

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 08-00027

U.S. COURT OF APPEALS

FILED

JUL 24 2008

CHARLES R. FULBRUGE III
CLERK

BANK OF NEW YORK TRUST COMPANY NA, as Indenture Trustee for
the Timber Notes; ANGELO GORDON & CO LP, AURELIUS CAPITAL
MANAGEMENT LP, AND DAVIDSON KEMPNER CAPITAL MANAGEMENT LLC;
SCOTIA PACIFIC COMPANY LLC; CSG INVESTMENTS; SCOTIA REDWOOD
FOUNDATION INC

Petitioners

v.

OFFICIAL UNSECURED CREDITORS' COMMITTEE, Official Unsecured
Creditors' Committee Appellee; MARATHON STRUCTURED FINANCE
FUND LP; MENDOCINO REDWOOD COMPANY LLC; PACIFIC LUMBER CO,
The Pacific Lumber Company

Respondents

Petition for Permission to Appeal
from the United States District Court for the
Southern District of Texas, Corpus Christi

O R D E R :

IT IS ORDERED that the motion by American Securitization
Forum for leave to file statement as amicus curiae in support of
the motion for stay by Bank of New York is GRANTED.

IT IS FURTHER ORDERED that the motion by the United States
of America for leave to file as appellee a brief in opposition to
the motion for stay by Bank of New York is GRANTED. The
alternative motion to file as an interested party is therefore
DENIED as moot.

IT IS FURTHER ORDERED that the motion by the California
State Agencies seeking leave to file as appellee a brief in

opposition to the motion for stay by Bank of New York is GRANTED.
The alternative motion to file as an interested party is
therefore DENIED as moot.

IT IS FURTHER ORDERED that the emergency motion by Bank of
America to be heard and to file opposition to the motion for stay
by Bank of New York, Scotia Pacific Company, Angelo Gordon &
Company, CSG Investments and Scotia Redwood Foundation is
GRANTED. The alternative motion to intervene is therefore DENIED
as moot.

/s/ Edward C. Prado
EDWARD C. PRADO
UNITED STATES CIRCUIT JUDGE

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