

STATE OF WISCONSIN COURT OF APPEALS DIST. IV

In the Matter of the Rehabilitation of:

**SEGREGATED ACCOUNT OF
AMBAC ASSURANCE CORPORATION**

**Appeal of the United States of America:
Appeal No. 2011AP561**

**UNITED STATES' RESPONSE TO THE MOTION
OF THE WISCONSIN INSURANCE COMMISSIONER
TO SUPPLEMENT THE RECORD ON APPEAL**

The Wisconsin insurance commissioner has filed a motion to supplement the record on appeal. The United States does not oppose the supplementation of the record with the condensed transcripts or with the January 14, 2011 opinion issued by the United States District Court for the Western District of Wisconsin in its case No. 3:10-cv-00778-bbc. Regarding the supplementation of the record with selected documents from *United States v. Wisconsin State Circuit Court for Dane County, et al.* (W.D. Wis. – No. 3:11-cv-00099-bbc), the United States does not oppose the inclusion of the entire record of that case in the record on appeal in this case. The United States is unaware of

the arguments that the insurance commissioner will make based upon the selected documents, however. It therefore opposes the proposed selective inclusion of documents. Alternatively, the United States would not oppose the inclusion of the selected documents provided that any order allowing supplementation grants the United States leave to supplement the record with documents from the record in case No. 3:11-cv-00099-bbc that it determines are needed to respond to the arguments presented in this case once those arguments are presented.

Respectfully submitted,

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April 4, 2011.

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April 4, 2011

CERTIFICATE OF SERVICE

I hereby certify that, on this 4th day of April, 2011, that a true and correct copy of the foregoing document has been served upon counsel for the Wisconsin insurance commissioner via First Class Mail, with postage prepaid, in an envelope properly addressed as follows:

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I further certify that a true and correct copy of the foregoing document (except for replacing handwritten dates and signatures with typed versions of the same) has been served on all counsel of record using the e-mail distribution list established by the Circuit Court for Dane County for that purpose, as listed below:

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