

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

J. PATRICK COLLINS, *et al.*,
Plaintiffs,

v.

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

Defendants.

Civil Action No. 4:16-cv-03113

**MOTION TO DISMISS BY THE DEPARTMENT OF THE TREASURY
AND JACOB J. LEW**

Defendants, Department of the Treasury (“Treasury”) and Jacob J. Lew, in his official capacity as Secretary of the Treasury, hereby move to dismiss the complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. The reasons for this motion are set forth in the attached memorandum.

Dated: January 9, 2017

Respectfully submitted,

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Principal Deputy Assistant Attorney General

KENNETH MAGIDSON
United States Attorney

DIANE KELLEHER
Assistant Branch Director

/s/ Thomas D. Zimpleman
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PROPOSED ORDER

Upon consideration of the Motion to Dismiss the Complaint (the “Motion to Dismiss”) by the Department of the Treasury and Jacob J. Lew, in his official capacity as Secretary of the Treasury, and for good cause shown, it is hereby:

ORDERED that the Motion to Dismiss is GRANTED and the Complaint is DISMISSED WITH PREJUDICE.

SO ORDERED.

Dated: _____.

Hon. Nancy F. Atlas
Senior United States District Judge