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VIA ECF

Catherine O'Hagan Wolfe
Clerk of the Court
U.S. Court of Appeals for the Second Circuit
40 Foley Square
New York, NY 10007

Re: *Aurelius Opportunities Fund II v. Republic of Argentina*, No. 15-1060(L)

Dear Ms. Wolfe:

I represent Pablo Alberto Varela and the other twelve individual Appellees in these appeals. In related cases, I represent several hundred individuals and small-fund bondholders with total claims of over \$832 million. The vast majority acquired their bonds before default at face value, many in amounts under \$100,000. Most of them obtained “me too” *pari passu* injunctions that also are on appeal (No. 15-3675(L)).

Last Friday afternoon, the district court issued an indicative ruling that it would vacate those injunctions because the new administration’s professed openness to resolving bondholders’ claims marked a “turning point” that has “changed everything.” The district court added that it would vacate the injunctions “in all cases”—including, presumably, the present cases on appeal, as to which jurisdiction lies only in this Court, and no indicative ruling was sought or issued.

The district court’s optimism about Argentina’s intentions does not match what has actually occurred. As counsel for the largest group of individual bondholders, I tried repeatedly in the last several weeks to engage directly in settlement negotiations, but was excluded from the main negotiating meetings by the Special Master, ostensibly because I am a lawyer. Thus the only offer my clients have received is the public offer Argentina put forward unilaterally on February 5.

The district court’s eagerness to vacate the injunctions is unseemly and contrary to the rule of law. None of the circumstances that warranted equitable relief has changed—only the amount of settlement consideration offered. With the Special Master apparently unwilling to convene settlement discussions for anyone other than the largest hedge fund holders, it is hard to

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escape the conclusion that the district judge is trying to compel the many other holders of defaulted bonds to accept Argentina's unilateral public offer before it expires on February 29. That is not a proper use of his equitable powers.

The events that have transpired below suggest that this Court should make clear that it alone has jurisdiction over the injunctions issued in these cases, and that the district court accordingly lacks jurisdiction to vacate them.

Respectfully submitted,

/s/

Michael C. Spencer