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June 7, 2011

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You are hereby notified that the Court has entered the following order:

2011AP561

Ted Nickel v. Depfa Bank, plc (L.C. # 2010CV1576)

Before Higginbotham, Sherman and Reilly, JJ.

The RMBS policyholders move to supplement the record with a transcript from November 30, 2010 that contains the parties' closing arguments, and they waive any tolling of the briefing schedule. We grant the motion.

The Insurance Commissioner has submitted a joint appendix on behalf of all the parties, and also provided this court with a link to a website where an index of all the documents in the appellate record has been posted with hyperlinks to the substantive filings that are likely to be cited by the parties in their briefs. The Commissioner represents that the other parties have no objection to his proposed use of the website. While we have not seen this procedure before, we see no reason why the parties and this court cannot rely upon the stipulation and use the website in lieu of additional appendices. This court will, of course, verify that any information relied upon in our opinion is in the actual record.

IT IS ORDERED that the clerk of the circuit court shall transmit a supplemental return of the November 30, 2010 transcript to this court within ten days of the date of this order. The parties may refer to the transcript in their briefs without waiting for the actual supplement to be filed. The parties may also refer to record items that have been posted on the Commissioner's website without filing additional appendices.

A. John Voelker
Acting Clerk of Court of Appeals