

**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

This document relates to:
ALL CASES

Miscellaneous No. 13-1288 (RCL)

JOINT MOTION TO MODIFY THE SCHEDULING ORDER

Plaintiffs and Defendants (“the Parties”) respectfully request that the Court modify the Scheduling Order submitted by the Parties and entered by the Court on March 10, 2023 (No. 1:13-cv-01053, ECF No. 292; No. 1:13-mc-01288, ECF No. 282), to extend by two weeks the deadline for any motions to amend any jury instructions or the verdict form or to address any deposition designation rulings from Trial 1.

In support of this Motion, the Parties state:

1. Pursuant the March 10, 2023 Scheduling Order, any motions to amend any jury instructions or the verdict form that were used at the first trial or to address deposition

designation rulings from the first trial are currently due Friday, May 26, 2023, with oppositions due June 14 and replies due June 23.

2. The Parties request a two-week extension of these deadlines. Under this requested extension, any motions to amend any jury instructions or the verdict form or to address deposition designation rulings from Trial 1 would be due June 9, 2023, with oppositions due June 23 and replies due June 30.

3. The Parties respectfully submit that good cause exists for the requested extension. The Parties have discussed and are continuing to discuss potential revisions, and the requested extension would enable the parties to pursue agreements that might eliminate or reduce the need for further motions practice.

WHEREFORE, the Parties respectfully request that the Court modify the March 10, 2023 Scheduling Order, to extend the deadline for motions to amend any jury instructions or the verdict form or to address deposition designation rulings from Trial 1 by two weeks, to June 9, 2023, with oppositions due June 23 and replies due June 30. A proposed order is being submitted.¹

[Signatures on following pages]

¹ The Parties are continuing to meet and confer regarding objections to their respective deposition designations and, consistent with the March 10, 2023 Scheduling Order, the Parties will submit to the Court any remaining disputes regarding deposition designations by June 30, 2023.

Dated: May 26, 2023

Respectfully submitted,

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