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IN THE UNITED STATES COURT OF FEDERAL CLAIMS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AMBASE CORPORATION et al., ) ) Plaintiffs, ) ) No. 93-531C FEDERAL DEPOSIT INSURANCE CORP., ) No. 95-531-C Successor to the rights of ) CARTERET SAVINGS BANK, F.A. ) Senior Judge Loren A. Smith Senior Judge Loren A. Smith ) Plaintiff-Intervenor ) ) v. ) ) THE UNITED STATES OF AMERICA, ) ) Defendant. ) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) PLAINTIFF-INTERVENOR FDIC'S DESIGNATIONS OF DEPOSITION TESTIMONY FOR TRIAL Pursuant to the Court's Order filed January 14, 2008, and the applicable Rules of Court of Federal Claims ("RCFC"), including RCFC 32, Plaintiff-Intervenor Federal Deposit Insurance Corporation ("FDIC"), as successor to the rights of Carteret Savings Bank, F.A. and as manager of the FSLIC Resolution Fund that succeeded to the assets and liabilities of the Resolution Trust Corporation ("RTC"), files these designations of deposition testimony for trial. Specifically, FDIC hereby requests leave to submit the below-listed portions of deposition testimony for use as substantive evidence in the upcoming trial to be considered separately and along with the portions of the depositions designated by shareholder plaintiffs in their opposed motion filed Dec. 21, 2007 (Docket#244) that the Court granted by its Order filed Jan. 14, 2008 (Docket#250). FDIC also reserves the right to introduce and otherwise rely or use at trial of this matter any deposition portions

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designated now or hereafter by shareholder plaintiffs or by defendant pursuant to the RCFC and the Court's Order of January 14, 2008. FDIC submits these designations without admission or prejudice as to any specifically contested claim or issue in this case, and plaintiff FDIC does not waive but fully reserves any and all the rights, arguments and contentions, legal and factual, asserted in FDIC's various motions to dismiss and in limine filed by FDIC on December 21, 2007 (Docket Nos. 236, 238, 239, 240 & 241). Wayne S. GREEN, volume I (February 28, 2006): 7:14-20; 9:24-11:1; 11:24-14:11; 24:10-26:11; 27:4-28:14; 48:21-49:10; 49:23-60:21; 67:11-68:23; 75:24-77:1; 95:20-97:20; 131:22-134:14; 137:22-138:7; 141:12-157:19; 158:9-159:23; 160:24-165:25; 167:7-185:4; 191:19-197:2; Wayne S. GREEN, volume II (March 1, 2006): 209:4-212:22; 213:14-214:13; 215:18-217-1; 217:8-227:5; 244:18-246:11; 248:25250:15; 252:1-255:1; 259:9-263:15; 266:6-269:16; 271:9-273:19; 274:7-277:16; 296:9298:9; 299:10-301:18; 301:25-304:23; 305:12-306:25; 307:23-311:19; 323:8-324:8; 328:14-349:3; 350:16-352:1; 365:7-369:4; 371:3-371:7; 371:23-373:1; 374:8-377:10; 382:17-383:9; 384:5-386:14; 387:4-391:4; 391:13-392:18; 393:6-402:6; 402:13-403:19; 406:8-406:19; Wayne S. GREEN, volume III (April 5, 2006): 429:25-431:22; 436:4-436:14; 436:21-437:6; 438:6-440:4; 440:15-447:15; 451:21456:20; 457:22-459:10; 461:3-461:22; 462:15-464:3; 464:14-471:3; 473:19-475:1; 487:6490:6; 491:6-507:18; 510:9-516:23; 521:4-531:11; 532:16-539:5; 539:22-545:18; 546:1555:13; 558:14-560:4; 562:22-566:16.

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Karen J. HUGHES (April 7, 2006 and April 17, 2006): 18:11-19:13; 22:18-25:24; 33:12-57:23; 61:18-73:6; 77:17-80:15; 89:20-92:18; 95:596:9; 96:24-99:15; 106:1-107:13; 114:14-119:4; 120:24-121:13; 125:3-127:24; 139:5142:5; 150:5-155:3; 155:16-165:2; 166:24-171:24; 181:16-185:12; 186:15-192:5; 195:4220:16; 227:3-231:15. Steven JOHNSTON (April 5, 2006): 5:18-7:22; 8:7-8:17; 10:8-11:11; 11:15-12:5; 12:9-12:24; 14:8-15:9; 16:16-20:6; 20:2222:14; 23:11-23:15; 25:3-27:16; 28:19-29:2; 29:8-32:9; 34:20-35:14; 36:24-37:24; 42:2246:8; 51:23-52:9; 53:7-54:4; 54:18-56:3; 56:22-60:6; 61:4-62:10; 63:8-63:25; 65:12-75:1. James R. MINDNICH (March 16, 2006): 19:22-20:3; 20:16-21:13; 24:12-34:23; 39:12-45:19; 48:24-49:22; 51:8-53:19; 55:258:18; 73:15-74:6; 82:12-82:23; 87:8-91:11; 93:11-101:14; 106:21-108:17; 112:19118:7; 124:20-133:21; 143:2-145:16; 148:8-153:2; 154:23-155:19; 165:10-166:16; 171:23-183:4. Donna L. CRIBBS (March 7, 2006): 15:14-19:1; 26:24-27:3; 31:23-33:10; 35:4-39:7; 39:19-39:23; 52:1-52:16; 57:22-58:23; 61:17-64:22; 66:23-75:9; 79:2-85:16; 98:10-102:5. Michael SARAN (March 31, 2006): 10:24-14:2; 16:22-19:16; 20:14-24:16; 26:9-27:21; 29:13-33:18; 33:20-41:10; 43:1444:13; 44:19-52:24; 54:13-54:22; 55:11-58:2; 60:11-60:25; 61:13-61:23; 62:4-63:4; 64:268:6; 71:15-73:7; 73:23-75:13; 76:19-78:24; 86:18-88:3; 88:11-93:21; 94:21-98:7; 108:17-109:23; 111:11-120:20; 129:3-131:10.

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CERTIFICATE OF FILING I hereby certify this 22d day of January 2008 that I caused a copy of the foregoing to be filed electronically. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system, and that parties may access this filing through the Court's electronic filing system.

s/ Andrew C. Gilbert Andrew C. Gilbert

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Are the actors as attorneys or as debt collectors… They weigh many hats

Are they attorneys for the defense and for me too.