

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
FAIRHOLME FUNDS, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 13-cv-1053-RCL
)	
FEDERAL HOUSING FINANCE)	
AGENCY, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

CONSENT MOTION FOR EXTENSION OF TIME

The United States Department of the Treasury (“Treasury”) hereby respectfully requests that the Court extend its deadline for responding to Plaintiffs’ sealed motion to compel production of certain documents withheld as privileged, ECF No. 125, by three weeks until June 22, 2021. Good cause exists to grant this motion.

Plaintiffs filed their motion on May 18, 2021, broadly requesting, among other things, that Treasury be compelled to produce all documents that it has withheld pursuant to the deliberative process privilege and that discuss the preferred stock purchase agreement amendment that is at issue in this litigation. This request implicates a potentially broad swath of documents – in response to Plaintiffs’ third-party subpoena, Treasury has reviewed and either produced or withheld on the basis of privilege more than 20,000 documents. Because Plaintiffs’ motion does not identify any particular document over which Plaintiffs claim the deliberative process privilege has been overcome, Treasury is negotiating with Plaintiffs’ counsel to identify which documents are at issue so that further review of those documents can be conducted. The extension requested in this motion will afford the time necessary for this process to be completed and for Treasury to respond to the other issues raised in Plaintiffs’ motion. The additional time

will also provide an opportunity for the parties to confer further and potentially narrow the issues raised in Plaintiffs' motion.

For these reasons, Treasury respectfully requests that its deadline for responding to Plaintiffs' motion to compel be extended by three weeks from June 1, 2021 until June 22, 2021. Before filing this motion, pursuant to Local Civil Rule 7(m), undersigned counsel conferred with counsel for Plaintiffs, who reported that Plaintiffs consent to the relief requested in this motion. A proposed order is attached.

Dated: May 26, 2021

Respectfully submitted

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/s/ R. Charlie Merritt

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