

CIVIL COVER SHEET

07CV8730

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

Sweet

PLAINTIFFS

DEFENDANTS

Simon Lovell Clayton Whicker and Kristen Beighton, as the joint provisional liquidators and the duly-authorized foreign representatives of Bear Stearns High-Grade Structured Credit Strategies Enhanced Leverage Master Fund, Ltd. (in Provisional Liquidation)

None.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

Akin Gump Strauss Hauer & Feld LLP, 590 Madison Avenue, New York, New York 10022 Tel: (212) 872-1000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

Appeal to the United States District Court under 28 U.S.C. § 158(a) from Bankruptcy Court Order Denying Recognition of Foreign Proceeding

Has this or a similar case been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

07-12383-A27

TORTS			FORFEITURE/PENALTY		ACTIONS UNDER STATUTES	
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 610 AGRICULTURE	<input type="checkbox"/> 620 FOOD & DRUG	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 400 STATE REAPPORTIONMENT
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 825 DRUG RELATED SEIZURE OF PROPERTY	<input type="checkbox"/> 826 DRUG RELATED SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 830 LIQUOR LAWS	<input type="checkbox"/> 840 RR & TRUCK	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 840 RR & TRUCK	<input type="checkbox"/> 850 AIRLINE REGS	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 850 AIRLINE REGS	<input type="checkbox"/> 860 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 450 COMMERCE/ICC RATES/ETC
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 860 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 890 OTHER	<input type="checkbox"/> 460 DEPORTATION	<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<b>LABOR</b>	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 152 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 385 PROPERTY DAMAGE PRODUCT LIABILITY	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 360 OTHER PERSONAL INJURY		<input type="checkbox"/> 791 EMP RET INC SECURITY ACT		<input type="checkbox"/> 820 COPY RIGHTS	<input type="checkbox"/> 810 SELECTIVE SERVICE
<input type="checkbox"/> 190 OTHER CONTRACT					<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 850 SECURITIES/COMMODITIES/EXCHANGE
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY	<b>ACTIONS UNDER STATUTES</b>	<b>PRISONER PETITIONS</b>			<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 875 CUSTOMER CHALLENGE
<input type="checkbox"/> 196 FRANCHISE	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE			<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 880 CONSUMER CREDIT
<b>REAL PROPERTY</b>	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 530 HABEAS CORPUS			<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 535 DEATH PENALTY			<input type="checkbox"/> 861 MIA (1395FF)	<input type="checkbox"/> 810 SELECTIVE SERVICE
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 443 HOUSING ACCOMMODATIONS	<input type="checkbox"/> 540 MANDAMUS & OTHER			<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 850 SECURITIES/COMMODITIES/EXCHANGE
<input type="checkbox"/> 230 RENT LEASE & EJECTMENT	<input type="checkbox"/> 444 WELFARE	<input type="checkbox"/> 550 CIVIL RIGHTS			<input type="checkbox"/> 863 DMVC (405(g))	<input type="checkbox"/> 875 CUSTOMER CHALLENGE
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 555 PRISON CONDITION			<input type="checkbox"/> 863 DIWW (405(g))	<input type="checkbox"/> 881 AGRICULTURE ACTS
<input type="checkbox"/> 246 TORT PRODUCT LIABILITY	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER				<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 882 ECONOMIC STABILIZATION ACT
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS				<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS
					<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 894 ENERGY ALLOCATION ACT
					<input type="checkbox"/> 870 TAXES	<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT
					<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
					<input type="checkbox"/> 20 USC 7809	<input type="checkbox"/> 950 CONSTITUTIONALITY OF STATE STATUTES
						<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y? IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND:  YES  NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(SEE REVERSE)

(PLACE AN x IN ONE BOX ONLY)

**ORIGIN**

- 1 Original Proceeding
- 2a. Removed from State Court
- 2b. Removed from State Court AND at least one party is a pro se litigant
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from (Specify District)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judge Judgment

(PLACE AN x IN ONE BOX ONLY)

**BASIS OF JURISDICTION**

**IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1332, 1441)**

- 1 U.S. PLAINTIFF
- 2 U.S. DEFENDANT
- 3 FEDERAL QUESTION (U.S. NOT A PARTY)
- 4 DIVERSITY

**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE CITIZEN OF ANOTHER STATE	PTF [ ] 1 [ ] 2	DEF [ ] 1 [ ] 2	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	PTF [ ] 3 [ ] 4	DEF [ ] 3 [ ] 4	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE FOREIGN NATION	PTF [ ] 5 [ ] 6	DEF [ ] 5 [ ] 6
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**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**

**Simon Lovell Clayton Whicker and Kristen Beighton, as the joint provisional liquidators and the duly-authorized foreign representatives of Bear Stearns High-Grade Structured Credit Strategies Enhanced Leverage Master Fund, Ltd. (in Provisional Liquidation)**  
**c/o KPMG, Century Yard, Cricket Square, Elgin Avenue, Grand Cayman, P.O. Box 493, KY1-1106, Cayman Islands**

**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**

None.

**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO:

(DO NOT check either box if this is a PRISONER PETITION.)

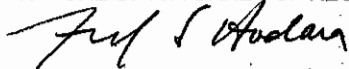
WHITE PLAINS

FOLEY SQUARE

DATE

September 12, 2007

SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[x] YES (DATE ADMITTED Mo. March Yr. 1982)

Attorney Bar Code # FH-7947

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

J Michael McMahon, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)