

COURT OF APPEALS OF WISCONSIN
DISTRICT IV
Appeal Nos. 2010AP1291, 2010AP2022, 2010AP2835, 2011AP0300,
2011AP0561¹

In the Matter of the Rehabilitation of:
Segregated Account of Ambac Assurance Corporation:

Sean Dilweg and Office of the Commissioner of Insurance,
Plaintiffs-Respondents,
Ambac Assurance,
Interested Party-Respondent,

v.

Wells Fargo Bank, National Association as Trustee for the
LVM Bondholders, Federal Home Loan Mortgage Corporation
("Freddie Mac"), Wells Fargo Bank, N.A., Eaton Vance,
Aurelis Capital Management LP, Fir Tree Inc., King
Street Capital Master Fund, Ltd., King Street Capital,
L.P., Monarch Alternative Capital LP, Stonehill Capital
Management LLC, Deutsche Bank National Trust Company,
Deutsche Bank Trust Company Americas, and Federal
National Mortgage Association ("Fannie Mae"),
Defendants-Co-Appellants,

Bank of New York Mellon, HSBC Bank USA, National
Association, Nuveen Asset Management, Restoration Capital
Management LLC and Stone Lion Capital Partners LP,
Defendants,

PNC Bank, Countrywide Home Loans Servicing L.P., Assured
Guaranty Corporation, Goldman Sachs & Co., Inc.,
Knowledgeworks Foundation and Treasurer of the State of
Ohio,
Proposed-Intervenors,

Depfa Bank, plc,
Proposed-Intervenor-Appellant,

¹ And all other appeals from Dane County Circuit Court Case No. 2010-CV-1576 filed since March 1, 2011, which have yet to be assigned case numbers.

Access To Loans for Learning Student Loan Corporation,
Lloyds TSB Bank plc, Customer Asset Protection Company
("CAPCO"), United States of America, Bank of America,
N.A., Wilmington Trust Company, Wilmington Trust FSB, One State Street LLC,
and U.S. Bank National Association,
Proposed-Intervenors-Co-Appellants.

Dane County Circuit Court Case No. 2010-CV-1576
The Honorable William D. Johnston,
Lafayette County Circuit Court, Presiding by Judicial Assignment

DEPFA BANK PLC'S CONCURRENCE WITH THE CONSENSUS
SUBMISSION REGARDING CONSOLIDATED BRIEFING


Appellant Depfa Bank, Plc (“Depfa” or “Appellant”) is the appellant in both Appeal No. 2010AP2835, filed on November 5, 2010 (appealing from the Circuit Court’s October 26, 2010 order [denying the June 22 motion and Depfa’s request for intervention] as well as the Circuit Court’s October 20, 2010 order [regarding the scheduling of the Plan confirmation hearings]) and in an appeal filed on March 1, 2011 (appealing from the Circuit Court’s January 24, 2011 decision [confirming the Plan]).

As required by this Court’s March 16, 2011 order, Depfa has conferred with the various parties to Appeal Nos. 2010AP1291, 2010AP2022, 2010AP2835, 2011AP0300, 2011AP0561 as well as other newly filed appeals from Dane County Circuit Court Case No. 2010-CV-1576 that have yet to be assigned case numbers (“the Appeals”) regarding the potential for joint briefing, as well as modifications to briefing requirements and schedule. It is Depfa’s understanding that broad, if not uniform support has been expressed for the consensus submission, which includes a proposed order regarding consolidated briefing and modifications to briefing requirements and schedule submitted to this Court regarding the Appeals. Depfa supports this consensus submission.

Dated: March 30, 2011

O'NEIL, CANNON, HOLLMAN, DEJONG &
LAING S.C.

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