

IN THE MATTER OF THE
REHABILITATION OF:

TRANSMITTAL OF
NOTICE OF APPEAL

SEGREGATED ACCOUNT OF AMBAC
ASSURANCE CORPORATION

Case No. 10 CV 1576

Clerk
Court of Appeals
PO Box 1688
Madison, WI 53701-1688

I hereby transmit a copy of the Notice to Appeal filed herein on 3/2/18 filed by Stephen E. Kravit o/b/o MHPI Projects and a copy of the trial court record (docket entries) of the above-entitled case as maintained pursuant to Sec. 59.40(2)(b) or (c), Stats.

Date: March 5, 2018

(SEAL)



CARLO ESQUEDA, CLERK OF CIRCUIT COURT

BY:

A handwritten signature in cursive script, appearing to read "E. Kilbane".

Eileen Kilbane, Deputy Clerk

FILED
03-02-2018
CIRCUIT COURT
DANE COUNTY, WI
2010CV001576

STATE OF WISCONSIN CIRCUIT COURT DANE COUNTY

In the Matter of the Rehabilitation of:

SEGREGATED ACCOUNT OF
AMBAC ASSURANCE CORPORATION

Case No. 10 CV 1576
Hon. Richard G. Niess

NOTICE OF APPEAL

Notice is hereby given that the MHPI Projects¹ appeal to the Court of Appeals, District IV, from the final judgment or order, entered on January 22, 2018 in the Circuit Court for Dane County, the Honorable Richard Niess, presiding, in favor of the Wisconsin Office of the Commissioner of Insurance (“OCI”) and the Segregated Account of Ambac Assurance Corporation (“Ambac”), and against the MHPI Projects, wherein the Court amended and confirmed the Second Amended Plan of Rehabilitation. A copy of the Order is attached to the Docketing Statement.

Notice is further hereby given that the MHPI Projects appeal to the Court of Appeals, District IV, from the final judgment or order, entered on February 7, 2018 in the Circuit Court for Dane County, the Honorable Richard Niess, presiding, in favor of the OCI and the Segregated Account of Ambac, and against the MHPI Projects, wherein the Court entered a mandatory, permanent injunction. A copy of the Order is attached to the Docketing Statement.

¹ The “MHPI Projects” (MHPI being the Military Housing Privatization Initiative) are joint ventures between the US Army and a private developer and are responsible for the construction and maintenance of on base housing for soldiers and their families at Army bases around the United States. Collectively, the MHPI Projects include: Monterey Bay Military Housing, LLC and Monterey Bay Land, LLC, Carlisle/Picatunny Family Housing LP, Fort Bliss/White Sands Missile Range Housing LP, Meade Communities LLC, Riley Communities, LLC, Fort Lee Commonwealth Communities, Fort Leavenworth Frontier Heritage Communities, II, LLC, Bragg Communities LLC, Fort Detrick/Walter Reed Army Medical Center Housing LLC, Polk Communities LLC, Rucker Communities LLC, and Stewart Hunter Housing LLC.

Notice is further hereby given that the MHPI Projects appeal to the Court of Appeals, District IV, from the final judgment or order, entered on February 7, 2018 in the Circuit Court for Dane County, the Honorable Richard Niess, presiding, in favor of the OCI and the Segregated Account of Ambac, and against the MHPI Projects, wherein the Court denied the MHPI Projects' request for a conference and briefing schedule and overruled any objection to Article 6.8 of the Second Amended Plan and/or the Rehabilitator's interpretation of Article 6.8 of the Second Amended Plan. A copy of the Order is attached to the Docketing Statement.

This is not an appeal within Wisconsin Statute § 752.31(2). This is not an appeal to be given preference in the circuit court or court of appeals pursuant to statute.

Dated this 2nd day of March, 2018.

KRAVIT, HOVEL & KRAWCZYK s.c.

/s/ Stephen E. Kravit

Stephen E. Kravit (State Bar No. 1016306)
Benjamin R. Prinsen (State Bar No. 1074311)
Leila Nadim Sahar (State Bar No. 1090093)
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Attorneys for MHPI Projects

Caption	Responsible C.O.	Case Number
Sean Dilweg et al vs. Wells Fargo Bank/Trustee of Bondholders et al	Richard G Niess	2010CV001576

WCIS Code: 30703 - Unclassified

Filing Date/C.O.	Disposition Date/C.O.	Disposition	Next Action
03-24-2010	12-08-2010	Change of venue, remove to federal court	03-19-2018 04:00 pm
William D. Johnston	William D. Johnston		Briefs Due
			03-29-2018 04:00 pm
			Briefs Due

Party Type	Name	Address	City	St	Zip	Attorney	Status
Petitioner	Sean Dilweg						AC
Other	Honorable William D Johnston	626 Main St	Darlington	WI	53530		DI
Defendant	Wells Fargo Bank/Trustee of Bondholders PKA Wells Fargo Bank					Steven T Whitmer Kevin A Wisniewski Stephen L Morgan	AC
Plaintiff	The Office of the Commissioner of Insurance					Ann Ustad Smith Stephen L Morgan John D Finerty Jr. Justin Michael Mertz Kimberly Streff	AC
Other	Ambac Assurance					Henry J Ricardo Jonathan L Freedman Barbara Anne Neider Daniel W Stolper Jeffrey A. Mandell Joseph Verdesca Lynn W Holbert Peter A Ivanick Richard Slack Kelly DiBlasi	AC
Defendant	Aurelius Capital Management LP					Andrew J Olejnik Jessica Polakowski Nathan L. Moenck	AC
Defendant	Fir Tree Inc.					Andrew J Olejnik Jessica Polakowski	AC
Defendant	King Street Capital Management LP					Andrew J Olejnik Jessica Polakowski	AC
Defendant	Monarch Alternative Capital LP					Andrew J Olejnik Jessica Polakowski	AC
Defendant	Stonehill Capital Management LLC					Andrew J Olejnik Jessica Polakowski	AC

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Party Type	Name	Address	City	St	Zip	Attorney	Status
Defendant	RMBS Policyholders					Michael T Brody Patrick J Trostle John B Simon David M Greenwald Jessica Polakowski	AC
Defendant	Eaton Vance Management	N67 W5389 Cedar Ct	Cedarburg	WI	53012		AC
Defendant	Nuveen Asset Management						AC
Defendant	Restoration Capital Management LLC						AC
Defendant	Stone Lion Capital Partners LP						AC
Defendant	LVM Bondholders					Amy Canton Philip Bentley Susan Jacquemot	AC
Defendant	The Bank of New York Mellon					Thomas Ross Hopper Dale C Christensen Travis James West	AC
Defendant	Federal Home Loan Mortgage Corporation (Freddie Mac)					Craig S Bloomgarden Marcia D Alazraki David I Cisar	AC
Defendant	Wells Fargo Bank/Trustee for RMBS Certificate Holders					Jane Carolyne Schlicht John C. Weitnauer	AC
Plaintiff	HSBC Bank USA, National Association	452 Fifth Ave	New York	NY	10018	Peter Van Tol Christopher J Stroebe	AC
Defendant	Deutsche Bank National Trust Company					John M Rosenthal Kristine Bailey Leah M Houghton John C Goodchild III	AC
Defendant	Deutsche Bank Trust Company Americas					John M Rosenthal Leah M Houghton John C Goodchild III	AC
Defendant	US Bank National Association					John C Goodchild III	AC

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Party Type	Name	Address	City	St	Zip	Attorney	Status
Defendant	Bank Insureds					Brady C. Williamson James A Friedman	AC
Defendant	Bank of America NA					Jane Carolyne Schlicht Emery King Harlan	AC
Defendant	Depfa Bank Plc					Elizabeth G Hays Peter Sabin Willett Harold S. Horwich	AC
Defendant	Assured Guaranty Corporation and Goldman Sachs & Co., Inc.					Donald K Schott Matthew Johnston Splitek Steven Klugman	AC
Defendant	Knowledgeworks Foundation and the Treasurer of the State of					Jeffrey A Lipps	AC
Defendant	One State Street LLC						DI
Defendant	PNC BANK, NA						AC
Defendant	All Student Loan and Lloyds TSB Bank Plc					James C Owen	AC
Defendant	Customer Asset Protection Company						AC
Defendant	Federal National Mortgage Association (Fannie Mae)					Rodney William Carter	AC
Defendant	Wilmington Trust Company and Wilmington Trust FSB					Jane Carolyne Schlicht	AC
Defendant	GCM Opportunity Fund LP					Jennifer L Achilles Jordan W Siev	AC
Defendant	Glenview Capital Partners LP					Jennifer L Achilles Jordan W Siev	AC
Defendant	Glenview Institutional Partners LP					Jennifer L Achilles Jordan W Siev	AC
Defendant	Glenview Capital Masters Fund Ltd					Jennifer L Achilles Jordan W Siev	AC
Defendant	Glenview Capital Opportunity Fund LP					Jennifer L Achilles Jordan W Siev	AC
Defendant	Glenview Offshore Opportunity Master Fund Ltd					Jennifer L Achilles Jordan W Siev	AC

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Other	Office Of the Commissioner Of Insurance					William F Bauer Karen Marie Gallagher	AC
Other	Tricadia Capital Management LLC					Jonathan M Wagner	AC
Defendant	One West Bank, FSB					Emilia P E Morris Matthew T Heartney James A Friedman Josh Johanningmeier	AC
Defendant	Greg Zimerschied	N67 W5389 Cedar Court	Cedarburg	WI	53012		AC
Defendant	Mary-Kay Bourbulas	N67 W5389 Cedar Court	Cedarburg	WI	53012		DI
Other	Teresa Siegenthaler	PO Box 40	Darlington	WI	53530		DI
Defendant	Axonic Capital LLC Credit						AC
Other	Fraser Brian						DI
Other	Rowan Gaither						DI
Other	Maria Lapetina						DI
Other	Laya R Kaigh						AC
Defendant	Axonic Opportunities Master Fund LP						AC
Defendant	OC 523 Master Fund LTD						AC
Interested Person	Ad Hoc Ambac Policyholder Group					Michael Patrick Crooks Lawrence A. Larose Samuel S. Kohn Christy L. Rivera Eric C. Daucher	AC
Other	Daniel J Schwartzer					Jeffrey A. Simmons Matthew Robert Lynch	AC
Defendant	Carlisle/Picatinny Family Housing L.P.					Stephen E. Kravit Benjamin R. Prinsen Leila N. Sahar	AC
Defendant	Fort Bliss/White Sands Missle Range Housing L.P.					Stephen E. Kravit Benjamin R. Prinsen Leila N. Sahar	AC
Defendant	Fort Detrick/Walter Reed Army Medical Center Housing LLC					Stephen E. Kravit Benjamin R. Prinsen Leila N. Sahar	AC
Defendant	Stewart Hunter Housing LLC					Stephen E. Kravit Benjamin R. Prinsen Leila N. Sahar	AC

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Defendant	Monterey Bay Military Housing LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	
Defendant	Monterey Bay Land LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	
Defendant	Meade Communities LLC					Stephen E. Kravit AC James Alan Friedman Benjamin R. Prinsen Leila N. Sahar Donna M Welch Jeffrey L Willian	
Defendant	Bragg Communities LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	
Defendant	Polk Communities LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	
Defendant	Rucker Communities LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	
Defendant	Riley Communities LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	
Defendant	Fort Lee Commonwealth Communities LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	
Defendant	Fort Leavenworth Frontier Heritage Communities, II, LLC					Stephen E. Kravit AC Benjamin R. Prinsen Leila N. Sahar	

Date	Court Record Entries	Amount	C.O. Court Reporter Tape/Counter Location
03-24-2010	Petition Verified Petition for Order of Rehabilitation		
03-24-2010	Filing fee paid 10RS022910	164.50	
03-24-2010	Motion for Approval of the Form of Notice for the Rehabilitation Petition, First-day orders, and subsequent Proceedings		

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02-22-2018	Proposed Order granting motion to withdraw as counsel		
02-23-2018	Notes backscanning will be occurring today		
02-26-2018	Order it is ordered that Atty Sysan E. Lovern is permitted with withdraw as attorney of record in this matter (attorney submitted paperwork with the wrong case number)		Richard G Niess
02-26-2018	Electronic Notice Update		
02-26-2018	Notice of motion, motion for reconsideration filed by MHPI Projects		
02-26-2018	Brief in support of motion for reconsideration - filed by MHPI Projects		
02-26-2018	Notice of motion, motion for expedited hearing - filed by MHPI Projects		
02-27-2018	Notice of briefing schedule for motion on reconsideration. Response due by 3-19-18; reply due by 3-29-18.		
02-27-2018	Response/reply Court's response to notice of motion and motion for expedited hearing		
03-02-2018	Notice of appeal filed by MHPI Projects from order entered 1/22/18 and 2/7/18.		
03-02-2018	eFiled Document Fee Paid Adjustment Number: 18A 011460, Payable Number: 415744, Receipt Number: 18RS013932, Amount: \$15.00	15.00	
03-02-2018	Notes Backscanning file - various years to be added		
03-02-2018	Received documents		
03-05-2018	Notice of appeal transmittal		