

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

FAIRHOLME FUNDS, INC., *et al.*,

Plaintiffs,

v.

FEDERAL HOUSING FINANCE
AGENCY, *et al.*,

Defendants.

Civil No. 13-1053 (RCL)

In re Fannie Mae/Freddie Mac Senior
Preferred Stock Purchase Agreement Class
Action Litigations

Miscellaneous No. 13-1288 (RCL)

This document relates to:
ALL CASES

JOINT MOTION TO AMEND SCHEDULING ORDER

In order to set forth additional pretrial deadlines, Defendants Federal Housing Finance Agency, Acting Director Sandra Thompson, the Federal Home Loan Mortgage Corporation, and the Federal National Mortgage Association (collectively, “Defendants”), and Plaintiffs in the above-captioned cases (collectively, the “Plaintiffs”), hereby respectfully move this Court to enter the attached proposed order amending the Sixth Amended Scheduling Order dated December 7, 2021. *See* ECF No. 137 (No. 1:13cv1288).

These matters are currently set for trial on July 11, 2022, “or at the Court’s earliest convenience thereafter.” *Id.*

The parties have agreed on an appropriate schedule for pretrial filings and disclosures and have reached an agreement on such a schedule, which is reflected in the attached proposed order. This schedule proposes a status conference on May 13, 2022—should the Court’s schedule allow it—the purpose of which would be to address the trial schedule and any argument the Court may wish on the summary judgment motions, which will be fully briefed as of May 6. The parties have also agreed to various other deadlines in the proposed schedule, including for motions in limine, the exchange of witness lists and other pretrial disclosures, and for completion of depositions of trial witnesses who had been previously disclosed but not deposed. Finally, the schedule proposes a final pretrial status conference on June 17, 2022.

Accordingly, the Parties jointly and respectfully request that the Court enter the attached proposed Seventh Amended Scheduling Order, which reflects the deadlines discussed above. Should the Court wish to discuss any of these matters with the Parties, undersigned counsel will promptly make themselves available for a conference.

Dated: April 28, 2022

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FOR THE DISTRICT OF COLUMBIA**

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| <p>FAIRHOLME FUNDS, INC., <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>v.</p> <p>THE FEDERAL HOUSING FINANCE AGENCY, <i>et al.</i>,</p> <p>Defendants.</p> | <p>Civil No. 13-1053 (RCL)</p> |
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SEVENTH AMENDED SCHEDULING ORDER

It is hereby **ORDERED** that:

1. The Parties' repl(ies) in support of the motion(s) for summary judgment are due **May 6, 2022**;
2. A status conference shall be set for **May 13, 2022**, to address (a) the trial schedule and, (b) any oral argument the Court may wish on the parties' summary judgment motions;
3. The Parties' motions in limine based on the Federal Rules of Evidence 701 to 706 are due **May 19, 2022**;
4. Parties shall disclose trial witness lists on **May 20, 2022**;
5. Pretrial Statements shall be filed as provided for in the Local Rules on **June 3, 2022**;

6. The Parties' oppositions to the motions in limine based on Federal Rules of Evidence 701 to 706 are due **June 8, 2022**;
7. The Parties' replies in support of motions in limine based on Federal Rules of Evidence 701 to 706 are due by **12:00 p.m. on June 14, 2022**;
8. The Parties shall complete, by **June 17, 2022**, depositions of any witness identified on the opposing party's trial witness list that was also identified on initial disclosures but was not previously deposed;
9. By **June 17, 2022**, the Parties shall:
 - a. Serve objections to deposition designations and deposition cross-designations;
 - b. Exchange objections to authenticity on exhibits
 - c. Meet and confer regarding stipulations on authenticity and admissibility of exhibits;
10. The pretrial conference shall be set for **June 17, 2022**;
11. The Parties' motions in limine other than those based on the Federal Rules of Evidence 701 to 706 are due **June 20, 2022**, with later motions allowed if good cause is shown for not filing by this deadline;
12. The Parties' oppositions to the motions in limine filed on June 20, 2022 are due **June 27, 2022**;
13. The Parties' replies (optional) in support of motions in limine filed on June 20, 2022 are due **June 30, 2022**; and
14. Trial is set for **July 11, 2022**, or at the Court's earliest convenience thereafter.

Dated: _____

U.S.D.J.