants' motions to dismiss plaintiffs' claims. Plaintiffs filed their opening brief on September 4, 2018.

Defendants previously requested, and received, one 30-day extension of time in which to file their response briefs. Those briefs are currently due November 5, 2018.

2. This case raises multiple constitutional questions that require coordination between Treasury and the Department of Justice. An additional short extension is necessary to permit Treasury time to complete its consultation with various components of the Department of Justice. In light of the necessary extension for Treasury's brief, Treasury also respectfully requests that the time for filing FHFA's brief be extended, as well.

3. Counsel for Treasury has contacted Brian Barnes, counsel for appellants, who indicated that appellants do not oppose our request.

## CONCLUSION

For the foregoing reasons, the time for filing appellees' briefs should be extended by 8 days, to and including November 13, 2018.

Respectfully submitted,

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*s/ Abby C. Wright*

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OCTOBER 2018

## CERTIFICATE OF COMPLIANCE

Pursuant to FRAP 32(g)(1), I hereby certify that the foregoing motion complies with the type-volume limitation in FRAP 27(d)(2)(A). According to Microsoft Word, the motion contains 366 words and has been prepared in a proportionally spaced typeface using Garamond in 14-point size.

/s/ Abby C. Wright

Abby C. Wright

## CERTIFICATE OF SERVICE

I certify that on October 31, 2018, I filed and served the foregoing Motion with the Clerk of the Court by causing a copy to be electronically filed via the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

s/ Abby C. Wright

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Abby C. Wright