## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NATIONAL ASSOCIATION OF MORTGAGE BROKERS, INC.,	) ) )
Plaintiff,	)
v.	) Civil Action No. 09-00356 (RMU)
JAMES B. LOCKHART III, DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY,	) ) )
Defendant.	) )

## MOTION FOR PRELIMINARY INJUNCTION

Comes now plaintiff pursuant to Rule 65(a), Federal Rules of Civil Procedure, and moves the Court for a preliminary injunction preventing defendant and all individuals and entities acting in concert with defendant from enforcing the provision of section III. A. of the Home Valuation Code of Conduct announced on December 23, 2008 by the Federal Housing Finance Agency that prohibits lenders from accepting "any appraisal report completed by an appraiser selected, retained, or compensated in any manner by an other third party (including mortgage brokers and real estate agents)," which provision is binding pursuant to agreements entered into by defendant on March 3, 2008; and as grounds therefor refers to the Memorandum of Points and Authorities attached hereto and made a part hereof.

WHEREFORE, plaintiff prays that the Motion be granted.

## **BAKER & HOSTETLER LLP**

By: /s/ Frederick W. Chockley III

Frederick W. Chockley III (366800) Lee T. Ellis, Jr. (3863) Jennifer M. Walrath (983405) 1050 Connecticut Avenue, N.W.

Suite 1100

Washington, D.C. 20036

Tel: 202-861-1500 Fax: 202-861-1783

fchockley@bakerlaw.com

Attorneys for Plaintiff

## CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of March, 2009, a copy of the foregoing Motion for Preliminary Injunction and accompanying Memorandum of Points and Authorities and proposed Order for Preliminary Injunction were filed and served pursuant to the Court's electronic filing procedures using the Court's CM/ECF System, and copies were hand delivered to:

Jeffrey A. Taylor, Esq. **United States Attorney** Office of the United States Attorney for the District of Columbia 555 4<sup>th</sup> Street, N.W. Washington, D.C. 20001

Alfred Pollard, Esq. General Counsel Federal Housing Finance Agency 1700 G Street, N.W. 4<sup>th</sup> Floor Washington, D.C. 20552

> /s/ Frederick W. Chockley III Frederick W. Chockley III