

February 6, 2015

VIA E-FILING

The Honorable Marcy S. Friedman
Supreme Court of the State of New York
60 Centre Street
New York, New York 10007

Re: *In re application of U.S. Bank National
Association, et al.* (Index No. 652382/2014)

Dear Justice Friedman:

We write on behalf of the Trustees and the Objectors (the “Parties”) in the above-referenced matter in response to Your Honor’s direction, at the December 16, 2014 hearing, to furnish “a binder with certain discovery order[s] in some of the cases” discussed at that conference. Tr. at 82:14-18. The Parties agree to jointly submit the following material (enclosed herein) from the Article 77 proceeding styled *In the matter of the application of The Bank of New York Mellon*, No. 651786/2011 (the “Countrywide Proceeding”) for the Court’s consideration. In addition to the discovery orders from the Countrywide Proceeding, we are also providing some of the surrounding colloquy in the transcripts to provide context for the Court’s statements concerning discovery.¹ The Parties have been unable to agree on the content of a joint submission of materials from the Residential Capital, LLC bankruptcy proceeding.

Countrywide Proceeding

Appendix	Description
1	November 3, 2011 Hearing Transcript See highlighted citation: 42:10-44:13
2	January 18, 2012 Hearing Transcript

¹ The Objectors believe there are additional citations to the hearing that reflect discovery that was produced (but not ordered by the Court) that will shed light into the scope of discovery from the Countrywide Proceeding. The Trustees understood Ms. Wolfe to say that such material was not requested by the Court and, therefore, do not agree that this material should be provided in connection with this joint submission. Thus, the Objectors intend to provide this material separately and raise this issue during the February 13, 2015 conference call with the Court.

	See highlighted citation: 22:24-24:9
3	March 19, 2012 Hearing Transcript See highlighted citations: 15:14-21; 15:25-16:4; 17:2-7
4	April 24, 2012 Hearing Transcript See highlighted citations: 70:26-71:19; 101:19-104:9
5	August 2, 2012 Hearing Transcript See highlighted citations: 86:2-90:13; 160:24-162:20
6	August 6, 2012 Decision and Order (Docket No. 360)
7	August 8, 2012 Decision and Order (Docket No. 362)
8	October 12, 2012 Hearing Transcript See highlighted citations: 38:25-39:13; 52:3-24; 116:17-136:14
9	February 7, 2013 Hearing Transcript See highlighted citations: 19:24-20:22; 22:17-25; 66:21-68:12
10	February 13, 2013 Decision and Order
11	April 12, 2013 Hearing Transcript 95:20-96:5; 124:2-130:8
12	April 15, 2013 Decision and Order
13	April 16, 2013 Decision and Order (re: Motion Seq. 32)
14	April 16, 2013 Decision and Order (re: Motion Seq. 34)
15	May 7, 2013 Decision and Order
16	May 20, 2013 Decision and Order
17	November 14, 2013 Decision and Order
18	November 18, 2013 Decision and Order

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The Parties appreciate the Court's consideration of this material and are available at the Court's convenience to address any additional questions.

Respectfully submitted,

On behalf of the Trustees:

MAYER BROWN LLP

s/ Matthew D. Ingber
Matthew D. Ingber
Christopher J. Houpt
1675 Broadway
New York, New York 10019
(212) 506-2500

Attorneys for Petitioners
The Bank of New York Mellon and
The Bank of New York Mellon
Trust Company, N.A.

On behalf of the Objectors:

KELLER ROHRBACK LLP

/s/ Derek W. Loeser
Derek W. Loeser
David J. Ko
1201 Third Avenue, Suite 3200
Seattle, WA 98109
(206) 623-1900

Attorneys for Respondents
The Federal Home Loan Bank of Boston

Enclosures

cc: All counsel (by electronic filing)