

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 motions in limine and *Daubert* motions for (1) Defendants’ motion in limine regarding the scope of Plaintiffs’ expert Dr. Joseph Mason, Ph.D.’s trial testimony, and (2) Plaintiffs’ motion to preclude certain cross-examination of Dr. Mason and argument as to damages.

In support of this Motion, the Parties state:

1. Pursuant the March 10, 2023 Scheduling Order, any motions in limine and *Daubert* motions 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, Defendants' motion in limine regarding the scope of Dr. Mason's trial testimony and Plaintiffs' motion to preclude certain cross-examination of Dr. Mason and argument as to damages 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 are continuing to meet and confer regarding these issues, and the requested extension would enable the parties to continue those discussions in a manner that may 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 in line and *Daubert* motions as related to (1) Defendants' motion in limine regarding the scope of Dr. Mason's trial testimony, and (2) Plaintiffs' motion to preclude certain cross-examination of Dr. Mason and argument as to damages by two weeks, to June 9, 2023, with oppositions due June 23 and replies due June 30.

A proposed order is being submitted along with this motion.

[Signatures on following pages]

Dated: May 26, 2023

Respectfully submitted,

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