

# In the United States Court of Federal Claims

No. 20-737C  
(Filed: March 24, 2022)

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 JOSHUA J. ANGEL, \*  
 \*  
 Plaintiff, \*  
 \*  
 v. \*  
 \*  
 THE UNITED STATES, \*  
 \*  
 Defendant. \*  
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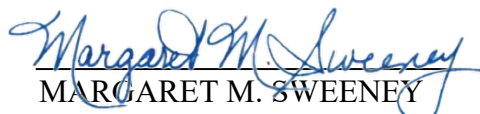
## ORDER

On March 24, 2020, plaintiff filed, on behalf of the parties, two joint status reports, one with an attachment, and the other without the attachment. The attachment is a putative “Stipulation and Agreement of Settlement,” which defendant disavows on the grounds that the parties have not explored settlement and that there is no agreement of any kind on that topic. The parties also disagree as to the next step in this litigation.

To resolve the parties’ dispute, the court begins with the language of the order continuing the stay in this case, which was filed on July 27, 2021: “The case is **STAYED** and the parties shall **FILE** a joint status report within thirty days of the decision in Fairholme Funds, Inc. proposing further proceedings in this case.” The United States Court of the Appeals for the Federal Circuit issued its decision on February 22, 2022. See Fairholme Funds, Inc. v. United States, No. 2020-1912, 2022 WL 518222 (Fed. Cir. Feb. 22, 2022). The Fairholme decision is not final and non-appealable at this point in time, thus, the effect of that precedential decision on the claims in this case is uncertain.

To resume litigation of this case before the Fairholme decision is final and non-appealable would needlessly consume the resources of the parties and the court. Accordingly, this case remains **STAYED** and the parties shall **FILE** a joint status report within thirty days after the Fairholme decision becomes final and non-appealable.

**IT IS SO ORDERED.**

  
 MARGARET M. SWEENEY  
 Senior Judge