

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

*Plaintiffs,*

v.

FEDERAL HOUSING FINANCE  
AGENCY, *et al.*,

*Defendants.*

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

This document relates to:  
ALL CASES

Case No. 1:13-cv-1053-RCL

Case No. 1:13-mc-1288-RCL

CLASS ACTION

**NOTE TO JURY**

In response to your note requesting to have the terms ‘arbitrarily’ and ‘unreasonably’ “explained in layman’s terms” with “more plain language.”

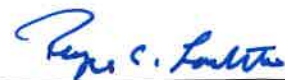
The sixth full paragraph on page eight of the Court’s final instructions states as follows:

In general, arbitrary actions or decisions are those taken or made without appropriate consideration of or regard for the existing facts and circumstances, or that are not supported by fair, solid, and substantial cause in light of all the facts and circumstances; while unreasonable actions or decisions are those that are not guided by reason, that are beyond what can be expected or beyond the limits of acceptability or fairness, or that are lacking justification in fact or circumstance.

Hopefully this response adequately answers your inquiry.

Date: November 3, 2022

1:13-mc-1288-RCL



Royce C. Lamberth  
United States District Judge