

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: BARBARA R. KAPNICK J.S.C. Justice

PART 39

Index Number : 651786/2011
BANK OF NEW YORK MELLON
VS.
FOR AN ORDER PURSUANT TO
SEQUENCE NUMBER : 033
OTHER RELIEFS

INDEX NO.
MOTION DATE
MOTION SEQ. NO.

The following papers, numbered 1 to , were read on this motion to/for

Notice of Motion/Order to Show Cause — Affidavits — Exhibits No(s).
Answering Affidavits — Exhibits No(s).
Replying Affidavits No(s).

Upon the foregoing papers, it is ordered that this motion is brought by certain intervenors by order to show cause for an order compelling petitioners and the Institutional Investors to produce documents identified in the Institutional Investors' May 21, 2012 privilege log and compelling the resumption of the deposition of Jason Kravitt only for the purpose of asking questions that were previously not answered on the basis of the common interest privilege or otherwise. The common interest privilege relates to the documents identified in the privilege log is granted in accordance with the decision dictated on the record on April 12, 2013.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

Dated: 4/12/13

Signature of BARBARA R. KAPNICK, J.S.C.

- 1. CHECK ONE: CASE DISPOSED, NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED, DENIED, GRANTED IN PART, OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER, SUBMIT ORDER, DO NOT POST, FIDUCIARY APPOINTMENT, REFERENCE