

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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

JOINT STATUS REPORT

As directed by the Court in its Opinion and Order dated December 6, 2019 (ECF No. 447) (December 6 Order), and its Order dated January 27, 2020 (ECF No. 453), plaintiffs, Fairholme Funds, Inc., et al., and defendant, the United States, jointly propose further proceedings in this action. The parties agree that next logical step in this proceeding is the filing of motions requesting that the Court, pursuant to 28 U.S.C. § 1292(d)(2), certify the December 6 Order for interlocutory appeal to the United States Court of Appeals for the Federal Circuit. The parties believe that certification is warranted because the December 6 Order raises controlling questions of law with respect to which there is a substantial ground for a difference of opinion, and an immediate appeal may materially advance the ultimate termination of this litigation.

Consequently, the parties propose the filing of motions to certify the Court's December 6 Order for interlocutory appeal on the following schedule:

February 21, 2020: motions due

March 6, 2020: responses to motions due (if necessary)

Respectfully submitted,

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Date: February 7, 2020

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