

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

In the matter of the application of  
U.S. BANK NATIONAL ASSOCIATION, et al.,

Petitioners,

For an order, pursuant to CPLR § 7701, seeking  
judicial instruction.

Index No: 652382/2014

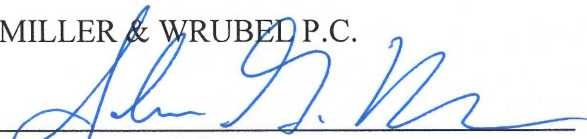
Hon. Marcy S. Friedman

**NOTICE OF INTENTION  
TO APPEAR AND OBJECT**

PLEASE TAKE NOTICE that, Triaxx Prime CDO 2006-1, Ltd., Triaxx Prime CDO 2006-2, Ltd., and Triaxx Prime CDO 2007-1, Ltd. (together, "Triaxx"), intend to appear and object to the settlement proposed by Petitioners, upon the grounds that: (1) the proposed allocation among investors of the \$4.5 billion settlement ignores the fundamental principle that damages should be allocated based upon breach alleged and not losses caused by unrelated economic events; (2) the \$4.5 billion settlement amount does not take account of loan modifications and possible conflicts of interest on the part of JPMorgan; and (3) the proposed settlement is premature insofar as Triaxx does not have sufficient information to evaluate its terms. For these reasons, Petitioners have not acted to further the purpose of the trusts and have acted unreasonably or beyond the bounds of reason, and the Petition should be denied.

Dated: November 3, 2014

MILLER & WRUBEL P.C.

  
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