

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

_____)	
FAIRHOLME FUNDS, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 13-465C
)	(Chief Judge Sweeney)
THE UNITED STATES,)	
)	
Defendant.)	
_____)	

**JOINT MOTION FOR ENLARGEMENT OF
DEADLINE FOR FILING JOINT STATUS REPORT**

Pursuant to Rules 6(b), 6.1 and 7 of the Court’s Rules, the parties respectfully request an enlargement of time of 14 days, to and including January 24, 2019, within which to file the joint status report currently due on January 10, 2020. In its December 6, 2019 opinion and order (ECF No. 449), which granted in part and denied in part the Government’s motion to dismiss Fairholme’s second amended complaint, the Court ordered the parties to file a joint status report, no later than January 10, 2020, “proposing further proceedings, and, if appropriate, a schedule for further proceedings.”

Good cause exists for the requested enlargement. Both parties are considering options for moving forward with this litigation, and anticipate that they will be in a better position to advise the Court as to appropriate further proceedings as of January 24. The Government has not yet formulated its position regarding further proceedings, and the process for finalizing the Government’s position requires authorization by the Office of the Solicitor General, which is considering available options. Further, among other things, we anticipate that the Supreme Court will decide before January 24 whether to grant either or both of the parties’ petitions for writs of

certiorari in *Collins v. Mnuchin*, 938 F.3d 553, 582 (5th Cir. 2019) (en banc), which concerns the Third Amendment to the Preferred Stock Purchase Agreements at issue in this case.

For these reasons, the parties request that the Court grant this motion for a 14-day enlargement of time within which to file the joint status report currently due today.

Date: January 10, 2020

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