

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  
BANK OF NEW YORK MELLON, THE BANK OF  
NEW YORK MELLON TRUST COMPANY, N.A.,  
WILMINGTON TRUST, NATIONAL  
ASSOCIATION, LAW DEBENTURE TRUST  
COMPANY OF NEW YORK, WELLS FARGO  
BANK, NATIONAL ASSOCIATION, HSBC BANK  
USA, N.A., AND DEUTSCHE BANK NATIONAL  
TRUST COMPANY (as trustees under various Pooling  
and Servicing Agreements and indenture trustees under  
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),

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: Part 60  
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: Motion Sequence No. 22  
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: Hon. Marcy S. Friedman  
:  
: Oral Argument Requested  
:  
: **AFFIRMATION OF NIRAJ  
J. PAREKH IN SUPPORT  
OF RESPONDENT-  
INVESTORS' MOTION TO  
COMPEL PRODUCTION OF  
DOCUMENTS FROM  
JPMORGAN**

Petitioners,

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

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I, Niraj J. Parekh, hereby affirm under the penalty of perjury that the following is true and correct:

1. I am a member of the Bar of this Court and an attorney of the firm Wollmuth Maher & Deutsch LLP, attorneys for Respondent-Investors Ambac Assurance Corporation and The Segregated Account of Ambac Assurance Corporation (collectively, “Ambac”) and the QVT Fund V LP, QVT Fund IV Lp and Quintessence Fund L.P. (collectively, the “QVT Funds”).

2. I submit this affirmation in support of Respondent-Investors’ Motion to Compel JPMorgan Chase & Co. (“JPMorgan”) to produce documents. The parties have met and conferred with respect to their respective positions, but have been unable to resolve the present dispute.

3. Attached hereto as **Exhibit 1** is a true and correct copy of Respondent-Investors’ First Set of Requests for Production of Documents to JPMorgan, dated December 8, 2014.

4. Attached hereto as **Exhibit 2** is a true and correct copy of the Stipulated Order Extending Production Deadline Set on October 17, 2013, *Fed. Home Loan Bank of Pittsburgh v. J.P. Morgan Secs. LLC*, GD09-016892 (Pa. C.P. Allegheny Cty. Nov. 4, 2013).

5. Attached hereto as **Exhibit 3** is a true and correct copy of the Affidavit of Dana A. Yealy, sworn on November 25, 2013, and submitted to the court in *Fed. Home Loan Bank of Pittsburgh v. J.P. Morgan Secs. LLC*, GD09-016892 (Pa. C.P. Allegheny Cty.).

6. On July 6, 2015, I contacted an attorney with the United States Department of Justice (the “DOJ”) informing them of Respondent-Investors’ request that JPMorgan produce draft complaint provided by the DOJ 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. During a follow-up communication on July 7, 2015, the attorney for the

DOJ informed me that DOJ was not able to state a position with respect to the Respondent-Investors' request for the draft complaint. I advised the DOJ attorney that Respondent-Investors would provide the DOJ with a copy of this motion to compel and would not object to providing the DOJ an opportunity to be heard on this issue should it deem appropriate to do so.

WHEREFORE it is respectfully requested that Respondent-Investors' Motion to Compel JPMorgan to produce the requested documents in the above-captioned matter be granted.

Affirmed this 7th day of July, 2015.



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Niraj J. Parekh