

NOTE: This order is nonprecedential.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,
FAIRHOLME FUND, ANDREW T. BARRETT,
*Plaintiffs-Appellants***

v.

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

2020-1912, 2020-1914

Appeals from the United States Court of Federal
Claims in No. 1:13-cv-00465-MMS, Senior Judge Margare
ret 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
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.

**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, Senior Judge Marga-
ret 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, Senior 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, Senior Judge Margaret M. Sweeney.

CSS, LLC,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2020-1955

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

**ARROWOOD INDEMNITY COMPANY, ARROWOOD
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, Senior Judge Margaret M. Sweeney.

FAIRHOLME FUNDS, INC. v. US

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JOSEPH CACCIAPALLE,
Plaintiff-Appellant

**MELVIN BAREISS, ON BEHALF OF THEMSELVES
AND ALL OTHERS SIMILARLY SITUATED,
BRYNDON FISHER, 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, Senior Judge Margaret M. Sweeney.

ON MOTION

PER CURIAM.

O R D E R

The parties to the above-captioned appeals jointly request the following: (1) leave to file supplemental briefing addressing the implications of the United States Supreme Court's decision in *Collins v. Yellen* (U.S. 19-422), (2) consolidation of the orals arguments in these

appeals with multiple counsel permitted to argue for each side, and (3) in-person oral argument rescheduled for some time during the court's October 2021 sitting.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion for leave to file supplemental briefing is granted. The parties' initial supplemental briefs, not to exceed 20 pages, are due no later than July 16, 2021. The parties' responsive briefs, not to exceed 10 pages, are due no later than July 30, 2021.

(2) The motion to consolidate is granted to the extent that the appeals are consolidated for purposes of argument with each side allotted 40 minutes of argument time and multiple counsel permitted to argue per side.

(3) The motion to reschedule oral argument and conduct that argument in person is denied.

FOR THE COURT

July 6, 2021
Date

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