

COPY

In the Matter of the Rehabilitation of:

Case No. 10 CV 1576

Segregated Account of Ambac Assurance Corporation

FILED

APR - 5 2016

ORDER

DANE COUNTY CIRCUIT COURT

**(I) DENYING MOTION FOR ORDER TO SHOW CAUSE
(II) GRANTING MOTIONS TO QUASH NOTICE OF DEPOSITION and
(III) STATING PROCEDURES FOR DISCOVERY BY INTERESTED PARTIES**

This matter came before the Court on: (1) the CarVal Holders'¹ motion for an order to show cause why the Commissioner of Insurance, as Court-appointed Rehabilitator for the Segregated Account of Ambac Assurance Corporation, should not increase the Interim Payment Percentage for allowed claims pursuant to the Amended Plan of Rehabilitation; and (2) the Rehabilitator's and Ambac's motions to quash the CarVal Holders' notice of deposition of Ambac Assurance Corporation.

For the reasons set forth on the record at the March 29, 2016 hearing in this matter, the Court hereby orders as follows:

1. The CarVal Holders' motion for an order to show cause is DENIED.
2. The Rehabilitator's and Ambac's motions to quash the CarVal Holders'

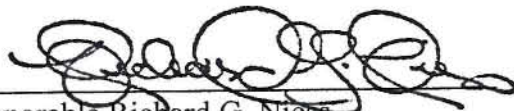
notice of deposition are GRANTED.

¹ The "CarVal Holders" consist of the following entities: CVI GVF (Lux) Master S.A.r.l.; CVF Lux Securities Trading S.A.r.l.; CVI CVF II Lux Securities Trading S.a.r.l.; CVI CVF III Lux Securities S.a.r.l.; CVIC Lux Securities Trading S.a.r.l.; CVIC II Lux Securities Trading S.a.r.l.; CVI AA Lux Securities S.a.r.l.; CVI CHVF Lux Securities S.a.r.l.; CarVal GCF Lux Securities S.a.r.l.; and CVI HH Investments LP.

3. The Court further directs all interested parties to adhere to the below procedures with regard to discovery. The Court of Appeals has held that “interested parties are not entitled to discovery in this rehabilitation proceeding.” *Nickel v. Wells Fargo Bank*, 2013 WI App 129, ¶ 113, 351 Wis. 2d 539, 841 N.W.2d 482. Accordingly, interested parties may not seek to take discovery of any type in this proceeding without leave of this Court. An interested party that wishes to take discovery may seek leave to do so by filing a motion with the Court, stating the basis for the request, together with supporting information. Upon receiving a request for leave to take discovery, the Court will either deny leave or request a response from the Rehabilitator, Ambac or other respondent. The Rehabilitator, Ambac or other respondent shall not respond to a request for leave to take discovery unless so ordered by the Court.

Dated this 5 day of April, 2016

BY THE COURT:



Honorable Richard G. Niess