

# **Exhibit 4**

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),

Petitioners,

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

Index No. 652382/2014

**RESPONSES AND OBJECTIONS TO U.S. BANK'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND FIRST INTERROGATORY TO QVT**

Pursuant to Article 31 of the CPLR, Respondents QVT Fund V LP, QVT Fund IV LP, and Quintessence Fund L.P., (collectively the "QVT Funds") hereby object and respond to Petitioner U.S. Bank's First Request for the Production of Documents and First Interrogatory to QVT, dated May 12, 2015, (collectively, the "Discovery Requests," and individually, a "Discovery Request"), as follows:

**GENERAL OBJECTIONS**

1. The QVT Funds' specific objections to each Discovery Request are in addition to the general limitations and objections set forth in this section. These limitations and objections form a part of the response to each Discovery Request and are set forth here to avoid the duplication and repetition of restating them for each response. The absence of a reference to a general objection should not be construed as a waiver of the general objection as to the specific Discovery Request.

2. The QVT Funds object to the Discovery Requests to the extent that they purport to impose obligations beyond those required or permitted by the CPLR or the rules of this Court. The QVT Funds will respond to the Discovery Requests in accordance with the requirements of the CPLR or the rules of this Court.

3. The QVT Funds object to the Discovery Requests to the extent that they are vague, ambiguous, overbroad and/or unduly burdensome.

4. The QVT Funds object to the Discovery Requests to the extent that they seek information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.

5. The QVT Funds object to the Discovery Requests to the extent that they are overbroad, compound, unduly burdensome, vague, ambiguous, or capable of multiple interpretations; that they do not identify with particularity the information sought; that they lack sufficient precision to allow the QVT Funds to formulate an appropriate response; and/or that they are not calculated to lead to the discovery of admissible evidence. To the extent that a Request is vague or ambiguous, the QVT Funds have responded to the best of their ability, but have not attempted to speculate as to the meaning thereof.

6. The QVT Funds object to the Discovery Requests as overbroad and unduly burdensome to the extent that they call for the identification of “each,” “any,” or “all” when relevant information can be obtained from fewer than “each,” “any,” or “all.”

7. The QVT Funds object to each Discovery Request to the extent that such Discovery Request seeks or can be construed to seek information that is privileged under law, whether under the attorney-client privilege, the attorney work product doctrine or any other privilege or immunity, including the protections afforded materials prepared in anticipation of litigation or for trial. Such information will not be produced. In the event that any such information is or has been produced, such disclosure or production is inadvertent and does not constitute a waiver of any such privilege or immunity.

8. The QVT Funds object to the Discovery Requests to the extent that they call for the production of confidential information, including sensitive commercial or proprietary information or information protected from disclosure by law, court order, or any agreement with respect to confidentiality or nondisclosure. Such information will not be produced without the entry of an appropriate confidentiality order.

9. The QVT Funds object to the Discovery Requests to the extent that they are redundant and/or cumulative; seek information already in the possession, custody, or control of the U.S. Bank; call for duplicative information; and/or seek information already requested by the U.S. Bank or other petitioners through discovery in this action or otherwise.

10. The QVT Funds object to the Discovery Requests to the extent that they seek information or materials not in the QVT Funds' possession, custody, or control, or to the extent that they require the QVT Funds to search for information in places or from sources other than where such information is kept in the ordinary course of business. The QVT Funds further object to these Discovery Requests to the extent that they seek identification of documents or information that are no longer in existence

11. The QVT Funds object to the Discovery Requests to the extent that they define "QVT" to include third parties that have not appeared in this action or purport to require the QVT Funds to search for or produce documents solely in the possession, custody, or control of third parties.

12. Insofar as the QVT Funds have responded to a Discovery Request to which they have objected, the QVT Funds reserve the right to maintain such objection and such objection is not waived in any respect by the provision of a response.

13. To the extent the QVT Funds respond to any Discovery Request, the QVT Funds do so without conceding the relevancy or materiality of such information or the subject matter of the applicable Discovery Request, and without prejudice to the QVT Funds' right to object to further discovery on such subject matter or to object to the admissibility of any such information at the time of hearing or trial. By reserving such right, the QVT Funds do not intend to assume a duty amend these responses other than as required by the CPLR.

### **SPECIFIC OBJECTIONS AND RESPONSES TO INTERROGATORY**

#### **Interrogatory No. 1**

Identify the names of persons with knowledge of information material and necessary to the subject matter of this action.

#### **Objections and Response to Interrogatory No. 1**

The QVT Funds object to this Interrogatory as overly broad and unduly burdensome and to the extent that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of relevant, admissible evidence. The QVT Funds further object to this Interrogatory as the phrase "material and necessary to the subject matter of this action" is vague and ambiguous, and to the extent that it calls for a legal conclusion.

Subject to and without waiver of the foregoing general and specific objections, the QVT Funds respond that they believe Arthur Chu and Joel Wollman of the QVT Funds and James Byrnes of U.S. Bank have knowledge relevant to the QVT Funds' direction to U.S. Bank to reject the Proposed Settlement and attempt to negotiate an indemnity in connection therewith. Certain outside counsel for the QVT Funds and U.S. Bank also participated in communications on that subject. The QVT Funds lack knowledge or information concerning what other employees or representatives of U.S. Bank may have knowledge that is material and necessary to the subject matter of this action.

## **SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION**

### **Request for Production No. 1**

All documents relating to any purported direction by QVT to U.S. Bank or any other person relating to the Settlement.

### **Objections and Response to Request for Production No. 1**

The QVT Funds object to this Request as overly broad and unduly burdensome and to the extent that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of relevant, admissible evidence. The QVT Funds further object to this Request to the extent it seeks documents that are protected by the attorney-client privilege, the trial preparation privilege, the work-product doctrine, or any other applicable privileges, immunities or protective doctrines, or documents created after the commencement of this proceeding. The QVT Funds further object to this Request to the extent it seeks “all documents” and as the terms “any purported direction” and “any person” are argumentative, vague and ambiguous.

Subject to and without waiving the foregoing general and specific objections, the QVT Funds will produce non-privileged documents responsive to this Request relating to the Trust located after a reasonable search.

### **Request for Production No. 2**

All documents relating to any security or indemnity offered by QVT in connection with any purported direction by QVT to any person relating to the Settlement.

### **Objections and Response to Request for Production No. 2**

The QVT Funds object to this Request as overly broad and unduly burdensome and to the extent that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of relevant, admissible evidence. The QVT Funds further object to this Request to the extent it seeks documents that are protected by the attorney-client privilege, the trial preparation privilege, the work-product doctrine, or any other applicable privileges, immunities or protective

doctrines, or documents created after the commencement of this proceeding. The QVT Funds further object to this Request to the extent it seeks “all documents” and as the terms “any security or indemnity,” “any purported direction” and “any person” are vague and ambiguous.

Subject to and without waiving the foregoing general and specific objections, the QVT Funds will produce non-privileged documents responsive to this Request relating to the Trust located after a reasonable search.

### **Request for Production No. 3**

All documents relating to any purported direction by QVT to any person involved in a residential mortgage-backed securitization and any security or indemnity offered by QVT in connection with same.

### **Objections and Response to Request for Production No. 3**

The QVT Funds object to this Request as overly broad and unduly burdensome and on the ground that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of relevant, admissible evidence, including to the extent that it purports to seek information concerning other residential-mortgage-backed securitizations and not related to the Trust. The QVT Funds further object to this Request to the extent it seeks documents that are protected by the attorney-client privilege, the trial preparation privilege, the work-product doctrine, or any other applicable privileges, immunities or protective doctrines. The QVT Funds further object to this Request to the extent it seeks “all documents” and as the terms “residential mortgage-backed securitization,” “any security or indemnity,” “any purported direction” and “any person” are vague and ambiguous.

### **Request for Production No. 4**

Documents sufficient to identify QVT’s ownership interest in any certificates issued by the Trust as of August 1, 2014 and as of May 12, 2015.

**Objections and Response to Request for Production No. 4**

Subject to and without waiving the foregoing general and specific objections, the QVT Funds state that they will produce evidence of their ownership interest in certificates issued by the Trust as of August 1, 2014 and May 12, 2015.

DATED: New York, New York  
June 4, 2015

WOLLMUTH MAHER & DEUTSCH LLP

By /s/ Michael C. Ledley  
David H. Wollmuth  
Michael C. Ledley  
Niraj Parekh

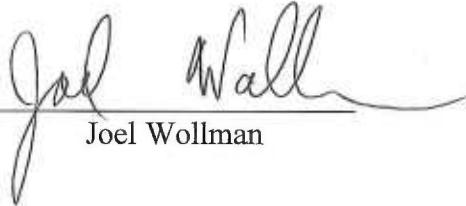
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*Attorneys Respondents QVT Fund V LP, QVT  
Fund IV LP, and Quintessence Fund L.P.*

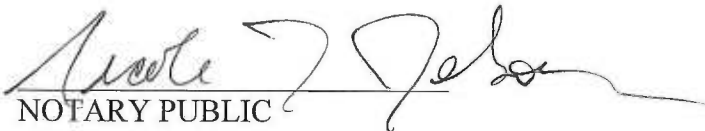


**VERIFICATION**

Joel Wollman, hereby affirms and verifies that he is a portfolio manager with QVT Financial LP, which is the investment manager for Intervenor-Respondents QVT Fund V LP, QVT Fund IV LP and Quintessence Fund L.P.; that he has reviewed the foregoing Responses and Objections to U.S. Bank's First Interrogatory to QVT; and that he believes that, based upon matters within his personal knowledge and on information and documents that have been assembled and provided to him, the response to interrogatory therein are true and correct to the best of his knowledge.

  
Joel Wollman

Sworn to me before this  
4<sup>th</sup> day of June, 2015

  
NOTARY PUBLIC

**NICOLE TAZEWELL JEBSON**  
Notary Public, State of New York  
No. 01JE6171047  
Qualified in New York County  
Commission Expires Oct. 17, 2015

