

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

In re Federal National Mortgage  
Association Securities, Derivative, and  
“ERISA” Litigation

MDL No. 1668

Federal Housing Finance Agency as  
Conservator for the Federal National  
Mortgage Association v. Raines, *et al.*  
(Kellmer III)

Civil Case No. 07-1173 (RJL)

**ORDER**

For the reasons set forth in the Memorandum Opinion, it is this 22 day of July, 2010,  
hereby

**ORDERED** that Fannie Mae’s Omnibus Motion to Dismiss James Kellmer’s  
Third Complaint for Lack of Subject Matter Jurisdiction, or, in the Alternative, on the  
Ground of Claim Preclusion [Civ. No. 07-1173, Dkt. #24] is **GRANTED**; it is further

**ORDERED** that the Individual Defendants’ Motion to Dismiss James Kellmer’s  
Complaint for Lack of Subject Matter Jurisdiction, or, in the Alternative, on the Ground  
of Claim Preclusion [Civ. No. 07-1173, Dkt. #28] is **GRANTED**; it is further


**ORDERED** that Kellmer’s Motion for Clarification, or, in the Alternative, for  
Relief from Judgment Pursuant to Fed. R. Civ. P. 60(b) [Civ. No. 05-37, Dkt. #27] is  
**DENIED**; it is further

**ORDERED** that FHFA’s Motion for Approval of Voluntary Dismissal Without  
Prejudice or, in the Alternative, To Stay Proceedings [Civ. No. 07-1173, Dkt. #95] is  
**DENIED**; it is further

**ORDERED** that the Individual Defendants’ Motion to Dismiss with Prejudice for  
Failure to Prosecute [Civ. No. 07-1173, Dkt. #98] is **DENIED**; and it is further

**ORDERED** that *Kellmer III* (Civ. No. 07-1173) is **DISMISSED** with prejudice as to all defendants.

**SO ORDERED.**

  
RICHARD J. LEON  
United States District Judge