

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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

DEFENDANT’S RESPONSE TO PLAINTIFFS’ MOTION TO CERTIFY THE COURT’S DECEMBER 6, 2019 OPINION FOR INTERLOCUTORY APPEAL

Pursuant to the Court’s February 10, 2020 order (ECF No. 457), the United States respectfully submits this response to plaintiffs’ motion to certify the Court’s December 6, 2019 opinion for interlocutory appeal.

We agree with plaintiffs that certification of the December 6 opinion for interlocutory appeal is warranted. In addition, if the Court certifies the December 6 opinion, the Court should stay further proceedings pending the Federal Circuit’s resolution of the parties’ petitions for interlocutory appeal and, if granted, the Federal Circuit’s decision on that appeal.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

s/Robert E. Kirschman, Jr.
ROBERT E. KIRSCHMAN, JR.
Director

ELIZABETH M. HOSFORD
FRANKLIN E. WHITE, JR.
Assistant Directors

ERIC E. LAUFGRABEN
Senior Trial Counsel

MARIANA T. ACEVEDO
RETA E. BEZAK
Trial Attorneys

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s/Kenneth M. Dintzer
KENNETH M. DINTZER
Deputy Director
Commercial Litigation Branch
Civil Division
U.S. Department of Justice
P.O. Box 480
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 616-0385
Facsimile: (202) 307-0973
Email: Kenneth.Dintzer@usdoj.gov

Attorneys for Defendant