



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215

P.O. Box 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880

Facsimile (608) 267-0640

Web Site: www.wicourts.gov

DISTRICT IV

August 2, 2011

To:

Hon. William D. Johnston
Circuit Court Judge
Lafayette County Courthouse
P.O. Box 40
Darlington, WI 53530

Carlo Esqueda
Clerk of Circuit Court
Room 1000
215 South Hamilton
Madison, WI 53703

Marcia D. Alazraki
Manatt, Phelps & Phillips, LLP
7 Times Square
New York, NY 10036

Joel M. Walker
Jeffrey W. Spear
Kenneth M. Argentieri
Duane Morris LLP
600 Grant Street, Suite 5010
Pittsburgh, PA 15219-2802

Susan E. Lovern
Randall D. Crocker
David I. Cisar
Owen Thomas Armstrong Jr.
von Briesen & Roper, S.C.
411 E. Wisconsin Ave., Ste. 700
Milwaukee, WI 53202

Bruce G. Arnold
Whyte & Hirschboeck Dudek
555 East Wells Street, Ste. 1900
Milwaukee, WI 53202-3819

John M. Rosenthal
Kristine E. Bailey
Morgan, Lewis & Bockius LLP
One Market St., Spear Street Tower
San Francisco, CA 94105

Mark I. Bane
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036-8704

Earl H. Munson Jr.
James E. Bartzten
Boardman, Suhr, Curry & Field LLP
P.O. Box 927
Madison, WI 53701-0927

Matthew Splitek
Donald K. Schott
Quarles & Brady LLP
Gregory T. Everts
Josephine K. Benkers
Quarles & Brady LLP
P.O. Box 2113
Madison, WI 53701-2113

Anne Bensky
Garvey McNeil & Associates, S.C.
One Odana Court
Madison, WI 53719

Lawrence Bensky
Law Office of Lawrence Bensky, LLC
10 East Doty St., Ste. 800
Madison, WI 53703

Paul A. Lucey
Paul E. Benson
Michael Best & Friedrich LLP
Ste. 3300
100 E. Wisconsin Ave.
Milwaukee, WI 53202-4108

Susan Jacquemot
Amy Caton
Philip Bentley
Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036

Craig S. Bloomgarden
Manatt, Phelps & Phillips, LLP
11355 W. Olympic Blvd.
Los Angeles, CA 90064

Thomas M. Pyper
Cynthia L. Buchko
Whyte Hirschboeck Dudek, S.C.
Ste. 300
33 East Main Street
Madison, WI 53703-4655

Laura E. Callan
Solheim Billing & Grimmer, S.C.
P.O. Box 1644
Madison, WI 53701-1644

Rodney W. Carter
Davis & Kuelthau, S.C.
300 N. Corporate Dr., Ste. 150
Brookfield, WI 53045-5804

Thomas Ross Hooper
Dale C. Christensen Jr.
Seward & Kissel LLP
One Battery Park Plaza
New York, NY 10004

D. Ross Martin
Andrew G. Devore
Ropes & Gray LLP
Prudential Tower
800 Boylston Street
Boston, MA 02199-3600

Gregory W. Lyons
Grant C. Killoran
Seth E. Dizard
O'Neil, Cannon, Hollman, DeJong & Laing,
SC
111 E. Wisconsin Ave. Ste. 1400
Milwaukee, WI 53202-4807

Andrew Alan Oberdeck
Kevin G. Fitzgerald
Foley & Lardner LLP
777 East Wisconsin Ave.
Milwaukee, WI 53202

Beth E. Hanan
John A. Franke
Gass Weber Mullins LLC
309 N. Water Street, Ste. 700
Milwaukee, WI 53202

John C. Goodchild III
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103

John B. Simon
David M. Greenwald
Jenner & Block LLP
353 N. Clark Street
Chicago, IL 60654

Allyson N. Ho
Morgan, Lewis & Bockius LLP
1000 Louisiana St., Suite 4000
Houston, TX 77002-5006

Leah M. Houghton
Morgan, Lewis & Bockius LLP
225 Franklin Street, 16th Fl.
Boston, MA 02110-4104

William G. Primps
Emily L. Saffitz
Peter A. Ivanick
Dewey & Leboeuf LLP
1301 Avenue of the Americas
New York, NY 10019

William B. Macurda
Michael E. Johnson
Alston & Bird LLP
90 Park Avenue
New York, NY 10016

R. Timothy Muth
Daniel Kelly
Reinhart Boerner Van Deuren SC
P.O. Box 2965
Milwaukee, WI 53201-2965

Melissa A. Kern
Frost Brown Todd LLC
1103 Boundary Rd.
Middleton, WI 53562

Brittany S. Ogden
Stephen L. Morgan
Jennifer M. Krueger
Murphy & Desmond, S.C.
P. O. Box 2038
Madison, WI 53701-2038

Jeffery A. Lipps
Carpenter Lipps & Leland LLP
Suite 1300
280 N. High Street
Columbus, OH 43215

Michael B. Van Sicklen
David G. Walsh
Matthew Lynch
Foley & Lardner LLP
150 E. Gilman St.
P.O. Box 1497
Madison, WI 53701-1497

Greg E. Mitchell
Frost Brown Todd LLC
2800 Lexington Financial Center
250 West Main St.
Lexington, KY 40507

Nathan Moenck
Michael Best & Friedrich LLP
P. O. Box 1806
Madison, WI 53701

Barbara A. Neider
Daniel W. Stolper
Stafford Rosenbaum LLP
P. O. Box 1784
Madison, WI 53701-1784

Jessica Hutson Polakowski
Bryan K. Nowicki
Reinhart Boerner Van Deuren, S.C.
P. O. Box 2018
Madison, WI 53701-2018

Noreen J. Parrett
Connie L. O'Connell
Parrett & O'Connell, LLP
10 E. Doty St., Ste. 621
Madison, WI 53703

James C. Owen
McCarthy, Leonard & Kaemmerer, L.C.
400 S. Woods Mill Rd.
Chesterfield, MO 63017

Todd L. Padnos
Dewey & Leboeuf LLP
1950 University Ave., Ste. 500
East Palo Alto, CA 94303

Richard K. Welsh
C.N. Franklin Reddick III
Akin Gump Strauss Hauer & Feld LLP
2029 Century Park East, Ste. 2400
Los Angeles, CA 90067

Thomas J. Welsh
Orrick, Herrington & Sutcliffe LLP
400 Capital Mall, Suite 300
Sacramento, CA 95814-4497

Jane C. Schlicht
Cook & Franke, S.C.
660 E. Mason St.
Milwaukee, WI 53202-3829

Kevin A. Wisniewski
Steven T. Whitmer
Lock, Lord, Bissell & Liddell LLP
111 South Wacker Drive
Chicago, IL 60606

Christopher J. Stroebel
von Briesen & Roper SC
Suite 1000
3 S Pinckney St
Madison, WI 53703

James Friedman
Brady C. Williamson Jr.
Anthony James Gaughan
Godfrey & Kahn, S.C.
P.O. Box 2719
Madison, WI 53701-2719

Patrick J. Trostle
Jenner & Block LLP
919 Third Avenue, 37th Floor
New York, NY 10022

Young K. Lee
Steven Klugman
Sonia R. Farber
Debevoise & Plimpton LLP
919 Third Ave.
New York, NY 10022

Pieter Van Tol
Hogan Lovells US LLP
875 Third Avenue
New York, NY 10022

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

2011AP1486

Ted Nickel v. Assured Guaranty Re Ltd. (L.C. #2010CV1576)

Before Higginbotham, Sherman and Reilly, JJ.

Assured Guaranty Re Ltd. and Assured Guaranty Corp. (collectively, Assured) have filed both a notice of appeal and, in the alternative, a petition for leave to appeal from an order enforcing an injunction that was entered as part of the rehabilitation proceeding for the Ambac Insurance Corp. The order determines that Assured has violated the injunction by demanding arbitration in New York to litigate issues relating to Ambac's segregated account and policies, and by withholding amounts due for payment under certain agreements, and orders that the violations cease on penalty of sanctions.

We agree with Assured that the order for which review is sought is likely a final and appealable document because it appears to resolve a special proceeding within the context of the rehabilitation proceeding. We need not engage in a detailed analysis of that issue, however, because we conclude that even if the order were not final, we would grant leave to appeal to promptly clarify whether the arbitration in New York should or should not be enjoined.

IT IS ORDERED that we accept jurisdiction over this appeal, either under WIS. STAT. § 808.03 or RULE 809.50 (2009-10).

A. John Voelker
Acting Clerk of Court of Appeals