United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-5113 **September Term, 2026**

1:13-cv-01053-RCL
1:13-mc-01288-RCL

Filed On: October 16, 2026

Fairholme Funds, Inc, on behalf of its series, The Fairholme Fund, et al.,

Appellees

v.

Federal Housing Finance Agency, in its capacity as Conservator of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, et al.,

Appellants

Consolidated with 25-5121, 25-5154, 25-5155

BEFORE: Srinivasan, Chief Judge; Henderson, Millett, Pillard, Wilkins*, Katsas, Rao, Walker, Childs, Pan, and Garcia*, Circuit Judges; and Ginsburg, Senior Circuit Judge

O R D E R

Upon consideration of appellants' petition for rehearing en banc, the response thereto, and the absence of a request by any member of the court for a vote, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Clifton B. Cislak, Clerk

BY: /s/
Ellie F. Kemper
Deputy Clerk

*Circuit Judges Wilkins and Garcia did not participate in this matter.