

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the matter of the application of

U.S. BANK NATIONAL ASSOCIATION,
THE BANK OF NEW YORK MELLON, THE
BANK OF NEW YOUR MELLON TRUST
COMPANY, N.A., WILMINGTON TRUST,
NATIONAL ASSOCIATION, LAW
DEBENTURE TRUST COMPANY OF NEW
YORK, WELLS FARGO BANK,
NATIONAL ASSOCIATION, HSBC BANK
USA, N.A., and DEUTSCHE BANK
NATIONAL TRUST COMPANY (as Trustees
under various Pooling and Servicing
Agreements and Indenture Trustees under
various Indentures),

Petitioners,

for an order, pursuant to CPLR § 7701, seeking
judicial instruction, and approval of a proposed
settlement.

MOTION SEQUENCE NO. 001

Index No. 652382/2014

NOTICE OF INTENT TO APPEAR AND
OBJECT

PLEASE TAKE NOTICE that Construction Laborers Pension Trust for Southern California and Laborers Pension Trust Fund for Northern California (together, the “Class Representative Objectors”) are institutional investors who purchased several of the mortgage-backed securities at issue in the proposed settlement and, as such, are potentially interested persons in the above-captioned Article 77 proceeding before this Court.

The Class Representative Objectors hereby file this Notice of Intent to Appear and Object and accompanying Memorandum of Law in Support of Construction Laborers Pension Trust for Southern California and Laborers Pension Trust Fund for Northern California’s Objection to the Proposed Settlement (“Memorandum of Law”) in the above-entitled action.

The Class Representative Objectors object to the proposed settlement as follows:

1. The RMBS Trust Settlement Agreement purports to release the claims alleged in a separate class action against JPMorgan Chase & Co. and its subsidiaries (“the Securities Class Action”) which are different, distinct and separate from the claims giving rise to the proposed settlement. The release is therefore impermissibly overbroad and the Class Representative Objectors contest approval of the proposed settlement unless the claims alleged in the Securities Class Action are specifically and explicitly excluded from the release.

2. The RMBS Trust Settlement Agreement also purports to permit JPMorgan Chase & Co. to offset, receive credit for, or reduce damages in the unrelated and independent Securities Class Action by the amount of any payment or benefit made or conferred by JPMorgan Chase & Co. as part of the settlement in the present matter. The Class Representative Objectors contest the approval of the proposed settlement unless the offending language attempting to reduce a recovery in the Securities Class Action is removed from the RMBS Trust Settlement Agreement.

3. The reasons for these objections are fully set forth in the accompanying Memorandum of Law.

DATED: November 3, 2014

Respectfully submitted,

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN

s/ SAMUEL H. RUDMAN

SAMUEL H. RUDMAN

58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)

ROBBINS GELLER RUDMAN
& DOWD LLP
ARTHUR C. LEAHY
SUSAN G. TAYLOR
655 West Broadway, Suite 1900
San Diego, CA 92101-8498
Telephone: 619/231-1058
619/231-7423 (fax)

Attorneys for Class Representative Objectors

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2014, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 3, 2014.

s/ SAMUEL H. RUDMAN

SAMUEL H. RUDMAN

ROBBINS GELLER RUDMAN
& DOWD LLP
58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)

E-mail: srudman@rgrdlaw.com