

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff-Appellant,

v.

CITIGROUP GLOBAL MARKETS INC.,

Defendant-Appellant.

11 Civ. 7387 (JSR)
ECF Case

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Defendant-Appellant Citigroup Global Markets Inc. hereby appeals to the United States Court of Appeals for the Second Circuit from the Order of this Court (the Honorable Jed S. Rakoff) dated November 28, 2011, refusing to approve the proposed consent judgment and permanent injunction resolving all claims asserted by Plaintiff-Appellant U.S. Securities and Exchange Commission against Defendant-Appellant Citigroup Global Markets Inc. in its complaint dated October 19, 2011. The Order is attached as Exhibit A.

Dated: New York, New York
December 19, 2011

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
/s Brad S. Karp

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 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/19/2011	<u>1</u>	COMPLAINT against Citigroup Global Markets Inc. Document filed by U.S. Securities and Exchange Commission.(lmb) (ama). (Entered: 10/19/2011)
10/19/2011		SUMMONS ISSUED as to Citigroup Global Markets Inc. (lmb) (Entered: 10/19/2011)
10/19/2011		Magistrate Judge James L. Cott is so designated. (lmb) (Entered: 10/19/2011)
10/19/2011		Case Designated ECF. (lmb) (Entered: 10/19/2011)
10/19/2011	<u>2</u>	MEMORANDUM by Plaintiff Securities and Exchange Commission in Support of Proposed Settlement. Document filed by U.S. Securities and Exchange Commission. (lmb) (jar). (Entered: 10/19/2011)
10/21/2011	<u>3</u>	NOTICE OF APPEARANCE by Brad Scott Karp on behalf of Citigroup Global Markets Inc. (Karp, Brad) (Entered: 10/21/2011)
10/21/2011	<u>4</u>	NOTICE OF APPEARANCE by Theodore Von Wells, Jr on behalf of Citigroup Global Markets Inc. (Wells, Theodore) (Entered: 10/21/2011)
10/21/2011	<u>5</u>	NOTICE OF APPEARANCE by Susanna Michele Buergel on behalf of Citigroup Global Markets Inc. (Buergel, Susanna) (Entered: 10/21/2011)
10/21/2011	<u>6</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Citigroup, Inc for Citigroup Global Markets Inc.. Document filed by

		Citigroup Global Markets Inc..(Karp, Brad) (Entered: 10/21/2011)
10/25/2011	<u>7</u>	Consent of Defendant Citigroup Global Markets Inc. Document filed by Citigroup Global Markets Inc. (ad) (Entered: 10/25/2011)
10/25/2011	<u>8</u>	Proposed Final Judgment As To Defendant Citigroup Global Markets Inc. (ad) (Entered: 10/25/2011)
10/27/2011	<u>9</u>	ORDER: The Court is required to ascertain whether the proposed judgment is fair, reasonable, adequate, and in the public interest. The Court will convene a hearing on November 9, 2011 at 3:00 pm to assist in this determination. The parties should be prepared to answer the questions set forth within in detail at the hearing. In addition, the parties are permitted but not required, to file with the Court written answers to these questions in advance of the hearing, provided such submissions are filed no later than noon on November 7, 2011. (Signed by Judge Jed S. Rakoff on 10/27/2011) (ab) (Entered: 10/27/2011)
11/02/2011	<u>10</u>	MOTION for Jeffery T. Infelise to Appear Pro Hac Vice. Document filed by U.S. Securities and Exchange Commission.(bcu) (pgu). (Entered: 11/03/2011)
11/03/2011	<u>11</u>	MOTION for Stephen W. Hall to Appear Pro Hac Vice. Document filed by Better Markets, Inc..(wb) (pgu). (Entered: 11/04/2011)
11/03/2011	<u>12</u>	MOTION for Dennis M. Kelleher to Appear Pro Hac Vice. Document filed by Better Markets, Inc..(wb) (pgu). (Entered: 11/04/2011)
11/04/2011		CASHIERS OFFICE REMARK on <u>12</u> Motion to Appear Pro Hac Vice, <u>11</u> Motion to Appear Pro Hac Vice in the amount of \$400.00, paid on 11/03/2011, Receipt Number 1020932,1020933. (jd) (Entered: 11/04/2011)
11/04/2011	<u>13</u>	NOTICE OF APPEARANCE by Matthew Theodore Martens on behalf of U.S. Securities and Exchange Commission (Martens, Matthew) (Entered: 11/04/2011)
11/05/2011	<u>14</u>	MOTION to Intervene <i>Pursuant to Federal Rule of Civil Procedure 24</i> . Document filed by Better Markets, Inc..(Hall, Stephen) (Entered: 11/05/2011)
11/05/2011	<u>15</u>	MEMORANDUM OF LAW in Support re: <u>14</u> MOTION to Intervene <i>Pursuant to Federal Rule of Civil Procedure 24. Memorandum of Law in Support of Motion to Intervene</i> . Document filed by Better Markets, Inc.. (Hall, Stephen) (Entered: 11/05/2011)
11/05/2011	<u>16</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION to Intervene <i>Proposed Memorandum in Opposition to Proposed Settlement</i> . Document filed by Better Markets, Inc.(Hall, Stephen) Modified on 11/7/2011 (ldi). (Entered: 11/05/2011)
11/05/2011	<u>17</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Decl. & Exs. 1–3)</i> . Document filed by Better Markets, Inc.(Hall, Stephen) Modified on 11/7/2011 (ldi). (Entered: 11/05/2011)
11/05/2011	<u>18</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Exs. 4–10)</i> . Document filed by Better Markets, Inc.(Hall, Stephen) Modified on 11/7/2011 (ldi). (Entered: 11/05/2011)
11/05/2011	<u>19</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Exs. 11–26)</i> . Document filed by Better Markets, Inc.(Hall, Stephen) Modified on 11/7/2011 (ldi). (Entered: 11/05/2011)
11/05/2011	<u>20</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION to Intervene <i>Disclosure Statement Pursuant to Federal Rule of Civil Procedure 7.1</i> . Document filed by Better Markets, Inc.(Hall, Stephen) Modified on 11/7/2011 (ldi). (Entered: 11/05/2011)

11/05/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Stephen W. Hall to RE-FILE Document <u>16</u> MOTION to Intervene <i>Proposed Memorandum in Opposition to Proposed Settlement</i> . Use the event type Memorandum of Law in Opposition (non-motion) found under the event list Other Answers. (ldi) (Entered: 11/07/2011)
11/05/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Stephen W. Hall to RE-FILE Document <u>17</u> MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Decl. & Exs. 1-3)</i> . MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Decl. & Exs. 1-3)</i> . Use the event type Declaration in Support (non-motion) found under the event list Other Answers. (ldi) (Entered: 11/07/2011)
11/05/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Stephen W. Hall. Document Nos. <u>18</u> and <u>19</u> are Exhibits. These documents are not filed via ECF. Exhibits are ONLY to be filed as attachments to a supporting document such as a Declaration. If there is an issue regarding filing capacity, documents titled "Supplemental Declaration" may be filed to attach remaining exhibits. (ldi) (Entered: 11/07/2011)
11/05/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Stephen W. Hall to RE-FILE Document <u>20</u> MOTION to Intervene <i>Disclosure Statement Pursuant to Federal Rule of Civil Procedure 7.1</i> . Use the event type Rule 7.1 Corporate Disclosure Statement found under the event list Other Documents. (ldi) (Entered: 11/07/2011)
11/07/2011	<u>21</u>	MEMORANDUM OF LAW re: <u>9</u> Order, Set Hearings,,,, <i>In Response To Questions Posed By The Court Regarding Proposed Settlement</i> . Document filed by U.S. Securities and Exchange Commission. (Martens, Matthew) (Entered: 11/07/2011)
11/07/2011	<u>22</u>	DECLARATION of Matthew T. Martens re: <u>21</u> Memorandum of Law. Document filed by U.S. Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit A-D)(Martens, Matthew) (Entered: 11/07/2011)
11/07/2011	<u>23</u>	MOTION for Leave to File Amicus Curiae Brief. Document filed by The Union Central Life Insurance Company, Ameritas Life Insurance Corp., Acacia Life Insurance Company, The Union Central Life Insurance Company. (Attachments: # <u>1</u> Proposed Brief)(Rudman, Samuel) (Entered: 11/07/2011)
11/07/2011	<u>24</u>	DECLARATION of Samuel H. Rudman in Support re: <u>23</u> MOTION for Leave to File Amicus Curiae Brief.. Document filed by Acacia Life Insurance Company, Ameritas Life Insurance Corp., The Union Central Life Insurance Company. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Rudman, Samuel) (Entered: 11/07/2011)
11/07/2011	<u>25</u>	MEMORANDUM OF LAW in Support of <i>the Proposed Final Judgment and Consent</i> . Document filed by Citigroup Global Markets Inc.. (Karp, Brad) (Entered: 11/07/2011)
11/07/2011	<u>26</u>	MEMORANDUM OF LAW in Opposition re: <u>14</u> MOTION to Intervene <i>Pursuant to Federal Rule of Civil Procedure 24</i> .. Document filed by U.S. Securities and Exchange Commission. (Martens, Matthew) (Entered: 11/07/2011)
11/09/2011	<u>27</u>	NOTICE OF APPEARANCE by Evan Jay Kaufman on behalf of Acacia Life Insurance Company, Ameritas Life Insurance Corp., The Union Central Life Insurance Company (Kaufman, Evan) (Entered: 11/09/2011)
11/09/2011	<u>28</u>	ORDER denying <u>14</u> Motion to Intervene. Pending before the Court is Better Markets, Inc.'s Motion to Intervene in the above captioned case. That motion is denied substantially for the reasons stated in the S.E.C.'s memorandum in opposition. The Clerk of the Court is directed to close item number 14 on the docket of this case. (Signed by Judge Jed S. Rakoff on 11/8/2011) (lmb) (Entered: 11/09/2011)

11/09/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument ON A MOTION TO ENTER PROPOSED SETTLEMENT held on 11/9/2011. (rjm) (Entered: 11/15/2011)
11/14/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 11/14/2011. (rjm) (Entered: 11/22/2011)
11/16/2011	<u>29</u>	TRANSCRIPT of Proceedings re: Argument held on 11/9/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Martha Drevis, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/12/2011. Redacted Transcript Deadline set for 12/22/2011. Release of Transcript Restriction set for 2/17/2012.(McGuirk, Kelly) (Entered: 11/16/2011)
11/16/2011	<u>30</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Argument proceeding held on 11/9/2011 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/16/2011)
11/17/2011	<u>31</u>	TRANSCRIPT of Proceedings re: Argument held on 11/9/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Martha Drevis, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/12/2011. Redacted Transcript Deadline set for 12/22/2011. Release of Transcript Restriction set for 2/18/2012.(McGuirk, Kelly) (Entered: 11/17/2011)
11/17/2011	<u>32</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Argument proceeding held on 11/9/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/17/2011)
11/28/2011	<u>33</u>	OPINION AND ORDER:#101069 Accordingly, the Court refuses to approve the proposed Consent Judgment. Instead, the Court hereby consolidates this case with the Stoker action, adopts the Case Management Order in that action as equally applicable to the instant case, and directs the parties to be ready to try this case on July 16, 2012. (Signed by Judge Jed S. Rakoff on 11/28/2011) (jfe) Modified on 12/2/2011 (jab). (Entered: 11/28/2011)
11/28/2011		Set/Reset Deadlines: Ready for Trial by 7/16/2012. (jfe) (Entered: 11/28/2011)
11/29/2011	<u>34</u>	ORDER. The motion of Union Central Life Insurance Company, Ameritas Life Insurance Corp., and Acacia Life Insurance Company for leave to file an amicus curiae brief is denied for substantially the reasons stated by Citigroup's counsel at oral argument on November 9, 2011. Denying <u>23</u> Motion for Leave to File Document. (Signed by Judge Jed S. Rakoff on 11/28/2011) (rjm) (Entered: 11/30/2011)
12/02/2011	<u>35</u>	REQUEST FOR WAIVER OF SERVICE sent to Citigroup Global Markets, Inc. Document filed by U.S. Securities and Exchange Commission. Request for Waiver Mailed on 12/1/2011. Waiver of Service due by 1/4/2012. (Infelise, Jeffrey) (Entered: 12/02/2011)
12/02/2011	<u>36</u>	WAIVER OF SERVICE RETURNED EXECUTED. Citigroup Global Markets Inc. waiver sent on 12/1/2011, answer due 1/30/2012. Document filed by U.S. Securities and Exchange Commission. (Infelise, Jeffrey) (Entered: 12/02/2011)
12/06/2011	<u>37</u>	TRANSCRIPT of Proceedings re: Argument held on 11/9/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Alena Lynch, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction.

		After that date it may be obtained through PACER. Redaction Request due 12/30/2011. Redacted Transcript Deadline set for 1/9/2012. Release of Transcript Restriction set for 3/8/2012.(McGuirk, Kelly) (Entered: 12/06/2011)
12/06/2011	<u>38</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Argument proceeding held on 11/9/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 12/06/2011)
12/15/2011	<u>39</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – NOTICE OF APPEAL. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. Document filed by U.S. Securities and Exchange Commission. (Martens, Matthew) Modified on 12/15/2011 (tp). (Entered: 12/15/2011)
12/15/2011		***NOTE TO ATTORNEY REGARDING DEFICIENT APPEAL. Note to Attorney Matthew Martens to RE-FILE Document No. <u>39</u> Notice of Appeal. The filing is deficient for the following reason: the Order being appealed was not selected. Re-file the document as a Corrected Notice of Appeal event and select the correct Order being appealed. (tp) (Entered: 12/15/2011)
12/15/2011	<u>40</u>	CORRECTED NOTICE OF APPEAL re: <u>39</u> Notice of Appeal, <u>33</u> Memorandum & Opinion,. Document filed by U.S. Securities and Exchange Commission. (Martens, Matthew) (Entered: 12/15/2011)
12/15/2011		Appeal Remark as to <u>40</u> Corrected Notice of Appeal filed by U.S. Securities and Exchange Commission, <u>39</u> Notice of Appeal filed by U.S. Securities and Exchange Commission. NO FEE. NOA FILED BY US AGENCY. (tp) (Entered: 12/15/2011)
12/15/2011		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>40</u> Corrected Notice of Appeal. (tp) (Entered: 12/15/2011)
12/15/2011		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>21</u> Memorandum of Law filed by U.S. Securities and Exchange Commission, <u>3</u> Notice of Appearance filed by Citigroup Global Markets Inc., <u>6</u> Rule 7.1 Corporate Disclosure Statement filed by Citigroup Global Markets Inc., <u>34</u> Order on Motion for Leave to File Document, <u>8</u> Remark, <u>38</u> Notice of Filing Transcript, <u>24</u> Declaration in Support of Motion, filed by The Union Central Life Insurance Company, Ameritas Life Insurance Corp., Acacia Life Insurance Company, <u>33</u> Memorandum & Opinion, <u>25</u> Memorandum of Law in Support filed by Citigroup Global Markets Inc., <u>10</u> MOTION for Jeffery T. Infelise to Appear Pro Hac Vice. filed by U.S. Securities and Exchange Commission, <u>12</u> MOTION for Dennis M. Kelleher to Appear Pro Hac Vice. filed by Better Markets, Inc., <u>9</u> Order, Set Hearings,,,, <u>22</u> Declaration filed by U.S. Securities and Exchange Commission, <u>35</u> Request for Waiver of Service filed by U.S. Securities and Exchange Commission, <u>1</u> Complaint filed by U.S. Securities and Exchange Commission, <u>11</u> MOTION for Stephen W. Hall to Appear Pro Hac Vice. filed by Better Markets, Inc., <u>23</u> MOTION for Leave to File Amicus Curiae Brief. filed by The Union Central Life Insurance Company, Ameritas Life Insurance Corp., Acacia Life Insurance Company, The Union Central Life Insurance Company, <u>32</u> Notice of Filing Transcript, <u>14</u> MOTION to Intervene Pursuant to Federal Rule of Civil Procedure 24. filed by Better Markets, Inc., <u>36</u> Waiver of Service Executed filed by U.S. Securities and Exchange Commission, <u>27</u> Notice of Appearance filed by The Union Central Life Insurance Company, Ameritas Life Insurance Corp., Acacia Life Insurance Company, <u>30</u> Notice of Filing Transcript, <u>15</u> Memorandum of Law in Support of Motion filed by Better Markets, Inc., <u>40</u> Corrected Notice of Appeal filed by U.S. Securities and Exchange Commission, <u>19</u> MOTION to Intervene Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Exs. 11–26). MOTION to Intervene Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Exs. 11–26). filed by Better Markets, Inc., <u>7</u> Remark filed by Citigroup Global Markets Inc., <u>20</u> MOTION to Intervene Disclosure Statement Pursuant to Federal Rule of Civil Procedure 7.1. filed by Better Markets, Inc., <u>26</u> Memorandum of Law in Opposition to Motion filed by U.S. Securities and

		Exchange Commission, <u>17</u> MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Decl. & Exs. 1-3)</i> . MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Decl. & Exs. 1-3)</i> . filed by Better Markets, Inc., <u>31</u> Transcript., <u>16</u> MOTION to Intervene <i>Proposed Memorandum in Opposition to Proposed Settlement</i> . filed by Better Markets, Inc., <u>29</u> Transcript., <u>13</u> Notice of Appearance filed by U.S. Securities and Exchange Commission, <u>37</u> Transcript., <u>5</u> Notice of Appearance filed by Citigroup Global Markets Inc., <u>4</u> Notice of Appearance filed by Citigroup Global Markets Inc., <u>18</u> MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Exs. 4-10)</i> . MOTION to Intervene <i>Declaration of Dennis M. Kelleher in Support of Memorandum in Opposition to Proposed Settlement (Exs. 4-10)</i> . filed by Better Markets, Inc., <u>39</u> Notice of Appeal filed by U.S. Securities and Exchange Commission, <u>28</u> Order on Motion to Intervene, <u>2</u> Memorandum of Law in Support filed by U.S. Securities and Exchange Commission were transmitted to the U.S. Court of Appeals. (tp) (Entered: 12/15/2011)
12/16/2011	<u>41</u>	MOTION to Stay <i>Pending Appeal</i> . Document filed by U.S. Securities and Exchange Commission.(Martens, Matthew) (Entered: 12/16/2011)
12/16/2011	<u>42</u>	MEMORANDUM OF LAW in Support re: <u>41</u> MOTION to Stay <i>Pending Appeal</i> .. Document filed by U.S. Securities and Exchange Commission. (Martens, Matthew) (Entered: 12/16/2011)
12/19/2011	<u>43</u>	NOTICE OF APPEAL from <u>33</u> Memorandum & Opinion., Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. Document filed by Citigroup Global Markets Inc.. Filing fee \$ 455.00, receipt number 0208-7034809. (Karp, Brad) (Entered: 12/19/2011)
12/19/2011		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>21</u> Memorandum of Law filed by U.S. Securities and Exchange Commission, <u>42</u> Memorandum of Law in Support of Motion filed by U.S. Securities and Exchange Commission, <u>3</u> Notice of Appearance filed by Citigroup Global Markets Inc., <u>6</u> Rule 7.1 Corporate Disclosure Statement filed by Citigroup Global Markets Inc., <u>34</u> Order on Motion for Leave to File Document, <u>8</u> Remark, <u>38</u> Notice of Filing Transcript, <u>24</u> Declaration in Support of Motion, filed by The Union Central Life Insurance Company, Ameritas Life Insurance Corp., Acacia Life Insurance Company, <u>33</u> Memorandum & Opinion, <u>25</u> Memorandum of Law in Support filed by Citigroup Global Markets Inc., <u>10</u> MOTION for Jeffery T. Infelise to Appear Pro Hac Vice. filed by U.S. Securities and Exchange Commission, <u>12</u> MOTION for Dennis M. Kelleher to Appear Pro Hac Vice. filed by Better Markets, Inc., <u>9</u> Order, Set Hearings,,,,, <u>22</u> Declaration filed by U.S. Securities and Exchange Commission, <u>35</u> Request for Waiver of Service filed by U.S. Securities and Exchange Commission, <u>1</u> Complaint filed by U.S. Securities and Exchange Commission, <u>11</u> MOTION for Stephen W. Hall to Appear Pro Hac Vice. filed by Better Markets, Inc., <u>23</u> MOTION for Leave to File Amicus Curiae Brief. filed by The Union Central Life Insurance Company, Ameritas Life Insurance Corp., Acacia Life Insurance Company, The Union Central Life Insurance Company, <u>32</u> Notice of Filing Transcript, <u>14</u> MOTION to Intervene Pursuant to Federal Rule of Civil Procedure 24. filed by Better Markets, Inc., <u>36</u> Waiver of Service Executed filed by U.S. Securities and Exchange Commission, <u>27</u> Notice of Appearance filed by The Union Central Life Insurance Company, Ameritas Life Insurance Corp., Acacia Life Insurance Company, <u>30</u> Notice of Filing Transcript, <u>15</u> Memorandum of Law in Support of Motion filed by Better Markets, Inc., <u>43</u> Notice of Appeal, filed by Citigroup Global Markets Inc., <u>40</u> Corrected Notice of Appeal filed by U.S. Securities and Exchange Commission, <u>7</u> Remark filed by Citigroup Global Markets Inc., <u>26</u> Memorandum of Law in Opposition to Motion filed by U.S. Securities and Exchange Commission, <u>31</u> Transcript., <u>29</u> Transcript., <u>13</u> Notice of Appearance filed by U.S. Securities and Exchange Commission, <u>37</u> Transcript., <u>5</u> Notice of Appearance filed by Citigroup Global Markets Inc., <u>4</u> Notice of Appearance filed by Citigroup Global Markets Inc., <u>28</u> Order on Motion to Intervene, <u>41</u> MOTION to Stay <i>Pending Appeal</i> . filed by U.S. Securities and Exchange Commission, <u>2</u> Memorandum of Law in Support filed by U.S. Securities and Exchange Commission were transmitted to the U.S.

		Court of Appeals. (nd) (Entered: 12/19/2011)
12/20/2011	<u>44</u>	MEMORANDUM OF LAW in Support re: <u>41</u> MOTION to Stay <i>Pending Appeal</i> .. Document filed by Citigroup Global Markets Inc.. (Karp, Brad) (Entered: 12/20/2011)

**United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007**

DENNIS JACOBS
CHIEF JUDGE

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

Date: December 21, 2011
Docket #: 11-5242
Short Title: United States Securities & Exc v.
Citigroup Global Markets Inc.

DC Docket #: 11-cv-7387
DC Court: SDNY (NEW YORK CITY)
DC Judge: Rakoff

DOCKETING NOTICE

A notice of appeal filed by Citigroup Global Markets Inc. in the above referenced case was docketed today as 11-5242. This number must appear on all documents related to this case that are filed in this Court. For pro se parties the docket sheet with the caption page, and an Acknowledgment and Notice of Appearance Form are enclosed. In counseled cases the docket sheet is available on PACER. Counsel must access the Acknowledgment and Notice of Appearance Form from this Court's website <http://www.ca2.uscourts.gov>.

The form must be completed and returned within 14 days of the date of this notice. The form requires the following information:

YOUR CORRECT CONTACT INFORMATION: Review the party information on the docket sheet and note any incorrect information in writing on the Acknowledgment and Notice of Appearance Form.

The Court will contact one counsel per party or group of collectively represented parties when serving notice or issuing our order. Counsel must designate on the Acknowledgment and Notice of Appearance a lead attorney to accept all notices from this Court who, in turn will, be responsible for notifying any associated counsel.

CAPTION: This Court must use the district court caption See FRAP 12(a), 32(a). Please review the caption carefully and promptly advise this Court of any improper or inaccurate designations in writing on the Acknowledgment and Notice of Appearance form. If a party has been terminated from the case the caption may reflect that change only if the district court judge ordered that the caption be amended.

APPELLATE DESIGNATIONS: Please review whether appellant is listed correctly on the party listing page of the docket sheet and in the caption. If there is an error, please note on the Acknowledgment and Notice of Appearance Form. Timely submission of the Acknowledgment and Notice of Appearance Form will constitute compliance with the requirement to file a Representation Statement required by FRAP 12(b).

For additional information consult the Court's instructions posted on the website.

Inquiries regarding this case may be directed to: 212-857-8510.