

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

<p>BERKLEY INSURANCE CO., <i>et al.</i>,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>THE FEDERAL HOUSING FINANCE AGENCY, <i>et al.</i>,</p> <p><i>Defendants.</i></p>	<p>Case No. 1:13-cv-1053-RCL</p>
<p>In re Fannie Mae/Freddie Mac Senior Preferred Stock Purchase Agreement Class Action Litigations</p> <hr/> <p>This document relates to: ALL CASES</p>	<p>Case No. 1:13-mc-1288-RCL</p>

PLAINTIFFS' ADDITIONAL PROPOSED JURY INSTRUCTIONS

Plaintiffs respectfully submit two additional proposed jury instructions to reflect how and for what purposes certain evidence was received in this matter. Exhibit 1 is a proposed instruction concerning the playing and reading of certain deposition excerpts. Defendants have agreed that this instruction should be given. Exhibit 2 is a proposed instruction concerning certain analyst reports that were either introduced into evidence or published to the jury as demonstratives. Defendants have not agreed to this instruction.

Dated: October 30, 2022

Respectfully submitted,

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Exhibit 1

INSTRUCTION NO. ____
DEPOSITION EXCERPTS

During this trial, you heard excerpts of depositions taken of various witnesses in the case. These excerpts were played via video or read to you by actors. You should know that the portions of such depositions consisted both of sections that were designated by the plaintiffs and of sections that were designated by the defendants, and they were presented together, all at once, to avoid presenting pieces of each deposition more than once.

Exhibit 2

INSTRUCTION NO. _____
ANALYST REPORTS¹

During this trial, the Court permitted Defendants to introduce into evidence two analyst reports. You may not consider these analyst reports for the truth of any information set forth in those reports. You may only consider a particular analyst report if you find that a specific report factored into the FHFA's decision-making process to enter into the Third Amendment.

The Court also permitted Defendants to display certain analyst reports in connection with Dr. Attari's testimony for the limited purpose of explaining that he relied upon those reports in formulating his opinion on the subject. You may not consider those analyst reports for their truth or for any other purpose.

¹ *In re Fannie Mae/Freddie Mac Senior Preferred Stock Purchase Agreement Class Action Litigations*, No. 13-mc-1288-RCL (ECF No. 222) at 13; Fed. R. Evid. 703, 801(c)(3).