

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL ROP, *et al.*,

Plaintiffs,

v.

THE FEDERAL HOUSING FINANCE
AGENCY, *et al.*,

Defendants.

Case No. 1:17-cv-00497

JOINT STATUS REPORT

Pursuant to the Court's Order of June 21, 2023 (ECF No. 75), the parties submit this joint status report.

Plaintiffs intend to seek leave to file an amended complaint to add factual allegations related to the appropriate remedy for their presidential removal claims and to add a claim that FHFA's funding structure violates the Appropriations Clause. Defendants do not oppose Plaintiffs amending the complaint to add allegations relevant to the presidential removal claims but do oppose Plaintiffs adding a claim under the Appropriations Clause on the grounds that it is outside the Sixth Circuit's mandate for this remand and would be barred by the applicable statute of limitations. Therefore, under Federal Rule Of Civil Procedure 15(a), Plaintiffs must file a motion for leave to amend and obtain leave of Court in order to assert the proposed Appropriations Clause claim.

The parties jointly propose the following dates for Plaintiffs' motion for leave to amend:

- August 11: Plaintiffs' motion for leave to file amended complaint due;

- September 1: Defendants' responses to Plaintiffs' motion for leave due;
- September 15: Plaintiffs' reply in support of leave to file amended complaint due.

The parties believe that it is unnecessary at this time for the Court to enter any further case schedule or to address other matters. Based on the foregoing, the parties respectfully request that the Court enter their proposed schedule for briefing Plaintiffs' forthcoming motion for leave to file an amended complaint.

Dated: July 12, 2023

Respectfully submitted,

/s/ Matthew T. Nelson

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