

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

U.S. BANK NATIONAL ASSOCIATION, THE
BANK OF NEW YORK MELLON, THE BANK OF
NEW YORK MELLON TRUST COMPANY, N.A.,
WILMINGTON TRUST, NATIONAL

: Part 60

: Motion Sequence No. 22

ASSOCIATION, LAW DEBENTURE TRUST
COMPANY OF NEW YORK, WELLS FARGO

: Hon. Marcy S. Friedman

BANK, NATIONAL ASSOCIATION, HSBC BANK
USA, N.A., AND DEUTSCHE BANK NATIONAL

: Oral Argument Requested

TRUST COMPANY (as trustees under various Pooling
and Servicing Agreements and indenture trustees under
various Indentures), AEGON USA Investment

: **NOTICE OF MOTION**

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,¹ by and through their undersigned attorneys, upon the (i) affirmation of Niraj J. Parekh, Esq. affirmed July 7, 2015, and the exhibits thereto, and (ii) the accompanying Memorandum of Law dated July 7, 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 20th day of July, 2015 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order directing JPMorgan Chase & Co. (“JPMorgan”) to produce documents in response to Request Number 1 of Respondent-Investors’ First Set of Requests for Production, dated December 8, 2014, including the draft complaint provided by the United States Department of Justice to JPMorgan with respect to claims resolved in the settlement between the United States Department of Justice and JPMorgan announced on or about November 2013.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Proposed Scheduling Order dated June 30, 2015, answering papers, if any, must be served on or before July 14, 2015.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Proposed Scheduling Order dated June 30, 2015, reply papers, if any, must be served on or before July 17, 2015.

¹ 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”); and Triaxx Prime CDO 2006-1, Ltd., Triaxx Prime CDO 2006-2, Ltd., and Triaxx Prime CDO 2007-1, Ltd. (“Triaxx”) (collectively, the “Respondent-Investors”).

Dated: New York, New York
July 7, 2015

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