

COURT OF APPEALS OF WISCONSIN  
DISTRICT IV

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In the Matter of the Rehabilitation of:

Segregated Account of  
Ambac Assurance Corporation,

Case No. 10 CV 1576  
Appeal No. \_\_\_\_\_

OFFICE OF THE COMMISSIONER OF  
INSURANCE OF THE STATE OF  
WISCONSIN,

Plaintiff/Respondent,

SEAN DILWEG, Commissioner of  
Insurance of the State of Wisconsin,

Petitioner/Respondent;

AMBAC ASSURANCE  
CORPORATION,

Other Interested Party/Respondent,

v.

AURELIUS CAPITAL  
MANAGEMENT, LP, FIR TREE, INC.,  
KING STREET CAPITAL, L.P., KING  
STREET CAPITAL MASTER FUND,  
LTD., MONARCH ALTERNATIVE  
CAPITAL, LP, STONEHILL CAPITAL  
MANAGEMENT LLC,

Defendants/Appellant,

WELLS FARGO BANK, EATON  
VANCE MANAGEMENT, NUVEEN  
ASSET MANAGEMENT,  
RESTORATION CAPITAL  
MANAGEMENT, LLC, STONE LION  
CAPITAL PARTNERS, LP, THE

BANK OF NEW YORK MELLON,  
FEDERAL HOME LOAN MORTGAGE  
CORPORATION,

Defendants.

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**RMBS POLICYHOLDERS' EMERGENCY MOTION  
FOR INJUNCTION PENDING APPEAL**

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**PLEASE TAKE NOTICE** that Aurelius Capital Management, LP,  
Fir Tree, Inc., King Street Capital, L.P., King Street Capital Master Fund,  
Ltd., Monarch Alternative Capital LP, and Stonehill Capital Management  
LLC (collectively, the "RMBS Policyholders"), in their capacity as owners  
of or managers of funds that own residential mortgage-backed securities

and other indebtedness insured by Ambac Assurance Corporation, by their attorneys, Reinhart Boerner Van Deuren s.c. and Jenner & Block LLP, do hereby move the Court for an emergency order enjoining the consummation of the CDS Settlement and the distribution of funds from the General Account to the Bank Group pending appellate review.<sup>1</sup>

This motion is brought pursuant to Wisconsin Statute § 808.07 and § 809.52, and is supported by the accompanying Brief in Support of Emergency Motion for Injunction Pending Appeal.

Dated this 26th day of May, 2010.

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<sup>1</sup> Capitalized terms shall have the meaning ascribed to them in the RMBS Policyholders' Brief in Support of Motion for Injunction Pending Appeal.

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