

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

In the matter of the application of

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),

Petitioners,

-against-

TRIAXX PRIME CDO 2006-1, LTD., TRIAXX PRIME CDO 2006-2, LTD., TRIAXX PRIME CDO 2007-1, LTD. (intervenor), QVT FUND V LP, QVT FUND IV LP, QUINTESSENCE FUND L.P., QVT FINANCIAL LP (intervenor), BREVAN HOWARD CREDIT CATALYSTS MASTER FUND LIMITED AND BREVAN HOWARD CREDIT VALUE MASTER FUND LIMITED (intervenor), 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 (intervenor), and AMBAC ASSURANCE CORPORATION, THE SEGREGATED ACCOUNT OF AMBAC ASSURANCE CORPORATION (intervenor) AND W&L INVESTMENTS, LLC (intervenor),

Respondents,

for an order, pursuant to CPLR § 7701, seeking judicial instruction, and approval of a proposed settlement.

Index No. 652382/2014

The Honorable Marcy S. Friedman,
J.S.C.

Motion Seq. No. ____

Oral Argument Requested

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the Affirmation of Nidhi Nina Yadava, affirmed on July 7, 2015 and all exhibits annexed thereto, and Petitioner U.S. Bank National Association's ("U.S. Bank") Memorandum of Law in Support of its Motion to Compel QVT Fund V LP, QVT Fund IV LP, Quintessence Fund L.P., and QVT Financial LP ("QVT") to Produce Documents submitted herewith, U.S. Bank will move this Court at the General Clerk's Office, Room 130, at the Courthouse located at 60 Centre Street, New York, New York 10007 on July 20, 2015, or as soon thereafter as counsel can be heard, for an Order compelling QVT to produce the documents it has agreed to produce in response to U.S. Bank's First Request for the Production of Documents to QVT, pursuant to CPLR 3124. Oral argument is requested on July 23, 2015, as designated by the Court.

PLEASE TAKE FURTHER NOTICE THAT by stipulation of the parties executed on June 30, 2015, QVT's opposing papers, if any, shall be served on or before July 14, 2015 and U.S. Bank's papers in further support, if any, shall be served on or before July 17, 2015, unless the Court orders otherwise.

Dated: July 7, 2015

Respectfully Submitted

JONES DAY

/s/ Robert C. Micheletto

Robert C. Micheletto

Nina Yadava

222 East 41st Street

New York, New York 10017

(212) 326-3939

Matthew A. Martel

Joseph B. Sconyers

100 High Street, 21st Floor

Boston, Massachusetts 02110

(617) 960-3939

*Attorneys for Petitioner U.S. Bank
National Association*