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JS 44C/SDNY REV. 7/2012

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of

pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet. **PLAINTIFFS DEFENDANTS** Captain Hani Alsohaibi (appellant) Arcapita Bank B.S.C.(c), Arcapita Investment Holdings Limited, Arcapita LT Holdings Limited, WindTurbine Holdings Limited, AEID II Holdings Limited, BailInvest Holdings Limited (appellees) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER ATTORNEYS (IF KNOWN) Law Offices of Tally M. Wiener, Esq. Gibson, Dunn & Crutcher LLP 119 West 72nd Street, PMB 350, New York, NY 10023 200 Park Avenue, New York, NY 10166 212.574.7975 212.351.4000 CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE) (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY) Appeal from financing order entered on the 26th day of June, 2013 in case no. 12-11076 filed under chapter 11 of title 11 of the U.S. Code Has this or a similar case been previously filed in SDNY at any time? No X Yes Judge Previously Assigned If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date & Case No. IS THIS AN INTERNATIONAL ARBITRATION CASE? No 🏻 Yes 🔲 NATURE OF SUIT (PLACE AN [x] IN ONE BOX ONLY) TORTS **ACTIONS UNDER STATUTES** CONTRACT PERSONAL INJURY PERSONAL INJURY FORFER URE/PENALTY BANKRUPTCY OTHER STATUTES [ ]310 AIRPLANE [ ]315 AIRPLANE PRODUCT INSURANCE []362 PERSONAL INJURY -AGRICULTURE 1 1610 ₩ 422 APPEAL []400 STATE OTHER FOOD & DRUG 120 MARINE MED MALPRACTICE [ ] 620 28 USC 158 REAPPORTIONMENT MILLER ACT NEGOTIABLE []365 PERSONAL INJURY LIABILITY 1 1423 WITHDRAWAL I 1410 ANTITRUST [ ] 320 ASSAULT, LIBEL & DRUG RELATED []625 Ì 1 140 PRODUCT LIABILITY 28 USC 157 430 BANKS & BANKING 450 COMMERCE INSTRUMENT RECOVERY OF SLANDER ASBESTOS PERSONAL SEIZURE OF []330 [] 460 DEPORTATION [] 470 RACKETEER INFLU-ENCED & CORRUPT ORGANIZATION ACT [ ] 150 FEDERAL INJURY PRODUCT PROPERTY OVERPAYMENT & ENFORCEMENT EMPLOYERS' LIABILITY 21 USC 88 PROPERTY RIGHTS [1630] LIQUOR LAWS [ ] 340 MARINE [ ] 345 MARINE []640 []650 RR & TRUCK AIRLINE REGS 1820 COPYRIGHTS OF JUDGMENT PERSONAL PROPERTY MEDICARE ACT RECOVERY OF [ ] 151 [ ] 152 MARINE PRODUCT (RICO) L1370 OTHER FRAUD 1 660 [ ] 480 CONSUMER CREDIT [ ] 490 CABLE/SATELLITE TV LIABILITY OCCUPATIONAL 1840 TRADEMARK DEFAULTED STUDENT LOANS [ ]350 MOTOR VEHICLE [ ]355 MOTOR VEHICLE SAFETY/HEALTH []690 810 SELECTIVE SERVICE 850 SECURITIES/ 1380 OTHER PERSONAL OTHER (EXCL VETERANS) RECOVERY OF PRODUCT LIABILITY OTHER PERSONAL PROPERTY DAMAGE SOCIAL SECURITY []850 []360 []153 [ ]385 PROPERTY DAMAGE COMMODITIES EXCHANGE []875 CUSTOMER OVERPAYMENT INJURY PRODUCT LIABILITY LABOR OF VETERAN'S 1862 BLACK LUNG (923) FAIR LABOR STANDARDS ACT [ ] 863 DIWC/DIWW (405(g)) [ ] 864 SSID TITLE XVI BENEFITS []710 CHALLENGE STOCKHOLDERS []160 12 USC 3410 SUITS [ ]890 OTHER STATUTORY ACTIONS []720 LABOR/MGMT [ ] 865 RSI (405(g)) OTHER CONTRACT PRISONER PETITIONS []190 []730 LABOR/MGMT AGRICULTURAL ACTS [ ]510 MOTIONS TO []195 CONTRACT REPORTING & DISCLOSURE ACT **FEDERAL TAX SUITS** ECONOMIC STABILIZATION ACT **ACTIONS UNDER STATUTES** VACATE SENTENCE 20 USC 2255 HABEAS CORPUS RAILWAY LABOR ACT [ ] 870 TAXES (U.S. Plaintiff or OTHER LABOR Defendant) LIABILITY []893 ENVIRONMENTAL 790 Defendant)
[ ] 871 IRS-THIRD PARTY
26 USC 7609 [ ] 196 FRANCHISE CIVIL RIGHTS **MATTERS** []894 ENERGY ALLOCATION ACT 1535 DEATH PENALTY LITIGATION 441 VOTING MANDAMUS & OTHER []791 1442 EMPLOYMENT SECURITY ACT [ ]895 FREEDOM OF INFORMATION ACT []443 HOUSING/ ACCOMMODATIONS REAL PROPERTY IMMIGRATION [ ] 900 APPEAL OF FEE []210 LAND WELFARE PRISONER CIVIL RIGHTS DETERMINATION CONDEMNATION FORECLOSURE AMERICANS WITH DISABILITIES -[]462 NATURALIZATION UNDER EQUAL APPLICATION HABEAS CORPUS-ALIEN DETAINEE []220 []230 1550 CIVIL RIGHTS ACCESS TO JUSTICE CONSTITUTIONALITY RENT LEASE & EJECTMENT EMPLOYMENT AMERICANS WITH [ ]555 PRISON CONDITION 11463 [ 1950 OF STATE STATUTES []240 []245 TORTS TO LAND TORT PRODUCT DISABILITIES -OTHER OTHER CIVIL RIGHTS []465 OTHER IMMIGRATION []440 LIABILITY (Non-Prisoner) ALL OTHER REAL PROPERTY []290

Check if demand	ded in complaint:			
CHECK IF THIS UNDER F.R.C.P	IS A CLASS ACTION 2.23	DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:		
DEMAND \$	OTHER	JUDGE	DOCKET NUMBER	
Check YES only if dem JURY DEMAND:	nanded in complaint YES DNO	NOTE: Please submit at the	e time of filing an explanation of why cases are deemed related.	

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☑ 1 Original Proceeding	2 Removed from State Court a. all parties represer	3 Remanded 4 Reinst from Reope Appellate Court		ransferred from 6 Multidistrict Specify District) Litigation	7 Appeal to District Judge from Magistrate Judge Judgment			
	D. At least one party is pro se.							
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CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)								
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CITIZEN OF THIS STA	PTF DEF TE []1 []1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF []3 []3	INCORPORATED and PRINCIPA OF BUSINESS IN ANOTHER ST				
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PLAINTIFF(S) AD	DRESS(ES) AND COL	JNTY(IES)						
Captain Hani P.O. Box 805 Jeddah, 2142 Saudi Arabia	•							
DEFENDANT(S)	ADDRESS(ES) AND C	OUNTY/IES)						
Arcapita Bank B.S.C.(c), P.O. Box 1406, Manama, Bahrain c/o Gibson Dunn & Crutcher LLP, 200 Park Avenue, New York, NY 10166 [New York County]  DEFENDANT(S) ADDRESS UNKNOWN REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE								
Check one: THIS			WHITE PLA		TAN			
DATE CA	SIGNATURE OF ATTO		ADMI	ITTED TO PRACTICE IN THIS D				
Magistrate Judge	e is to be designated	by the Clerk of the Court.						
Magistrate Judge	9			is so Designate	d.			
Ruby J. Krajick,	Clerk of Court by	Deputy Cierk,	DATED					
UNITED STATES	DISTRICT COURT (NE	EW YORK SOUTHERN)		,				