

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

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In the matter of the application of	:	Index No. 652382/2014
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U.S. BANK NATIONAL ASSOCIATION, THE	:	Part 60
BANK OF NEW YORK MELLON, THE BANK OF	:	
NEW YORK MELLON TRUST COMPANY, N.A.,	:	Motion Sequence No. 19
WILMINGTON TRUST, NATIONAL	:	
ASSOCIATION, LAW DEBENTURE TRUST	:	Hon. Marcy S. Friedman
COMPANY OF NEW YORK, WELLS FARGO	:	
BANK, NATIONAL ASSOCIATION, HSBC BANK	:	Oral Argument Requested
USA, N.A., AND DEUTSCHE BANK NATIONAL	:	
TRUST COMPANY (as trustees under various Pooling	:	
and Servicing Agreements and indenture trustees under	:	<b><u>NOTICE OF MOTION</u></b>
various Indentures), AEGON USA Investment	:	
Management, LLC (intervenor), Bayerische	:	
Landesbank (intervenor), BlackRock Financial	:	
Management, Inc. (intervenor), Cascade Investment,	:	
LLC (intervenor), the Federal Home Loan Bank of	:	
Atlanta (intervenor), the Federal Home Loan Mortgage	:	
Corporation (Freddie Mac) (intervenor), the Federal	:	
National Mortgage Association (Fannie Mae)	:	
(intervenor), Goldman Sachs Asset Management L.P.	:	
(intervenor), Voya Investment Management LLC (f/k/a	:	
ING Investment LLC) (intervenor), Invesco Advisers,	:	
Inc. (intervenor), Kore Advisors, L.P. (intervenor),	:	
Landesbank Baden-Wuerttemberg (intervenor),	:	
Metropolitan Life Insurance Company (intervenor),	:	
Pacific Investment Management Company LLC	:	
(intervenor), Sealink Funding Limited (intervenor),	:	
Teachers Insurance and Annuity Association of	:	
America (intervenor), The Prudential Insurance	:	
Company of America (intervenor), the TCW Group,	:	
Inc. (intervenor), Thrivent Financial for Lutherans	:	
(intervenor), and Western Asset Management Company	:	
(intervenor),	:	

Petitioners,

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

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PLEASE TAKE NOTICE that Respondent-Investors,<sup>1</sup> by and through their undersigned attorneys, upon the (i) affirmation of Michael C. Ledley, Esq. affirmed May 29, 2015, and the exhibits thereto, and (ii) the accompanying Memorandum of Law dated May 29, 2015, and upon all prior pleadings and proceedings herein, shall, pursuant to Rule 3124 of the Civil Practice Law and Rules move this Court located at 60 Centre Street, Room 130, New York, New York 10007, on the 16th day of June, 2015 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order directing the Institutional Investors to produce documents concerning any presentation or analysis provided to or discussed with JPMorgan Chase & Co. (“JPMorgan”) relating to the subject matter of the proposed settlement agreement among JPMorgan, the Institutional Investors, and the Trustees, dated November 15, 2013, and modified July 29, 2014, or the negotiation of the proposed settlement.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b), answering papers, if any, must be served at least seven (7) days prior to the return date hereof.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b), reply papers, if any, shall be filed at least one (1) day prior to the return date of this motion.

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<sup>1</sup> The Respondent-Investors are the National Credit Union Administration Board as Liquidating Agent for U.S. Central Federal Credit Union, Western Corporate Federal Credit Union, Members United Corporate Federal Credit Union, Southwest Corporate Federal Credit Union and Constitution Corporate Federal Credit Union (“NCUA”); the QVT Fund V LP, QVT Fund IV LP and Quintessence Fund L.P. (the “QVT Funds”); Ambac Assurance Corporation and The Segregated Account of Ambac Assurance Corporation (“Ambac”); DW Catalyst Master Fund, Ltd. and DW Value Master Fund, Ltd. (formerly Brevan Howard Credit Catalysts Master Fund Limited and Brevan Howard Credit Value Master Fund Limited) (the “DW Funds”); Triaxx Prime CDO 2006-1, Ltd., Triaxx Prime CDO 2006-2, Ltd., and Triaxx Prime CDO 2007-1, Ltd. (“Triaxx”); and W&L Investments, LLC (“WL”) (collectively, the “Respondent-Investors”).

Dated: New York, New York  
May 29, 2015

WOLLMUTH MAHER & DEUTSCH LLP

KOREIN TILLERY LLC

By /s/ Michael C. Ledley  
David H. Wollmuth  
dwollmuth@wmd-law.com  
Michael C. Ledley  
mledley@wmd-law.com  
Niraj J. Parekh  
nparekh@wmd-law.com  
Samantha C. Glazer  
sglazer@wmd-law.com  
500 Fifth Avenue  
New York, New York 10110  
Telephone: 212-382-3300  
Facsimile: 212-382-0050

By /s/ John A. Libra  
George A. Zelcs  
gzelcs@koreintillery.com  
John A. Libra  
jlibra@koreintillery.com  
Max C. Gibbons  
mgibbons@koreintillery.com  
Matthew C. Davies  
mdavies@koreintillery.com  
205 North Michigan Avenue, Suite 1950  
Chicago, Illinois 60601  
Telephone: 312-641-9760  
Facsimile: 312-641-9751

*Attorneys for Ambac and the QVT Funds*

*Attorneys for NCUA*

MILLER & WRUBEL, P.C.

AXINN, VELTROP & HARKRIDER LLP

By /s/ John G. Moon  
John G. Moon  
jmoon@mw-law.com  
570 Lexington Avenue  
New York, New York 10022  
Telephone: 212-336-3500  
Facsimile: 212-336-3555

By /s/ Donald W. Hawthorne  
Donald W. Hawthorne  
dhawthorne@axinn.com  
Magdalena H. Spencer  
mspencer@axinn.com  
114 West 47<sup>th</sup> Street  
New York, New York 10036  
Telephone: 212-728-2200  
Facsimile: 212-728-2201

*Attorneys for the Triaxx Entities*

*Attorneys for The DW Funds*

JONES & KELLER, P.C.

By /s/ Michael A. Rollin

Michael A. Rollin  
Maritza D. Braswell  
1999 Broadway, Suite 3150  
Denver, Colorado 80202  
Telephone: 303-573-1600  
Facsimile: 303-573-8133

*Attorneys for W&L Investments, LLC*