Exhibit A

Anthony L. Viola ID # 32238-160
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October 25th, 2014

In The Matter of the Application of U.S. Bank National Association, et. al. Index # 652382/2014, Article 77 Proceeding

Opposition to the Settlement and Notice of Intention to Appear

Thank you very much for taking the time to review these objections to JP Morgan's proposed settlement. I'm filing this oposition in order to alert the court to what can only be described as a grave injustice.

By way of background, I operated a real estate brokerage firm in Cleveland, Ohio. I was indicted three times -- once in federal court and twice in state court -- by a joint federal-state mortgage fraud task force and convicted in federal court. I was sentenced to 12 1/2 years in prison and was ordered to pay restitution to JP Morgan and its bondholders, Case CR-08-506, USA v. Anthony Viola, Restitution Order at Docket Entry # 428, 7/11/13; specific mortgage loans are listed property by property in the Presentence Report, filed 2/4/12. At the federal sentencing hearing, I informed the federal judge I was innocent. Two months later -- from jail and without an attorney -- I won the identical case, prosecuted by the same task force concerning the exact same properties. After a six week jury trial in state court, I was acquitted on all 59 counts because I examined every single piece of paper in the lender files to prove that JP Morgan knowingly and eagerly made loans that violated their lending guidelines but lied about that practice when testifying in both federal and state court.

OBJECTION # 1: The Proposed Settlement Unjustly Enriches the Accepting Trustees.

This settlement agreement includes loans that are the subject of restitution orders resulting from federal and state prosecutions. When loans are subject to both restitution orders and a part of this settlement, payments by JP Morgan to bond pools should be offset against any restitution order. Currently, the settlement agreement lacks a proper accounting mechanism to insure that payments by JP Morgan are credited to individual mortgage loans. Without such an accounting, "victims" may receive double recoveries or unlawful windfalls.

Rec'd. 11/3/14 Posted 11/30/14

OBJECTION # 2: The Proposed Settlement Violates Judicial Estoppel.

JP Morgan is buying its way out of criminal liability in this case -- and other similar cases -- by making admissions and paying money to settle claims that the bank defrauded investors. However, in criminal trials -- concerning the same mortgage loans at issue in this case -- JP Morgan has provided testimony that is wholly contrary to the bank's admissions in these settlements. JP Morgan has repeatedly sent corporate representatives to criminal trials claiming they were innocent victims of mortgage fraud schemes. JP Morgan's witnesses have testified in those cases that the bank only makes loans that meet its lending guidelines.

In United States v. Anthony Viola, CR-08-506 (N.D. Ohio), JP Morgan executive Alfio Savarino said that the bank underwrote all loan files "manually" (trial trans p. 1125, available on the Pacer system) but JP Morgan's November 19, 2013 $13 billion settlement with the Justice Department says that JP Morgan closed loans "without analyzing these loans on a case-by-case basis" (Statement of Facts, page 4, www.doj.gov). I am in prison for tricking JP Morgan into making no money down loans. At my trial, Mr. Savarino told jurors that JP Morgan required "a minimum of ten percent down" (p. 1133). But according to JP Morgan's $13 billion settlement, the bank knowingly closed loans with "high loan to value ratios (some over 100 percent)" Statement of Facts, pages 4 and 6.

JP Morgan has been permitted to settle cases, admit criminal behavior, pay money and then seal records concerning key facts at issue regarding JP Morgan's mortgage origination and securitization fraud. JP Morgan should be estopped from playing this "double game" which results in the incarceration of innocent individuals and ongoing injustices.

OBJECTION # 3: This Settlement is Fundamentally Unfair and Not in the Interests of Justice

This settlement undermines confidence in our judicial system by allowing JP Morgan to make admissions which are wholly contrary to its prior testimony under oath in countless criminal trials. Moreover, JP Morgan General Counsel Stephen Cutler is a signatory to this and a dozen other similar settlements, triggering his duty of Candor Toward the Tribunal, obligating Mr. Cutler to correct false testimony by the bank. JP Morgan should not be allowed to enter into this settlement until such time as it has withdrawn its false and misleading testimony in those criminal cases. By allowing this settlement agreement to move forward and by allowing JP Morgan to avoid criminal liability, innocent people remain in jail and this settlement reinforces the public's perception that the judicial system is rigged in favor of the rich and powerful.

Memorandum of Law In Support of Objections to Settlement

Prosecutors allege that my real estate brokerage was "advertising the purchase of properties no money down, cash back" (trial trans p. 8, 18, 35, 37 and 39). JP Morgan claimed

that the bank faithfully followed its lending guidelines and those guidelines did not permit 'no money down' loans. Accordingly, since those loans were outside the bank's lending guidelines, they were obtained fraudulently (transcript p. 441, 1521, 1671, 1811, 2829-31, 3241 and 3417). My defense was simple: we never hid the fact that these transactions were 'no money down' and the bank knowingly made such loans. Moreover, a careful review of lender files proved that any wrongdoing in this case took place inside the bank: first, banks authorized no money down loans via closing instructions then altered those documents later. JP Morgan also altered documents, knowingly accepted appraisals from "banned" appraisers and made loans when they knew borrowers had no income, no money and would lose thousands of dollars on investment properties -- all of which came from Bates Stamped documents from the lender's files. My appeal court brief discusses this criminal activity inside banks -- and contains attachments of Bates stamped evidence from the bank's files proving these allegations -- please see USA v. Anthony Viola, Sixth Circuit Case # 14-3348, opening brief filed 6/6/14. The government's reply to my appellate brief conceded that these facts are correct. Due to the difficulty of making copies from prison, I am respectfully requesting permission to incorporate that brief and its attachments as an electronic exhibit to this filing.

Summary of Recent Admissions of Wrongdoing by JP Morgan Chase

JP Morgan has recently reached several criminal and civil settlements resulting from the bank's illegal activities. For many years, JP Morgan assured buyers of its mortgage-backed securities that loans contained therein were underwritten according to its underwriting guidelines. JP Morgan told jurors in my federal and state cases the same story. But JP Morgan knows that story is false.

On November 19, 2013, JP Morgan Chase paid $13 billion and reached a settlement with the Justice Department in which the bank admitted knowingly making mortgage loans that did not meet its underwriting guidelines and then lying about that practice when reselling loans. According to the JP Morgan's November 19, 2013 Statement of Facts:

- "Delinquent loans ... were securitized" (p. 10-11)
- JP Morgan closed loans when the bank "concluded borrowers overstated their incomes" (P. 4).
- JP Morgan closed loans with "missing appraisals" and when other "material documents were missing from the loan files" (p. 4-6).
- JP Morgan utilized "bulk waivers" and did not review mortgage loans on a "case-by-case basis." Then, JP Morgan falsely claimed loans it never reviewed complied with its underwriting guidelines (p. 4-6).

According to the 2013 JP Morgan Annual Report and 10-K (available at

www.jpmorganchase.com), JP Morgan has admitted wrongdoing and paid money to settle similar claims:

- In November, 2012, JP Morgan paid $296.9 million to settle claims by the Securities and Exchange Commission that it defrauded investors that bought its mortgage-backed securities.

- In 2013, JP Morgan was forced to pay an additional $753 million penalty to the Federal Reserve because it violated terms of its earlier $5 billion settlement because of fraud in JP Morgan's foreclosure department.

- Over $170 billion worth of JP Morgan's mortgage backed securities are in litigation because the bank knowingly made loans that did not meet its lending guidelines then lied about that practice when reselling mortgage loans.

- JP Morgan has also been sued by the Federal Housing Finance Agency, the National Credit Union Administration Board and dozens of pension funds throughout America and around the world for knowingly making loans that did not meet the bank's lending guidelines then lying about that practice when re-selling mortgage-backed securities.

- JP Morgan entered into several consent decrees with the Comptroller of the Currency because of its failure to follow its underwriting guidelines, see, for example, "In The Matter of AA-EC-11-15", concerning "unsafe and unsound" business practices in the bank's mortgage department.

- On February 6, 2014, JP Morgan paid a $614 million fine for defrauding the FHA lending program, case # 13-civ-0220, S.D. NY, Judge J. Paul Oetken. According to the settlement in that case, JP Morgan knowingly disregarded its lending guidelines and knowingly approved thousands of FHA and VA loans even though the bank knew such loans did not meet its lending guidelines. And when JP Morgan performed internal reviews of loans and found that hundreds of its loans failed to meet guidelines, the bank never informed the FHA. Then, JP Morgan lied to FHA, falsely claiming in annual certifications that its loans met guidelines. According to Mr. Preet Bharara, United States Attorney for the Southern District of New York:

  JP Morgan put profits ahead of responsibility by recklessly churning out thousands of defective loans, failing to inform the government of known problems with those loans and leaving the government to cover losses when loans defaulted. (emphasis added, www.doj.gov, 2/6/14).

JP Morgan was not about to testify truthfully in my criminal case and subject itself to lawsuits from buyers of its mortgage-backed securities. So the bank offered false testimony that cannot

be reconciled with recent admissions:

USA v. Viola, cr-08-506, N.D. Ohio; Trial Testimony of Mr. Savarino	JP Morgan - Department of Justice 11/19/13 Statement of Facts
(1) JP Morgan "underwrote to the policy" p. 1199.	"JP Morgan ... received information that ... loans did not comply with underwriting guidelines [but] were ... sold and marketed to investors; however, JP Morgan ... did not disclose this to securitization investors" p. 1
(2) "Everything, analyzing risk and the way we graded it [i.e. the loan] was done manually " p. 1125.	"JP Morgan" closed loans "without analyzing these loans on a case-by-case basis" p. 4
(3) "We would look at ... debt to income ratios" p. 1126.	JP Morgan closed loans with "high debt-to-income ratios" p. 4
(4) JP Morgan would "decline" a loan if income was falsely stated, p. 1128	JP Morgan "concluded that borrowers overstated their incomes" but "agreed to purchase" the loans regardless, p. 6
(5) "The employment ... was verified"	JP Morgan closed loans with "inadequate or missing documentation of income" p. 4.
(6) "Correct" the underwriter would look at the assets reported in the application, p. 1129	JP Morgan closed loans with "missing documentation such as proof of income, employment or assets" p. 4.
(7) JP Morgan "verified the employment" p. 1218 and if incomes were falsely stated, JP Morgan would "decline the loan" p. 1128	JP Morgan closed loans with "stated income that the vendors concluded were unreasonable" p. 4
(8) "Every appraisal was sent to the Review Department" p. 1131; "they would look at it" p. 1131	JP Morgan closed loans with "missing appraisals" p. 4.
(9) JP Morgan required "a minimum of 10% down" p. 1133; borrowers needed "some skin in	JP Morgan knowingly closed loans with "high loan to value ratios (some over

the game" p. 1235. 100 percent" p. 4.

The JP Morgan legal Department prepared Mr. Savarino to testify and has been orchestrating false testimony in criminal trials for many years. Mr. Savarino admited he was in regular contact with the JP Morgan legal team and that "Keyley ... reaches out to us" about testifying, p. 1211. Mr. Savarino worked with the "national subpoena department through our legal department" and documents Mr. Savarino reviewed were "e mailed to me from a contact from the legal department ... I don't have access to gain those files" without assistance from the legal department, p. 1215. Mr. Savarino's contacts from the legal department provided his with "guidelines from Long Beach Mortgage" p. 1214. Clearly, the JP Morgan legal team -- headed by Mr. Cutler -- has been orchestrating the "double game" described above. Admissions that JP Morgan knowingly ignored lending guidelines and knowingly solicited fraudulent loans defeat a key element of any wire or bank fraud offense: the element of "materiality" Neder v. United States, 527 U.S. 1, 25 (1999). Dozens of innocent people are in jail for supposedly tricking JP Morgan into making loans that did not meet the bank's guidelines. At a minimum, jurors should be permitted to review this new evidence and defense attorneys should be able to properly cross examine JP Morgan's executives. As a condition of this settlement, the bank should be required to withdraw false testimony in criminal trials.

JP Morgan is not a "Victim" and Should Not receive Restitution

The admissions by JP Morgan discussed above prove that JP Morgan is currently being unjustly enriched by receipt of restitution from me and other indigent federal prisoners. The Mandatory Victims Restitution Act (18 U.S.C. 3663) authorizes courts to order "the defendant to make restitution to the victim." Pursuant to United States v. Hunter, 618 F.3d 1062, 1064 (9th Cir., 2010):

> **The purpose of restitution under the MVRA ... is not to punish the defendant, but to make the victim whole again by restoring to him or her the value of the losses suffered as a result of the defendant's crime. (Alterations and internal quotations omitted).**

Recovery to victims is limited to those parties "directly and proximately harmed as a result of the commission of the offense," United States v. Donaby, 349 F.3d 1046, 1052 (7th Cir., 2003). Participation in fraudulent behavior by entities or individuals makes those entities or individuals ineligible to receive restitution; corporations that enter into agreements with the Justice Department and pay large monetary fines for commiting fraud cannot be considered victims of their own wrongdoing, In Re Wellcare, 2014 U.S. App. LEXIS 11086, 11th Circiut No 14-12422-B, 6/13/14. Also see United States v. Lazar, 770 F. Supp. 2d 447 (District Court, Mass, 2011). Pursuant to United States v. Ojeikere, 545 F.3d 220, 223 (2nd Cir., 2008), citing United States v. Martinez, 978 F. Supp. 1442, 1453 (D.N.M., 1997):

> **It is intuitively obvious that Congress did not intend to have the federal judiciary take the lead in rewarding, through restitution orders, persons robbed of monies they had obtained by unlawful means, especially where as a matter of policy, federal courts generally would not award those monies were they sought in a civil action. This is**

especially true when the person who has benefitted has violated federal laws.

The Second, Ninth, Eleventh and D.C. Circuits have all addressed this very issue and have made clear that entities guilty of wrongdoing -- namely, JP Morgan Chase -- are not "victims" and may not receive restitution:

> **Any order entered under the MVRA that has the effect of treating coconspirators as 'victims' and thereby requires 'restitutionary' payments to the perpetrators of the offense of conviction, contains an error so fundamental and so adversely reflecting on the public reputation of the judicial proceedings that we may, and do, deal with it sua sponte**, United States v. Reifler, 446 F.3d 65, 127 (2nd Cir., 2006).

JP Morgan's failure to alert state and federal courts that it will no longer accept restitution from so-called "mortgage fraud" defendants constitutes a fraud on the court, United States v. Lazarenko, 624 F.3d 1247, 1249 (9th Cir., 2010)(collecting cases). Moreover, no court in New York has jurisdiction to issue any order that has the effect of awarding restitution in an amount in excess of any losses a victim suffered -- but this settlement would do just that, contrary to United States v. Pescatore, 637 F.3d 128, 138-140 (2nd. Cir., 2011)

Judicial Estoppel and Fraud on the Court

Under Mr. Cutler's direction, JP Morgan is taking contrary positions regarding the same set of facts in different courtrooms throughout America. Kindly consider the following positions JP Morgan has taken concerning its reliance upon and enforcement of its underwriting guidelines:

(1) In my criminal crial, JP Morgan's representative informed jurors that JP Morgan faithfully followed its underwriting guidelines. JP Morgan "underwrote to the policy" (Mr. Savarino at p. 1199). According to prosecutors, loans "would have to satisfy the lender's guidelines before any money was distributed" (page 15, government filing, 5/1/13). JP Morgan's legal department dispatched another representative, Tim Pritchard, to lie under oath in my state trial, State of Ohio v. Viola, Case # CR-536877. Mr. Pritchard, on page 50 of his testimony, added to the federal court record in CR-08-506 in April, 2014, said JP Morgan "used the guidelines at the time and underwrote files according to the guidelines and if it met the guidelines we approved the loan."

(2) When bondholders sue JP Morgan, claiming that forensic audits of loan files prove that JP Morgan had engaged in "widespread abandonment of underwriting guidelines" but never disclosed that to investors, JP Morgan claimed that "any misrepresentations are immaterial" because "noncomplying loans" were subject to JP Morgan warrantes so that the guidelines themselves were not "material," Employees Retirement System of the Government of the Virgin Islands vs. JP Morgan, 804 F. Supp. 2d 141 (S.D. New York, 2011).

(3) In United States ex Rel Keith Edwards v. JP Morgan, (case # 13-civ-0220, S.D. NY), JP Morgan's settlement of that case with the Justice Department resulted in admissions that the bank knowingly ignored its underwriting guidelines for a decade and defrauded the FHA

program by refinancing defaulted loans on the bank's books into government loans that did not meet guidelines, then fraudulently obtained reimbursement for losses. JP Morgan "admitted that, for over a decade, it approved thousands of FHA loans and hundreds of VA loans that were not eligible for FHA or VA insurance because they did not meet applicable agency underwriting requirements" then obtained reimbursements "leaving the government to cover the losses." (emphasis added).

(4) In Federal Housing Finance Agency v. JP Morgan Chase, 902 F. Supp 2d, 476, 495-96, (S.D. NY, 2011), forensic audits found that 98% of loans in some bond pools did not meet JP Morgan's guidelines -- 98%! Also, the Court found that JP Morgan

> **Continued its lax origination practices with the full knowledge of upper management ... [and] falsely overstated appraisals ... [and] manufactured loan documentation ... employees were discouraged from investigating borrowers' questionable salary representations.**

Dozens of innocent Americans are in jail as a result of this outrageous "double game" JP Morgan is playing. Pursuant to DeRosa v. Nat'l Envelope Corp., 595 F.3d 99, 103 (2nd Cir., 2010), JP Morgan's positions are "clearly inconsistent" and therefore improper, also see New Hamshire v. Maine, 532 U.S. 742, 749-51 (2001).

Attorneys for JP Morgan have a Duty of Candor Towards the Tribunal

The New York Rules of Professional Conduct require that lawyers conduct themselves with honesty and Rule 3.3 forbids lawyers from "knowingly mak[ing] a false statement of law or fact to a tribunal." N.Y. Rules of Prof'l Conduct R. 3.3(a)(2013). It continues:

> **If a lawyer, the lawyer's client, or a witness called by the lawyer has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.** Id. at (a)(3).

Attorneys licensed in the State of New York are governed by these rules, In Re McKelvey, 54 A.D. 3d 24, 861 N.Y.S. 2d 905, 2008. "Courts rely on the forthright and accurate representations by counsel in making their decisions," Soley v. Wasserman, 08 CIV 9262, 2013 U.S. Dist. LEXIS 88235 (S.D. NY, June 21, 2013)(Wood, J.)

The New York City Bar Association, Committee on Professional Ethics, issued a Formal Opinion, Opinion 2013-2, on this very subject. That opinion states that attorneys may not participate in a situation which subverts the truth-finding process and

> **Accordingly, disclosure to the Tribunal is the ultimate step that the rule requires an attorney to take ... necessary to remedy the fraud on the Tribunal created by the Tribunal's reliance on false evidence.**

Since my criminal case is being reviewed by the United States Court of Appeals for the Sixth Circuit, case 14-3348, it is "still possible to amend, modify or vacate the prior judgment" and

Compliance with Rule 3.3(a)(3) requires disclosure of false evidence to the Tribunal.

This mandatory duty of disclosure to the Tribunal trumps a lawyer's obligation of maintaining client confidentiality because correcting false evidence is vital to the administration of justice.

WHEREFORE, I am respectfully requesting that This Most Honorable Court grant the following relief:

(1) That this settlement be stopped until such time as JP Morgan withdraws its false testimony in my criminal case and other similar cases and informs courts throughout the country that they are not "victims" of any mortgage fraud schemes;

(2) That JP Morgan and the Accepting Trustees be ordered to respond in writing to this filing and reply to each of the three objections listed above;

(3) This situation should be referred to the appropriate ethical panel for a formal opinion concerning the actions by JP Morgan's attorneys;

(4) That the Clerk of Court be ordered to add this pleading to the Court's Electronic Filing System;

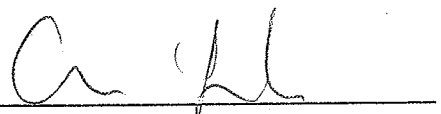
(5) Since I am an indigent federal prisoner without internet access, I am respectfully requesting That the Court grant me leave of the court's rules for if this filing contains any errors or mistakes or fails to fully comply with the court's rules;

(6) I am requesting a court order so I may appear in person at the December hearing, I am willing to be transported to any jail in New York to appear personally. Alternatively, I am requesting an order allowing me to participate in the hearing by telephone; and

(7) Any other relief deemed just and equitable by This Most Honorable Court.

Thank you very much for considering this pleading.

Respectfully Submitted,



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October 25, 2014

Certificate of Service

I, Anthony L. Viola, Pro Se, respectfully state that I caused the following parties to be served with these objections, via regular U.S. Mail, postage prepaid on October 25th, 2014:

Bank of New York Mellon Trust Company
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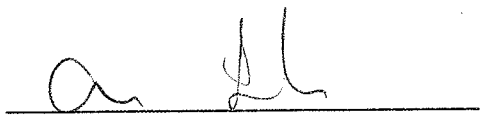
Respectfully Submitted,



Anthony L. Viola

October 25, 2014