

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

)	
)	
IN THE MATTER OF THE)	Case No. 10-cv-778
REHABILITATION OF SEGREGATED)	
ACCOUNT OF AMBAC ASSURANCE)	(Dane County Circuit Court Civil Case
CORPORATION)	No.: 10 CV 1576)
_____)	
SEAN DILWEG, COMMISSIONER OF)	
INSURANCE OF THE STATE OF)	
WISCONSIN)	
)	
Petitioner)	
)	
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

**MOTION TO DISSOLVE STATE COURT “ORDER FOR TEMPORARY
SUPPLEMENTAL INJUNCTIVE RELIEF” AND
OBJECTIONS TO THE INSURANCE COMMISSIONER’S MOTION, THE STATE
COURT INJUNCTION ORDER, AND
THE NOTICE OF AMENDMENT OF PLAN**

The United States moves to dissolve the Order for Temporary Supplemental Injunctive Relief issued by State Court Judge William D. Johnston on November 8, 2010. Additionally, the United States objects to the Motion for Temporary Supplemental Injunctive Relief, Notice Of Amendment to Plan of Operation and, to the extent not addressed by our motion to dissolve, the State Court’s Order for Temporary Supplemental Injunctive Relief.

The parties have filed a joint stipulation (Dkt. # 8) identifying an agreed briefing schedule for both this pleading and the Insurance Commissioner’s anticipated motion for remand. This joint stipulation is pending before the Court.

The stipulated briefing schedule gives the United States an extra two days, until Friday,

December 17, 2010, to file our objections and defenses pursuant to Rule 81(c) of the Federal Rules of Civil Procedure. The United States needs the time allotted in the parties' stipulation to complete its memorandum in support of this motion and objection. Because the Court has not yet signed the parties' stipulation regarding the briefing schedule, the United States is filing this motion now. We will file a substantive memorandum in support and, if necessary, amend this motion on or before Friday, December 17, 2010.

Respectfully submitted:

/s/ Hilarie Snyder
HILARIE SNYDER
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 7238
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-2708

hilarie.e.snyder@usdoj.gov

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of this pleading will be made by First Class Mail, postage prepaid, upon the following on the 15th day of December, 2010 to:

Peter A. Ivanick
Dewey & LeBoeuf LLP
1301 Avenue of the Americas
New York, NY 10019
Attorney for Ambac Financial Group, Inc.

It is further certified that this motion was filed with the Court's electronic filing system, which gives notice of the filing to:

Michael B. Van Sicklen
Matthew R. Lynch
Foley & Lardner LLP
150 East Gilman Street
Post Office Box 1497
Madison, Wisconsin 53701
Attorney for Sean Dilweg,
Commissioner of Insurance of the State of Wisconsin

Respectfully submitted:

/s/ Hilarie Snyder
HILARIE SNYDER
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 7238
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-2708
hilarie.e.snyder@usdoj.gov