

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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FAIRHOLME FUNDS, INC., et al.,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	No. 13-465C
)	(Judge Sweeney)
THE UNITED STATES,)	
)	
<i>Defendant.</i>)	
_____)	

JOINT STATUS REPORT REGARDING SEPTEMBER 24 STATUS CONFERENCE

In accordance with this Court’s Order of August 13, 2014 (Doc. 85), the parties hereby notify the Court that they do not request a status conference on September 24. However, Plaintiffs are of the view that a status conference may soon be necessary to address Plaintiffs’ concerns regarding the pace of document discovery. Because of scheduling conflicts affecting counsel for the Defendant during the week of September 22, however, the parties have agreed to propose to reschedule the status conference currently scheduled for September 24. The parties have further discussed rescheduling that status conference for Wednesday, October 1 at 11 a.m. (assuming that the Court is available at that time). The parties therefore propose that they will inform by the Court, in a joint status report to be filed no later than 5 p.m. on Friday, September 26, whether they desire to hold a status conference on October 1 (or on any other date during the week of September 29 that works for the Court). If the parties propose holding a status conference, they will include in their status report a short description of the proposed agenda items for that conference, as well as the identity of counsel in this case who plan to participate in the status conference and the identity of counsel in related cases who plan to listen in to that status conference.

Finally, given Defendant's unavailability this week for a status conference, Plaintiffs propose that, unless the Court desires oral argument, the pending application of J. Timothy Howard for access to protected information (Doc. 93) be decided, at the Court's earliest convenience, on the basis of the briefs filed by the parties. Defendant does not oppose this proposal.

Date: September 22, 2014

Respectfully submitted,

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