

UNITED STATES OF AMERICA
 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

In the Matters of)
)
 Franklin D. Raines)
) Notice No. 2006-1
 J. Timothy Howard)
)
 Leanne G. Spencer)
)
 Respondents.)

Referral of Respondent Howard's Motion for Interlocutory Review
 to the Director of OFHEO

On February 22, 2007, Respondent J. Timothy Howard, through Counsel, filed a Motion for Interlocutory Review. OFHEO filed a Response in Opposition to the Motion on March 8, 2007. 12 C.F.R. § 1780.30 (c), "Procedure" provides that "[u]pon the expiration of the time for the filing of all responses, the presiding officer shall refer the matter to the Director for final disposition. In referring the matter to the Director, the presiding officer¹ may indicate agreement or disagreement with the asserted grounds for interlocutory review of the ruling in question."

The Court has reviewed all filings in connection with this issue. Upon such review, the Court stands by its remarks on this issue, made during the February 7, 2007 scheduling conference, which was held pursuant to 12 C.F.R. § 1780.33. Further, the Court concurs with the points made by OFHEO in its Memorandum in Opposition to Respondent Howard's Motion for Interlocutory Review. In short, the Court finds the Respondent's arguments to be devoid of any merit. Consequently, it strongly disagrees with the asserted grounds for interlocutory review of the ruling in question. Pursuant to the Rules of Practice and Procedure, Part 1780, the matter is hereby referred to the Director for final disposition.

So Ordered.

William B. Moran
 William B. Moran
 United States Administrative Law Judge

Dated: March 27, 2007
 Washington, DC

¹The Presiding Officer refers to itself as the Court. Thus, the terms are synonymous.

In the Matter of Franklin D. Raines, J. Timothy Howard, Leanne G. Spencer
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CERTIFICATE OF SERVICE

I certify that a true copy of the **Referral of Respondent Howard's Motion for Interlocutory Review to the Director of OFHEO**, dated March 27, 2007 was sent in the following manner to the addressees listed below:

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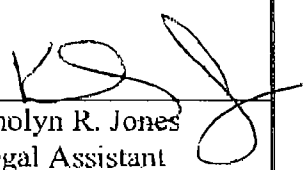
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Knolyn R. Jones
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Washington, DC
March 27, 2007



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REMARKS:

