

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**FAIRHOLME FUNDS, INC., ACADIA INSURANCE
COMPANY, ADMIRAL INDEMNITY COMPANY,
ADMIRAL INSURANCE COMPANY, BERKLEY
INSURANCE COMPANY, BERKLEY REGIONAL
INSURANCE COMPANY, CAROLINA CASUALTY
INSURANCE COMPANY, CONTINENTAL
WESTERN INSURANCE COMPANY, MIDWEST
EMPLOYERS CASUALTY INSURANCE COMPANY,
NAUTILUS INSURANCE COMPANY, PREFERRED
EMPLOYERS INSURANCE COMPANY, THE
FAIRHOLME FUND, ANDREW T. BARRETT,
*Plaintiffs-Appellants***

v.

**UNITED STATES,
*Defendant-Cross-Appellant***

2020-1912, -1914

Appeals from the United States Court of Federal
Claims in No. 1:13-cv-00465-MMS, Chief Judge Margaret
M. Sweeney.

**OWL CREEK ASIA I, L.P., OWL CREEK ASIA II,
L.P., OWL CREEK I, L.P., OWL CREEK II, L.P., OWL
CREEK ASIA MASTER FUND, LTD., OWL CREEK**

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FAIRHOLME FUNDS, INC. v. US

**CREDIT OPPORTUNITIES MASTER FUND, L.P.,
OWL CREEK OVERSEAS MASTER FUND, LTD.,
OWL CREEK SRI MASTER FUND, LTD.,**
Plaintiffs-Appellants

v.

UNITED STATES,
Defendant-Appellee

2020-1934

Appeal from the United States Court of Federal Claims
in No. 1:18-cv-00281-MMS, Chief Judge Margaret M.
Sweeney.

**MASON CAPITAL L.P., MASON CAPITAL MASTER
FUND L.P.,**
Plaintiffs-Appellants

v.

UNITED STATES,
Defendant-Appellee

2020-1936

Appeal from the United States Court of Federal Claims
in No. 1:18-cv-00529-MMS, Chief Judge Margaret M.
Sweeney.

FAIRHOLME FUNDS, INC. v. US

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AKANTHOS OPPORTUNITY FUND, L.P.,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2020-1938

Appeal from the United States Court of Federal Claims
in No. 1:18-cv-00369-MMS, Chief Judge Margaret M.
Sweeney.

**APPALOOSA INVESTMENT LIMITED
PARTNERSHIP I, PALOMINO MASTER LTD.,
AZTECA PARTNERS LLC, PALOMINO FUND LTD.,**
Plaintiffs-Appellants

v.

UNITED STATES,
Defendant-Appellee

2020-1954

Appeal from the United States Court of Federal Claims
in No. 1:18-cv-00370-MMS, Chief Judge Margaret M.
Sweeney.

CSS, LLC,
Plaintiff-Appellant

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FAIRHOLME FUNDS, INC. v. US

v.

UNITED STATES,
Defendant-Appellee

2020-1955

Appeal from the United States Court of Federal Claims
in No. 1:18-cv-00371-MMS, Chief Judge Margaret M.
Sweeney.

**ARWOOD INDEMNITY COMPANY, ARWOOD
SURPLUS LINES INSURANCE COMPANY,
FINANCIAL STRUCTURES LIMITED,**
Plaintiffs-Appellants

v.

UNITED STATES,
Defendant-Appellee

2020-2020

Appeal from the United States Court of Federal Claims
in No. 1:13-cv-00698-MMS, Chief Judge Margaret M.
Sweeney.

JOSEPH CACCIAPALLE,
Plaintiff-Appellant

**MELVIN BAREISS, on Behalf of Themselves and All
Others Similarly Situated, BRYNDON FISHER,**

FAIRHOLME FUNDS, INC. v. US

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**BRUCE REID, ERICK SHIPMON, AMERICAN
EUROPEAN INSURANCE COMPANY, FRANCIS J.
DENNIS,**
Plaintiffs

v.

UNITED STATES,
Defendant-Appellee

2020-2037

Appeal from the United States Court of Federal Claims
in No. 1:13-cv-00466-MMS, Chief Judge Margaret M.
Sweeney.

ON MOTION

O R D E R

The United States moves to hold the above-captioned related appeals in abeyance until the Supreme Court issues its decision in *Mnuchin v. Collins*, No. 19-563, and *Collins v. Mnuchin*, No. 19-422. Fairholme Funds, Inc. et al. and Arrowood Indemnity Company et al. take no position on the motion. The remaining appellants oppose the motion. The United States replies.

Granting a motion to stay is a matter of discretion. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254–55 (1936). Having considered the parties' arguments, the court concludes that a stay is not warranted under the circumstances presented.

Accordingly,

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FAIRHOLME FUNDS, INC. v. US

IT IS ORDERED THAT:

The motions to stay are denied.

FOR THE COURT

August 27, 2020
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

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