



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

October 8, 2010

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2010AP1291	Sean Dilweg v. Wells Fargo Bank (L.C. # 2010CV1576)
2010AP2022	Sean Dilweg v. Wells Fargo Bank (L.C. # 2010CV1576)

Before Higginbotham, J.

Respondents Sean Dilweg, Office of Commissioner of Insurance, and Ambac Assurance Corp. jointly move to consolidate Case No. 2010AP1291 with Case No. 2010AP2022, and to modify the briefing schedule. They note that the appeals arise from the same underlying proceeding, involve overlapping parties, and will raise substantially similar or related issues. Appellants Eaton Vance Management, Nuveen Asset Management, Restoration Capital management LLC and Stone Lion Capital Partners L.P (collectively, the LVM Bondholders) join the motion to consolidate the appeals with respect to briefing and disposition, but ask that the cases remain separate for the purpose of any oral argument that this court might subsequently

order. The appellants also request a slightly different briefing schedule, which they represent has now been agreed to by all of the parties.

We agree that consolidation and a modified briefing schedule are appropriate. We will not address the structure of any oral argument unless and until we determine that oral argument is required for one or both cases. Therefore,

IT IS ORDERED that Case No. 2010AP1291 is hereby consolidated with Case No. 2010AP2022 for briefing and disposition. This order does not address the structure of any oral argument.

IT IS FURTHER ORDERED that Respondents OCI and Ambac may each file one brief up to 16,000 words jointly addressing all of the Appellants' briefs. The Respondents' briefs shall be due 30 days after the last Appellant's brief has been filed in Case No. 2010AP2022.

IT IS FURTHER ORDERED that the LVM Bondholders may choose whether to file one joint reply brief, or a reply brief for each appeal, with a total maximum word count of 4,800 regardless whether one or two briefs are filed. The reply brief(s) shall be due 30 days after the last respondent's brief has been filed.

A. John Voelker
Acting Clerk of Court of Appeals