

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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U.S. Bank Trust National Association,	:	
	:	
Plaintiff,	:	Civil No. 16-cv-2150
	:	
v.	:	
	:	
THE COMMONWEALTH OF PUERTO	:	
RICO,	:	
	:	
ALEJANDRO GARCÍA PADILLA,	:	
in his official capacity as Governor of the	:	
Commonwealth of Puerto Rico,	:	
	:	
UNIVERSITY OF PUERTO RICO,	:	
	:	
-and-	:	
	:	
DR. CELESTE FREYTES GONZÁLEZ,	:	
in her official capacity as President of the	:	
University of Puerto Rico,	:	
	:	
Defendants.	:	
-----X	:	

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND FOR A
PRELIMINARY INJUNCTION UNDER THE PUERTO RICO OVERSIGHT,
MANAGEMENT AND ECONOMIC STABILITY ACT**

TO THE HONORABLE COURT:

COMES NOW the Plaintiff, U.S. Bank Trust National Association (“Trustee”), as successor trustee under the Trust Agreement among its predecessor First National City Bank as trustee, Banco Popular de Puerto Rico as Co-Trustee, and the University of Puerto Rico (“UPR”), authorizing and securing the UPR Bonds in the outstanding principal amount of

\$431,790,000, and by and through its undersigned attorneys, respectfully states, avers and requests entry of an order in the form of the Proposed Order attached as Exhibit A hereto:¹

- (i) Granting relief from the PROMESA stay permit the filing of the Complaint and the Motion, briefing and argument concerning the injunctive relief requested in the Motion, and entry of such relief;
- (ii) Preliminarily enjoining Defendants to transfer, or cause to transfer, tuition and student fees to the Trustee as required by the Trust Agreement, to the extent necessary to satisfy the Bond Service Account Requirement and the Reserve Account Requirement, subject to reversion to the extent required by any final order of this Court; and
- (iii) Granting relief from the PROMESA stay to allow the Trustee to apply funds in the Sinking Fund in accordance with the Trust Agreement.

In support of this Motion, the Trustee has filed contemporaneously herewith a *Memorandum of Law in Support of Plaintiff's Motion for Relief from the Automatic Stay and for a Preliminary Injunction Under the Puerto Rico Oversight, Management and Economic Stability Act* ("Memorandum of Law"), the Moran Declaration, and the Bentley Declaration and exhibits attached thereto.

¹ Capitalized terms not defined herein shall have the meanings ascribed to them in the Memorandum of Law in support of this Motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, today August 19, 2016.

INDIANO & WILLIAMS, P.S.C.

/s/ *David C. Indiano*

DAVID C. INDIANO
USDC-PR No. 200601

/s/ *Jeffrey M. Williams*

JEFFREY M. WILLIAMS
USDC-PR No. 202414

/s/ *Leticia Casalduc Rabell*

LETICIA CASALDUC-RABELL
USDC-PR No. 213513

207 Del Parque Street
3rd Floor
San Juan, Puerto Rico 00912
Tel.: (787) 641- 4545
Fax: (787) 641-4544
Email: david.indiano@indianowilliams.com
jeffrey.williams@indianowilliams.com
leticia.casalduc@indianowilliams.com

**KRAMER LEVIN NAFTALIS & FRANKEL
LLP**

/s/ *Thomas Moers Mayer*

THOMAS MOERS MAYER*

/s/ *Amy Caton*

AMY CATON*

/s/ *Philip Bentley*

PHILIP BENTLEY*

/s/ *Douglas Buckley*

DOUGLAS BUCKLEY*

1177 Avenue of the Americas
New York, New York 10036
Tel.: (212) 715-9100
Fax: (212) 715-8000
Email: tmayer@kramerlevin.com
 acaton@kramerlevin.com
 pbentley@kramerlevin.com
 dbuckley@kramerlevin.com
*(*pro hac vice* forthcoming)

*Special Litigation Counsel to U.S. Bank
Trust National Association*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same day, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Leticia Casalduc Rabell

Leticia Casalduc-Rabell

USDC-PR No. 213513

E-mail: leticia.casalduc@indianowilliams.com