

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WAZEE STREET OPPORTUNITIES
FUND IV LP, *et al.*,

Plaintiffs,

v.

THE FEDERAL HOUSING FINANCE
AGENCY, *et al.*,

Defendants.

Civil Action No. 2:18-cv-3478-NIQA

NOTICE TO THE COURT OF RESTORATION OF APPROPRIATIONS

On January 24, 2019, Defendant, the United States Department of the Treasury (“Treasury”), moved for a stay of proceedings – including the Defendants’ February 8, 2019 deadline to file replies in support of their motions to dismiss and oppositions to Plaintiffs’ motion for summary judgment – in the above-captioned case. *See* ECF No. 24. The Court has not yet ruled on that motion. As of January 25, 2019, after a 35-day lapse, funding was restored for the Departments of Justice and Treasury through February 15, 2019, and the Department of Justice has now resumed its usual civil litigation functions. Undersigned counsel for Treasury requests the opportunity to meet and confer with Plaintiffs’ counsel and counsel for the co-Defendants for the purpose of submitting to the Court a proposed briefing schedule that takes into account the duration of the lapse in appropriations no later than Friday, February 1.

Dated: January 28, 2019

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

DIANE KELLEHER
Assistant Branch Director

/s/ R. Charlie Merritt
R. CHARLIE MERRITT
Trial Attorney (VA Bar No. 89400)
U.S. Department of Justice
Civil Division, Federal Programs Branch
919 East Main Street, Suite 1900
Richmond, VA 23219
(202) 616-8098
robert.c.merritt@usdoj.gov

*Counsel for the U.S.
Department of the Treasury*