

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U.S. COURT OF APPEALS

**FILED**

JUL 24 2008

No. 08-00027

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

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Petition for Permission to Appeal  
from the United States District Court for the  
Southern District of Texas, Corpus Christi  
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Before PRADO and SOUTHWICK, Circuit Judges.\*

PER CURIAM:

IT IS ORDERED that the motion to stay pending appeal by Bank of New York is DENIED.

IT IS FURTHER ORDERED that the motion to stay pending appeal by Scotia Pacific Company is DENIED.

IT IS FURTHER ORDERED that the motion to stay pending appeal by Angelo, Gordon & Company is DENIED.

IT IS FURTHER ORDERED that the motion to stay pending appeal by CSG Investments and Scotia Redwood Foundation is DENIED.

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\*This order is being entered by a quorum of this court pursuant to 28 U.S.C. § 46(D)