

EXHIBIT 2

From: [David Sheeren](#)
To: [David Sheeren](#); "[John G. Moon](#)"
Cc: "[Hawthorne, Donald W.](#)"; "[dwollmuth@wmd-law.com](#)"; "[mledley@wmd-law.com](#)"; "[dpreminger@kellerrohrback.com](#)"; "[artl@rgrdlaw.com](#)"; "[susant@rgrdlaw.com](#)"; "[Spencer, Maggie H.](#)"; "[azukerbrod@wilkauslander.com](#)"; "[mmartel@jonesday.com](#)"; "[Ingber, Matthew D.](#) <[MIngber@mayerbrown.com](#)> ([MIngber@mayerbrown.com](#)); "[robert.schnell@faegrebd.com](#)"; "[jatamian@mayerbrown.com](#)"; [Robert J. Madden](#); "[jason.solomon@alston.com](#)"; "[munno@sewkis.com](#)"; "[krademacher@morganlewis.com](#)"; [Kathy Patrick](#); [Michael Rollin](#); [Maritza Braswell](#); "[gzlcs@koreintillery.com](#)"; "[Derek Loeser](#)"; "[srudman@rgrdlaw.com](#)"; "[David Ko](#)"; "[Kenneth Warner](#)"; "[Ken Warner](#)"; "[Gilman, Felix J.](#)"; "[Charles R. Jacob](#)"; "[McCauley, Ryan J.](#)"; "[Sacks, Robert A.](#)"; "[cafassod@sullcrom.com](#)"; [Robert J. Madden](#); [Kathy Patrick](#); "[kkollmeyer@jonesday.com](#)"
Subject: RE: In the matter of the application of US Bank, et al. (Index No. 652382/14)
Date: Wednesday, January 28, 2015 3:48:58 PM
Attachments: [1.28.2015 Discovery Request - QVT.pdf](#)
[1.28.2015 Discovery Request - Brevan Howard.pdf](#)
[1.28.2015 Discovery Request - Triaxx.pdf](#)
[1.28.2015 Discovery Request - Ambac.pdf](#)
[1.28.2015 Discovery Request - FHLB Boston.pdf](#)
[1.28.2015 Discovery Request - NCUAB.pdf](#)

Counsel:

Attached please find the Institutional Investors' Second Set of Discovery Requests to QVT, Brevan Howard, Triaxx, Ambac, FHLB Boston, and NCUAB, which we will also be serving by US Mail later today.

Regards,
David

David Sheeren

Gibbs & Bruns LLP

1100 Louisiana, Suite 5300
Houston, Texas 77002
713.751.5207 (o)
832.248.5784 (c)

From: David Sheeren
Sent: Tuesday, January 13, 2015 2:03 PM
To: 'John G. Moon'
Cc: 'Hawthorne, Donald W.'; 'dwollmuth@wmd-law.com'; 'mledley@wmd-law.com'; 'dpreminger@kellerrohrback.com'; 'artl@rgrdlaw.com'; 'susant@rgrdlaw.com'; 'Spencer, Maggie H.'; 'azukerbrod@wilkauslander.com'; 'mmartel@jonesday.com'; 'Ingber, Matthew D.' <[MIngber@mayerbrown.com](#)> ([MIngber@mayerbrown.com](#)); 'robert.schnell@faegrebd.com'; 'jatamian@mayerbrown.com'; [Robert J. Madden](#); 'jason.solomon@alston.com'; 'munno@sewkis.com'; 'krademacher@morganlewis.com'; [Kathy Patrick](#); 'mrollin@joneskeller.com'; 'mbraswell@joneskeller.com'; 'gzlcs@koreintillery.com'; 'Derek Loeser'; 'srudman@rgrdlaw.com'; 'David Ko'; 'Kenneth Warner'; 'Ken Warner'; 'Gilman, Felix J.'; 'Charles R. Jacob'; 'McCauley, Ryan J.'; 'Sacks, Robert A.'; 'cafassod@sullcrom.com'; David Sheeren; [Robert J. Madden](#); [Kathy Patrick](#)
Subject: RE: In the matter of the application of US Bank, et al. (Index No. 652382/14)

Counsel:

Attached please find the following documents, which we will also be serving by US Mail later today:

- The Institutional Investors' Objections and Responses to Triaxx's First Set of Interrogatories;

- The Institutional Investors' Objections and Responses to W&L Investments' First Set of Discovery Requests; and
- The Institutional Investors' Second Set of Interrogatories to W&L Investments.

Regards,
David

David Sheeren

Gibbs & Bruns LLP

1100 Louisiana, Suite 5300

Houston, Texas 77002

713.751.5207 (o)

832.248.5784 (c)

From: John G. Moon [<mailto:JMoon@mw-law.com>]

Sent: Wednesday, December 24, 2014 10:41 AM

To: David Sheeren

Cc: 'Hawthorne, Donald W.'; 'dwollmuth@wmd-law.com'; 'mledley@wmd-law.com'; 'dpreminger@kellerrohrback.com'; 'artl@rgrdlaw.com'; 'susant@rgrdlaw.com'; 'Spencer, Maggie H.'; 'azukerbrod@wilkauslander.com'; 'mmartel@jonesday.com'; 'Ingber, Matthew D. <MIingber@mayerbrown.com> (<MIingber@mayerbrown.com>); 'robert.schnell@faegrebd.com'; 'jatamian@mayerbrown.com'; Robert J. Madden; 'jason.solomon@alston.com'; 'munno@sewkis.com'; 'krademacher@morganlewis.com'; Kathy Patrick; 'mrollin@joneskeller.com'; 'mbraswell@joneskeller.com'; 'gzelcs@koreintillery.com'; 'Derek Loeser'; 'srudman@rgrdlaw.com'; 'David Ko'; 'Kenneth Warner'; 'Ken Warner'; 'Gilman, Felix J.'; Charles R. Jacob

Subject: RE: In the matter of the application of US Bank, et al. (Index No. 652382/14)

David,

Please see attached Triaxx's responses to the II's Interrogatories and Triaxx's Interrogatories to the II's.

Regards,

John

John G. Moon Partner

Miller | Wrubel

570 Lexington Avenue | New York, NY 10022

(212) 336-3507 (Direct Phone) | (212) 336-3555 (Fax)

jmoon@mw-law.com | www.mw-law.com

This message is intended only for the use of the Addressee and may contain information that is privileged and confidential. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please erase all copies of the message and its attachments and notify us immediately.

From: David Sheeren [<mailto:dsheeren@gibbsbruns.com>]
Sent: Friday, December 12, 2014 2:08 PM
To: 'Gilman, Felix J.'
Cc: 'Hawthorne, Donald W.'; 'dwollmuth@wmd-law.com'; 'mledley@wmd-law.com'; 'dpreminger@kellerrohrback.com'; 'artl@rgrdlaw.com'; 'susant@rgrdlaw.com'; 'Spencer, Maggie H.'; 'azukerbrod@wilkauslander.com'; 'mmartel@jonesday.com'; 'Ingber, Matthew D. <MIngber@mayerbrown.com> (MIngber@mayerbrown.com)'; 'robert.schnell@faegrebd.com'; 'jatamian@mayerbrown.com'; Robert J. Madden; 'jason.solomon@alston.com'; 'munno@sewkis.com'; 'krademacher@morganlewis.com'; Kathy Patrick; 'mrollin@joneskeller.com'; 'mbraswell@joneskeller.com'; 'gzlcs@koreintillery.com'; 'Derek Loeser'; John G. Moon; 'srudman@rgrdlaw.com'; 'David Ko'; 'Kenneth Warner'; 'Ken Warner'
Subject: RE: In the matter of the application of US Bank, et al. (Index No. 652382/14)

Counsel:

Please find attached the Institutional Investors' First Set of Interrogatories to the Objectors.

Thank you,
David

From: Gilman, Felix J. [<mailto:fgilman@axinn.com>]
Sent: Monday, December 08, 2014 1:30 PM
To: David Sheeren
Cc: Hawthorne, Donald W.; dwollmuth@wmd-law.com; mledley@wmd-law.com; dpreminger@kellerrohrback.com; artl@rgrdlaw.com; susant@rgrdlaw.com; Spencer, Maggie H.; azukerbrod@wilkauslander.com; mmartel@jonesday.com; Ingber, Matthew D. <MIngber@mayerbrown.com> (MIngber@mayerbrown.com); robert.schnell@faegrebd.com; jatamian@mayerbrown.com; Robert J. Madden; jason.solomon@alston.com; munno@sewkis.com; krademacher@morganlewis.com; Kathy Patrick
Subject: RE: In the matter of the application of US Bank, et al. (Index No. 652382/14)

Counsel:

Please see the attached correspondence.

From: David Sheeren [<mailto:dsheeren@gibbsbruns.com>]
Sent: Friday, November 21, 2014 6:36 PM
To: dwollmuth@wmd-law.com; mledley@wmd-law.com; dpreminger@kellerrohrback.com; artl@rgrdlaw.com; susant@rgrdlaw.com; Spencer, Maggie H.; Hawthorne, Donald W.; azukerbrod@wilkauslander.com
Cc: mmartel@jonesday.com; Ingber, Matthew D. (MIngber@mayerbrown.com); Solomon, Jason; Munno, William; robert.schnell@faegrebd.com; jatamian@mayerbrown.com; Rademacher, Kurt William; Kathy Patrick; Robert J. Madden; Ken Warner; David Sheeren
Subject: In the matter of the application of US Bank, et al. (Index No. 652382/14)

Counsel:

Please see the attached correspondence.

Thank you,
David

David Sheeren

Gibbs & Bruns LLP

1100 Louisiana, Suite 5300

Houston, Texas 77002

713.751.5207 (o)

832.248.5784 (c)

Notice: The information contained in this electronic mail and any attached documents from Axinn, Veltrop & Harkrider LLP is confidential. This email may be an attorney-client communication, and as such is privileged and confidential. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this electronic mail in error, please notify us immediately by telephone (212) 728-2200/(860) 275-8100 or by reply electronic mail to the sender.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

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

**THE INSTITUTIONAL INVESTORS’
SECOND DISCOVERY REQUESTS TO THE QVT FUNDS**

PLEASE TAKE NOTICE THAT, pursuant to Article 31 of the CPLR, QVT Fund IV LP, QVT Fund V LP, and Quintessence Fund L.P. (collectively the “QVT Funds”) are required to, within 20 days of service: (i) answer the following interrogatories fully and in writing, under oath, by serving answers thereto upon the undersigned counsel; and (ii) produce and permit the Institutional Investors,¹ through their undersigned counsel, to inspect and copy the documents and things described herein that are in the QVT Fund’s possession, custody, or control.

¹ The Institutional Investors submitting these discovery requests are: AEGON USA Investment Management, LLC, Bayerische Landesbank, BlackRock Financial Management, Inc., Cascade Investment, LLC, the Federal Home Loan Bank of Atlanta, the Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), Goldman Sachs Asset Management L.P., Voya Investment Management LLC (f/k/a ING Investment Management LLC), Invesco Advisers, Inc., Kore Advisors, L.P., Landesbank Baden-Wuerttemberg, Metropolitan Life Insurance Company, Pacific Investment Management Company LLC, Sealink Funding Limited, Teachers Insurance and Annuity Association of America, The Prudential Insurance Company of America, the TCW Group, Inc., Thrivent Financial for Lutherans, and Western Asset Management Company.

DEFINITIONS & INSTRUCTIONS

1. “You” and “Your” mean and refer to QVT Funds, and each of its successors and assigns, including each of their officers, employees, agents, attorneys, managers and/or any person or entity acting on their behalf.

2. The terms “Settlement,” “Settlement Agreement,” “Governing Agreements,” “Trustees,” and “Accepting Trusts” have the meanings assigned to them in the Trustees’ First Amended Petition [Doc. No. 57].

3. The term “Acceptance Date” means and refers to the date on which the Trustee for any Accepting Trust in which you hold certificates accepted the Settlement on behalf of the Accepting Trust.

4. The term “QVT Funds Objections” means and refers to each of the specific objections to the Settlement made by you, as described in The QVT Funds’ Memorandum of Law in Support of Their Motion to Intervene [Doc. No. 88], including attachments and exhibits.

5. The term “Identify” means: (i) with respect to a document, the date, author, recipient, and subject matter of the document; (ii) with respect to an individual person, the full name and employer of the person; and (iii) with respect to an entity, the full name of the entity, and its role in connection with the Settlement and this proceeding.

6. Your answers to the interrogatories must be in writing under oath by an officer, director, member, agent or employee of the QVT Funds, pursuant to CPLR § 3133(b).

7. In responding to the requests for production, set forth the language of each request immediately prior to Your response to that request and identify by Bates number the documents responsive to each request.

8. Documents shall be produced as they are kept in the usual course of business or the documents shall be organized and labeled to correspond to the categories in these requests. In the case of documents that were already produced pursuant to federal, state, local government, or administrative requests, investigations, or subpoenas, those documents should be produced in the same manner as they were previously produced by You.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Documents attached to each other in their original form should not be separated when produced. Any attachments to email messages should be produced with, and linked to, the attaching email.

11. If You are unable to respond fully to any document request, respond to the extent possible, and specify the reasons for Your inability to respond in full and describe to the best of Your knowledge, information and belief, and with as much particularity as possible, those portions of the document that are not being produced.

12. When an objection is made to any request, the objection shall state with specificity all corresponding grounds.

13. If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, You must clearly indicate the portions as to which the privilege is claimed in accordance with the procedure outlined above.

14. All documents shall be Bates stamped and include the following metadata (to the extent applicable):

- a. Document Date:
- b. Document Created Date:
- c. Document Modified Dates:
- d. Time Sent:
- e. To:
- f. From:
- g. Cc:
- h. Bcc:
- i. Subject
- j. Filename
- k. Doctype
- l. Beg Bates
- m. End Bates

15. All spreadsheets, including, without limitation, documents produced using Microsoft Excel, shall be produced in native format.

16. Documents not otherwise responsive to these requests shall be produced if such documents mention, discuss, refer to, or explain the documents that are called for by these requests, or if such documents are attached to documents called for by the requests and constitute routing slips, transmittal memoranda or letters, comments, evaluations or similar materials.

INTERROGATORIES

Interrogatory No. 1

Please state whether, before the Acceptance Date, you informed any Trustee for any Accepting Trust in which you hold certificates, of any of the QVT Funds Objections, in whole or in part. If Your answer to this Interrogatory is “yes,” please Identify:

- (i) the specifics of each objection raised by You;
- (ii) the information communicated to the Trustee by You in connection with each objection;
- (iii) any documents or writings provided to the Trustee by You in connection with each objection and/or to communicate Your objection;
- (iv) the Trustee with whom you communicated, including the representative, counsel, expert, and/or employee of the Trustee with whom you communicated;
- (v) the date or dates on which You communicated with the Trustee regarding each objection, and whether the communications were oral, written, or both; and
- (vi) the person(s) who communicated Your objections to the Trustee on Your behalf on each of the above dates.

Interrogatory No. 2

If Your answer to Interrogatory No. 1 is “no,” in whole or in part, please state separately for each such QVT Funds Objection the reason why You did not communicate with the Trustee regarding such objection before the Acceptance Date.

REQUESTS FOR PRODUCTION

Request for Production No. 1

Please produce all communications with, and documents provided to, any Trustee for any Trust in which You hold certificates, regarding any communication described by Interrogatory No. 1.

Request for Production No. 2

Please produce all communications with, and documents provided to, any Trustee for any Trust in which you hold certificates, relating to Your statement, set forth in The QVT Funds’ Memorandum of Law in Support of Their Motion to Intervene [Doc. No. 88] at page 6, that “the QVT Funds exercised their right under the PSA to direct U.S. Bank, as Trustee for JPMAC 2006-WMC1, to reject the proposed settlement.”

Dated: New York, New York
January 28, 2015

WARNER PARTNERS, P.C.

By: /s/ Kenneth E. Warner
Kenneth E. Warner
950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

GIBBS & BRUNS LLP
Kathy D. Patrick (*pro hac vice*)
Robert J. Madden (*pro hac vice*)
David Sheeren (*pro hac vice*)
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

*Attorneys for Intervenor-Petitioners, the Institutional
Investors*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of THE INSTITUTIONAL INVESTORS' SECOND DISCOVERY REQUESTS TO THE QVT FUNDS was e-mailed and delivered via U.S. Mail to Counsel of Record for all Objectors on this the 28th day of January, 2015.

/s/ David Sheeren
David Sheeren

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

**THE INSTITUTIONAL INVESTORS’
SECOND DISCOVERY REQUESTS TO BREVAN HOWARD**

PLEASE TAKE NOTICE THAT, pursuant to Article 31 of the CPLR, Brevan Howard Credit Catalysts Master Fund Limited and Brevan Howard Credit Value Master Fund Limited (collectively “Brevan Howard”) are required to, within 20 days of service: (i) answer the following interrogatories fully and in writing, under oath, by serving answers thereto upon the undersigned counsel; and (ii) produce and permit the Institutional Investors,¹ through their undersigned counsel, to inspect and copy the documents and things described herein that are in Brevan Howard’s possession, custody, or control.

¹ The Institutional Investors submitting these discovery requests are: AEGON USA Investment Management, LLC, Bayerische Landesbank, BlackRock Financial Management, Inc., Cascade Investment, LLC, the Federal Home Loan Bank of Atlanta, the Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), Goldman Sachs Asset Management L.P., Voya Investment Management LLC (f/k/a ING Investment Management LLC), Invesco Advisers, Inc., Kore Advisors, L.P., Landesbank Baden-Wuerttemberg, Metropolitan Life Insurance Company, Pacific Investment Management Company LLC, Sealink Funding Limited, Teachers Insurance and Annuity Association of America, The Prudential Insurance Company of America, the TCW Group, Inc., Thrivent Financial for Lutherans, and Western Asset Management Company.

DEFINITIONS & INSTRUCTIONS

1. “You” and “Your” mean and refer to Brevan Howard, and each of its successors and assigns, including each of their officers, employees, agents, attorneys, managers and/or any person or entity acting on their behalf.

2. The terms “Settlement,” “Settlement Agreement,” “Governing Agreements,” “Trustees,” and “Accepting Trusts” have the meanings assigned to them in the Trustees’ First Amended Petition [Doc. No. 57].

3. The term “Acceptance Date” means and refers to the date on which the Trustee for any Accepting Trust in which you hold certificates accepted the Settlement on behalf of the Accepting Trust.

4. The term “Brevan Howard Objections” means and refers to each of the specific objections to the Settlement made by you, as described in Brevan Howard’s Statement of Objection to Proposed Settlement and to the Trustees’ Petition [Doc. No. 100], including attachments and exhibits.

5. The term “Identify” means: (i) with respect to a document, the date, author, recipient, and subject matter of the document; (ii) with respect to an individual person, the full name and employer of the person; and (iii) with respect to an entity, the full name of the entity, and its role in connection with the Settlement and this proceeding.

6. Your answers to the interrogatories must be in writing under oath by an officer, director, member, agent or employee of Brevan Howard, pursuant to CPLR § 3133(b).

7. In responding to the requests for production, set forth the language of each request immediately prior to Your response to that request and identify by Bates number the documents responsive to each request.

8. Documents shall be produced as they are kept in the usual course of business or the documents shall be organized and labeled to correspond to the categories in these requests. In the case of documents that were already produced pursuant to federal, state, local government, or administrative requests, investigations, or subpoenas, those documents should be produced in the same manner as they were previously produced by You.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Documents attached to each other in their original form should not be separated when produced. Any attachments to email messages should be produced with, and linked to, the attaching email.

11. If You are unable to respond fully to any document request, respond to the extent possible, and specify the reasons for Your inability to respond in full and describe to the best of Your knowledge, information and belief, and with as much particularity as possible, those portions of the document that are not being produced.

12. When an objection is made to any request, the objection shall state with specificity all corresponding grounds.

13. If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the

privileged material. If a privilege is asserted with regard to part of the material contained in a document, You must clearly indicate the portions as to which the privilege is claimed in accordance with the procedure outlined above.

14. All documents shall be Bates stamped and include the following metadata (to the extent applicable):

- a. Document Date:
- b. Document Created Date:
- c. Document Modified Dates:
- d. Time Sent:
- e. To:
- f. From:
- g. Cc:
- h. Bcc:
- i. Subject
- j. Filename
- k. Doctype
- l. Beg Bates
- m. End Bates

15. All spreadsheets, including, without limitation, documents produced using Microsoft Excel, shall be produced in native format.

16. Documents not otherwise responsive to these requests shall be produced if such documents mention, discuss, refer to, or explain the documents that are called for by these requests, or if such documents are attached to documents called for by the requests and constitute routing slips, transmittal memoranda or letters, comments, evaluations or similar materials.

INTERROGATORIES

Interrogatory No. 1

Please state whether, before the Acceptance Date, you informed any Trustee for any Accepting Trust in which you hold certificates, of any of the Brevan Howard Objections, in whole or in part. If Your answer to this Interrogatory is “yes,” please Identify:

- (i) the specifics of each objection raised by You;
- (ii) the information communicated to the Trustee by You in connection with each objection;
- (iii) any documents or writings provided to the Trustee by You in connection with each objection and/or to communicate Your objection;
- (iv) the Trustee with whom you communicated, including the representative, counsel, expert, and/or employee of the Trustee with whom you communicated;
- (v) the date or dates on which You communicated with the Trustee regarding each objection, and whether the communications were oral, written, or both; and
- (vi) the person(s) who communicated Your objections to the Trustee on Your behalf on each of the above dates.

Interrogatory No. 2

If Your answer to Interrogatory No. 1 is “no,” in whole or in part, please state separately for each such Brevan Howard Objection the reason why You did not communicate with the Trustee regarding said objection before the Acceptance Date.

REQUESTS FOR PRODUCTION

Please produce all communications with, and documents provided to, any Trustee for any Trust in which you hold certificates, regarding any communication described by Interrogatory No. 1.

* * *

Dated: New York, New York
January 28, 2015

WARNER PARTNERS, P.C.

By: /s/ Kenneth E. Warner
Kenneth E. Warner
950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

GIBBS & BRUNS LLP
Kathy D. Patrick (*pro hac vice*)
Robert J. Madden (*pro hac vice*)
David Sheeren (*pro hac vice*)
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

*Attorneys for Intervenor-Petitioners, the Institutional
Investors*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of THE INSTITUTIONAL INVESTORS' SECOND DISCOVERY REQUESTS TO BREVAN HOWARD was e-mailed and delivered via U.S. Mail to Counsel of Record for all Objectors on this the 28th day of January, 2015.

/s/ David Sheeren
David Sheeren

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

**THE INSTITUTIONAL INVESTORS’
SECOND DISCOVERY REQUESTS TO AMBAC**

PLEASE TAKE NOTICE THAT, pursuant to Article 31 of the CPLR, Ambac Assurance Corporation and the Segregated Account of Ambac Assurance Corporation (collectively “Ambac”) are required to, within 20 days of service: (i) answer the following interrogatories fully and in writing, under oath, by serving answers thereto upon the undersigned counsel; and (ii) produce and permit the Institutional Investors,¹ through their undersigned counsel, to inspect and copy the documents and things described herein that are in Triaxx’s possession, custody, or control.

¹ The Institutional Investors submitting these discovery requests are: AEGON USA Investment Management, LLC, Bayerische Landesbank, BlackRock Financial Management, Inc., Cascade Investment, LLC, the Federal Home Loan Bank of Atlanta, the Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), Goldman Sachs Asset Management L.P., Voya Investment Management LLC (f/k/a ING Investment Management LLC), Invesco Advisers, Inc., Kore Advisors, L.P., Landesbank Baden-Wuerttemberg, Metropolitan Life Insurance Company, Pacific Investment Management Company LLC, Sealink Funding Limited, Teachers Insurance and Annuity Association of America, The Prudential Insurance Company of America, the TCW Group, Inc., Thrivent Financial for Lutherans, and Western Asset Management Company.

DEFINITIONS & INSTRUCTIONS

1. “You” and “Your” mean and refer to Ambac, and each of its successors and assigns, including each of their officers, employees, agents, attorneys, and/or any person or entity acting on their behalf.

2. The terms “Settlement,” “Settlement Agreement,” “Governing Agreements,” “Trustees,” and “Accepting Trusts” have the meanings assigned to them in the Trustees’ First Amended Petition [Doc. No. 57].

3. The term “Ambac Insured Trust” has the meaning assigned to it in Ambac’s Statement of Grounds for Objection [Doc. No. 147].

4. The term “Acceptance Date” means and refers to the date on which the Trustee for any Ambac Insured Trust accepted the Settlement on behalf of the Ambac Insured Trust.

5. The term “Ambac Objections” means and refers to each of the specific objections to the Settlement made by you, as described in Ambac’s Statement of Grounds for Objection [Doc. No. 147], including attachments and exhibits.

6. The term “Identify” means: (i) with respect to a document, the date, author, recipient, and subject matter of the document; (ii) with respect to an individual person, the full name and employer of the person; and (iii) with respect to an entity, the full name of the entity, and its role in connection with the Settlement and this proceeding.

7. Your answers to the interrogatories must be in writing under oath by an officer, director, member, agent or employee of Ambac, pursuant to CPLR § 3133(b).

8. In responding to the requests for production, set forth the language of each request immediately prior to Your response to that request and identify by Bates number the documents responsive to each request.

9. Documents shall be produced as they are kept in the usual course of business or the documents shall be organized and labeled to correspond to the categories in these requests. In the case of documents that were already produced pursuant to federal, state, local government, or administrative requests, investigations, or subpoenas, those documents should be produced in the same manner as they were previously produced by You.

10. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

11. Documents attached to each other in their original form should not be separated when produced. Any attachments to email messages should be produced with, and linked to, the attaching email.

12. If You are unable to respond fully to any document request, respond to the extent possible, and specify the reasons for Your inability to respond in full and describe to the best of Your knowledge, information and belief, and with as much particularity as possible, those portions of the document that are not being produced.

13. When an objection is made to any request, the objection shall state with specificity all corresponding grounds.

14. If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, You must clearly indicate the portions as to which the privilege is claimed in accordance with the procedure outlined above.

15. All documents shall be Bates stamped and include the following metadata (to the extent applicable):

- a. Document Date:
- b. Document Created Date:
- c. Document Modified Dates:
- d. Time Sent:
- e. To:
- f. From:
- g. Cc:
- h. Bcc:
- i. Subject
- j. Filename
- k. Doctype
- l. Beg Bates
- m. End Bates

16. All spreadsheets, including, without limitation, documents produced using Microsoft Excel, shall be produced in native format.

17. Documents not otherwise responsive to these requests shall be produced if such documents mention, discuss, refer to, or explain the documents that are called for by these requests, or if such documents are attached to documents called for by the requests and constitute routing slips, transmittal memoranda or letters, comments, evaluations or similar materials.

INTERROGATORIES

Interrogatory No. 1

Please state whether, before the Acceptance Date, you informed any Trustee for any Ambac Insured Trusts, of any of the Ambac Objections, in whole or in part. If Your answer to this Interrogatory is “yes,” please Identify:

- (i) the specifics of each objection raised by You;
- (ii) the information communicated to the Trustee by You in connection with each objection;
- (iii) any documents or writings provided to the Trustee by You in connection with each objection and/or to communicate Your objection;
- (iv) the Trustee with whom you communicated, including the representative, counsel, expert, and/or employee of the Trustee with whom you communicated;
- (v) the date or dates on which You communicated with the Trustee regarding each objection, and whether the communications were oral, written, or both; and
- (vi) the person(s) who communicated Your objections to the Trustee on Your behalf on each of the above dates.

Interrogatory No. 2

If Your answer to Interrogatory No. 1 is “no,” in whole or in part, please state separately for each such Ambac Objection the reason why You did not communicate with the Trustee regarding such objection before the Acceptance Date.

Interrogatory No. 3

Please state whether, before the Acceptance Date, you:

- (i) requested or directed any Trustee for any Ambac Insured Trusts to file suit to enforce any claim released by the Settlement Agreement; and/or
- (ii) offered to indemnify the Trustee for any Ambac Insured Trusts for, or otherwise pay, the costs and expenses associated with filing suit to enforce any claim released by the Settlement Agreement

Interrogatory No. 4

If Your answer to Interrogatory No. 3 is “yes,” in whole or in part, please Identify:

- (i) the specifics of each such request, direction, offer of indemnity, or payment of costs made by You;
- (ii) any documents or writings provided to the Trustee by You in connection therewith;
- (iii) the Identity of the Trustee with whom you communicated, including the representative, counsel, expert, and/or employee of the Trustee with whom you communicated;
- (iv) the date or dates on which you communicated with the Trustee, whether the communications were oral, written, or both; and
- (v) the person(s) who communicated with the Trustee on Your behalf.

REQUESTS FOR PRODUCTION

Request for Production No. 1

Please produce all communications with, and documents provided to, any Trustee for Ambac Insured Trust, regarding any communication described by Interrogatory No. 1.

Request for Production No. 2

Please produce all communications with, and documents provided to, any Trustee for Ambac Insured Trust, regarding any communication described by Interrogatory No. 3 or Interrogatory No. 4.

* * *

Dated: New York, New York
January 28, 2015

WARNER PARTNERS, P.C.

By: /s/ Kenneth E. Warner
Kenneth E. Warner
950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

GIBBS & BRUNS LLP
Kathy D. Patrick (*pro hac vice*)
Robert J. Madden (*pro hac vice*)
David Sheeren (*pro hac vice*)
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

*Attorneys for Intervenor-Petitioners, the Institutional
Investors*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of THE INSTITUTIONAL INVESTORS' SECOND DISCOVERY REQUESTS TO AMBAC was e-mailed and delivered via U.S. Mail to Counsel of Record for all Objectors on this the 28th day of January, 2015.

/s/ David Sheeren
David Sheeren

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

**THE INSTITUTIONAL INVESTORS’
SECOND DISCOVERY REQUESTS TO TRIAXX**

PLEASE TAKE NOTICE THAT, pursuant to Article 31 of the CPLR, Triaxx Prime CDO 2006-1, Ltd., Triaxx Prime CDO 2006-2, Ltd., and Triaxx Prime CDO 2007-1, Ltd. (collectively “Triaxx”) are required to, within 20 days of service: (i) answer the following interrogatories fully and in writing, under oath, by serving answers thereto upon the undersigned counsel; and (ii) produce and permit the Institutional Investors,¹ through their undersigned counsel, to inspect and copy the documents and things described herein that are in Triaxx’s possession, custody, or control.

¹ The Institutional Investors submitting these discovery requests are: AEGON USA Investment Management, LLC, Bayerische Landesbank, BlackRock Financial Management, Inc., Cascade Investment, LLC, the Federal Home Loan Bank of Atlanta, the Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), Goldman Sachs Asset Management L.P., Voya Investment Management LLC (f/k/a ING Investment Management LLC), Invesco Advisers, Inc., Kore Advisors, L.P., Landesbank Baden-Wuerttemberg, Metropolitan Life Insurance Company, Pacific Investment Management Company LLC, Sealink Funding Limited, Teachers Insurance and Annuity Association of America, The Prudential Insurance Company of America, the TCW Group, Inc., Thrivent Financial for Lutherans, and Western Asset Management Company.

DEFINITIONS & INSTRUCTIONS

1. “You” and “Your” mean and refer to Triaxx, and each of its successors and assigns, including each of their officers, employees, agents, attorneys; managers and/or any person or entity acting on their behalf.

2. The terms “Settlement,” “Settlement Agreement,” “Governing Agreements,” “Trustees,” and “Accepting Trusts” have the meanings assigned to them in the Trustees’ First Amended Petition [Doc. No. 57].

3. The term “Acceptance Date” means and refers to the date on which the Trustee for any Accepting Trust in which you hold certificates accepted the Settlement on behalf of the Accepting Trust.

4. The term “Triaxx Objections” means and refers to each of the specific objections to the Settlement made by you, as described in Triaxx’s Memorandum of Law in Support of Its Objection to Petitioners’ Application Seeking Judicial Approval of Proposed [Doc. No. 151], including attachments and exhibits.

5. The term “Identify” means: (i) with respect to a document, the date, author, recipient, and subject matter of the document; (ii) with respect to an individual person, the full name and employer of the person; and (iii) with respect to an entity, the full name of the entity, and its role in connection with the Settlement and this proceeding.

6. Your answers to the interrogatories must be in writing under oath by an officer, director, member, agent or employee of Triaxx, pursuant to CPLR § 3133(b).

7. In responding to the requests for production, set forth the language of each request immediately prior to Your response to that request and identify by Bates number the documents responsive to each request.

8. Documents shall be produced as they are kept in the usual course of business or the documents shall be organized and labeled to correspond to the categories in these requests. In the case of documents that were already produced pursuant to federal, state, local government, or administrative requests, investigations, or subpoenas, those documents should be produced in the same manner as they were previously produced by You.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Documents attached to each other in their original form should not be separated when produced. Any attachments to email messages should be produced with, and linked to, the attaching email.

11. If You are unable to respond fully to any document request, respond to the extent possible, and specify the reasons for Your inability to respond in full and describe to the best of Your knowledge, information and belief, and with as much particularity as possible, those portions of the document that are not being produced.

12. When an objection is made to any request, the objection shall state with specificity all corresponding grounds.

13. If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, You must clearly indicate the portions as to which the privilege is claimed in accordance with the procedure outlined above.

14. All documents shall be Bates stamped and include the following metadata (to the extent applicable):

- a. Document Date:
- b. Document Created Date:
- c. Document Modified Dates:
- d. Time Sent:
- e. To:
- f. From:
- g. Cc:
- h. Bcc:
- i. Subject
- j. Filename
- k. Doctype
- l. Beg Bates
- m. End Bates

15. All spreadsheets, including, without limitation, documents produced using Microsoft Excel, shall be produced in native format.

16. Documents not otherwise responsive to these requests shall be produced if such documents mention, discuss, refer to, or explain the documents that are called for by these requests, or if such documents are attached to documents called for by the requests and constitute routing slips, transmittal memoranda or letters, comments, evaluations or similar materials.

INTERROGATORIES

Interrogatory No. 1

Please state whether, before the Acceptance Date, you informed any Trustee for any Accepting Trust in which you hold certificates, of any of the Triaxx Objections, in whole or in part. If Your answer to this Interrogatory is “yes,” please Identify:

- (i) the specifics of each objection raised by You;
- (ii) the information communicated to the Trustee by You in connection with each objection;
- (iii) any documents or writings provided to the Trustee by You in connection with each objection and/or to communicate Your objection;
- (iv) the Trustee with whom you communicated, including the representative, counsel, expert, and/or employee of the Trustee with whom you communicated;
- (v) the date or dates on which You communicated with the Trustee regarding each objection, and whether the communications were oral, written, or both; and
- (vi) the person(s) who communicated Your objections to the Trustee on Your behalf on each of the above dates.

Interrogatory No. 2

If Your answer to Interrogatory No. 1 is “no,” in whole or in part, please state separately for each such Triaxx Objection the reason why You did not communicate with the Trustee regarding said objection before the Acceptance Date.

REQUEST FOR PRODUCTION

Please produce all communications with, and documents provided to, any Trustee for any Trust in which You hold certificates, regarding any communication described by Interrogatory No. 1.

* * *

Dated: New York, New York
January 28, 2015

WARNER PARTNERS, P.C.

By: /s/ Kenneth E. Warner
Kenneth E. Warner
950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

GIBBS & BRUNS LLP
Kathy D. Patrick (*pro hac vice*)
Robert J. Madden (*pro hac vice*)
David Sheeren (*pro hac vice*)
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

*Attorneys for Intervenor-Petitioners, the Institutional
Investors*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of THE INSTITUTIONAL INVESTORS' SECOND DISCOVERY REQUESTS TO TRIAXX was e-mailed and delivered via U.S. Mail to Counsel of Record for all Objectors on this the 28th day of January, 2015.

/s/ David Sheeren
David Sheeren

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

**THE INSTITUTIONAL INVESTORS’
SECOND DISCOVERY REQUESTS TO FHLB BOSTON**

PLEASE TAKE NOTICE THAT, pursuant to Article 31 of the CPLR, the Federal Home Loan Bank of Boston (“FHLB Boston”) is required to, within 20 days of service: (i) answer the following interrogatories fully and in writing, under oath, by serving answers thereto upon the undersigned counsel; and (ii) produce and permit the Institutional Investors,¹ through their undersigned counsel, to inspect and copy the documents and things described herein that are in FHLB Boston’s possession, custody, or control.

¹ The Institutional Investors submitting these discovery requests are: AEGON USA Investment Management, LLC, Bayerische Landesbank, BlackRock Financial Management, Inc., Cascade Investment, LLC, the Federal Home Loan Bank of Atlanta, the Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), Goldman Sachs Asset Management L.P., Voya Investment Management LLC (f/k/a ING Investment Management LLC), Invesco Advisers, Inc., Kore Advisors, L.P., Landesbank Baden-Wuerttemberg, Metropolitan Life Insurance Company, Pacific Investment Management Company LLC, Sealink Funding Limited, Teachers Insurance and Annuity Association of America, The Prudential Insurance Company of America, the TCW Group, Inc., Thrivent Financial for Lutherans, and Western Asset Management Company.

DEFINITIONS & INSTRUCTIONS

1. “You” and “Your” mean and refer to FHLB Boston, and each of its successors and assigns, including each of their officers, employees, agents, attorneys; managers and/or any person or entity acting on their behalf.

2. The terms “Settlement,” “Settlement Agreement,” “Governing Agreements,” “Trustees,” and “Accepting Trusts” have the meanings assigned to them in the Trustees’ First Amended Petition [Doc. No. 57].

3. The term “Acceptance Date” means and refers to the date on which the Trustee for any Accepting Trust in which you hold certificates accepted the Settlement on behalf of the Accepting Trust.

4. The term “FHLB Boston Objections” means and refers to each of the specific objections to the Settlement made by you, as described in FHLB Boston’s Notice of Preliminary Objection and Memorandum of Law in Support [Doc. No. 108], including attachments and exhibits.

5. The term “Identify” means: (i) with respect to a document, the date, author, recipient, and subject matter of the document; (ii) with respect to an individual person, the full name and employer of the person; and (iii) with respect to an entity, the full name of the entity, and its role in connection with the Settlement and this proceeding.

6. Your answers to the interrogatories must be in writing under oath by an officer, director, member, agent or employee of FHLB Boston, pursuant to CPLR § 3133(b).

7. In responding to the requests for production, set forth the language of each request immediately prior to Your response to that request and identify by Bates number the documents responsive to each request.

8. Documents shall be produced as they are kept in the usual course of business or the documents shall be organized and labeled to correspond to the categories in these requests. In the case of documents that were already produced pursuant to federal, state, local government, or administrative requests, investigations, or subpoenas, those documents should be produced in the same manner as they were previously produced by You.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Documents attached to each other in their original form should not be separated when produced. Any attachments to email messages should be produced with, and linked to, the attaching email.

11. If You are unable to respond fully to any document request, respond to the extent possible, and specify the reasons for Your inability to respond in full and describe to the best of Your knowledge, information and belief, and with as much particularity as possible, those portions of the document that are not being produced.

12. When an objection is made to any request, the objection shall state with specificity all corresponding grounds.

13. If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, You must clearly indicate the portions as to which the privilege is claimed in accordance with the procedure outlined above.

14. All documents shall be Bates stamped and include the following metadata (to the extent applicable):

- a. Document Date:
- b. Document Created Date:
- c. Document Modified Dates:
- d. Time Sent:
- e. To:
- f. From:
- g. Cc:
- h. Bcc:
- i. Subject
- j. Filename
- k. Doctype
- l. Beg Bates
- m. End Bates

15. All spreadsheets, including, without limitation, documents produced using Microsoft Excel, shall be produced in native format.

16. Documents not otherwise responsive to these requests shall be produced if such documents mention, discuss, refer to, or explain the documents that are called for by these requests, or if such documents are attached to documents called for by the requests and constitute routing slips, transmittal memoranda or letters, comments, evaluations or similar materials.

INTERROGATORIES

Interrogatory No. 1

Please state whether, before the Acceptance Date, you informed any Trustee for any Accepting Trust in which you hold certificates, of any of the FHLB Boston Objections, in whole or in part. If Your answer to this Interrogatory is “yes,” please Identify:

- (i) the specifics of each objection raised by You;
- (ii) the information communicated to the Trustee by You in connection with each objection;
- (iii) any documents or writings provided to the Trustee by You in connection with each objection and/or to communicate Your objection;
- (iv) the Trustee with whom you communicated, including the representative, counsel, expert, and/or employee of the Trustee with whom you communicated;
- (v) the date or dates on which You communicated with the Trustee regarding each objection, and whether the communications were oral, written, or both; and
- (vi) the person(s) who communicated Your objections to the Trustee on Your behalf on each of the above dates.

Interrogatory No. 2

If Your answer to Interrogatory No. 1 is “no,” in whole or in part, please state separately for each such FHLB Boston Objection the reason why You did not communicate with the Trustee regarding said objection before the Acceptance Date.

REQUESTS FOR PRODUCTION

Please produce all communications with, and documents provided to, any Trustee for any Trust in which You hold certificates, regarding any communication described by Interrogatory No. 1.

* * *

Dated: New York, New York
January 28, 2015

WARNER PARTNERS, P.C.

By: /s/ Kenneth E. Warner
Kenneth E. Warner
950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

GIBBS & BRUNS LLP
Kathy D. Patrick (*pro hac vice*)
Robert J. Madden (*pro hac vice*)
David Sheeren (*pro hac vice*)
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

*Attorneys for Intervenor-Petitioners, the Institutional
Investors*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of THE INSTITUTIONAL INVESTORS' SECOND DISCOVERY REQUESTS TO FHLB BOSTON was e-mailed and delivered via U.S. Mail to Counsel of Record for all Objectors on this the 28th day of January, 2015.

/s/ David Sheeren
David Sheeren

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

**THE INSTITUTIONAL INVESTORS' SECOND DISCOVERY REQUESTS
TO THE NATIONAL CREDIT UNION ADMINISTRATION BOARD**

PLEASE TAKE NOTICE THAT, pursuant to Article 31 of the CPLR, the National Credit Union Administration Board (“NCUAB”) is required to, within 20 days of service: (i) answer the following interrogatories fully and in writing, under oath, by serving answers thereto upon the undersigned counsel; and (ii) produce and permit the Institutional Investors,¹ through their undersigned counsel, to inspect and copy the documents and things described herein that are in NCUAB’s possession, custody, or control.

¹ The Institutional Investors submitting these discovery requests are: AEGON USA Investment Management, LLC, Bayerische Landesbank, BlackRock Financial Management, Inc., Cascade Investment, LLC, the Federal Home Loan Bank of Atlanta, the Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), Goldman Sachs Asset Management L.P., Voya Investment Management LLC (f/k/a ING Investment Management LLC), Invesco Advisers, Inc., Kore Advisors, L.P., Landesbank Baden-Wuerttemberg, Metropolitan Life Insurance Company, Pacific Investment Management Company LLC, Sealink Funding Limited, Teachers Insurance and Annuity Association of America, The Prudential Insurance Company of America, the TCW Group, Inc., Thrivent Financial for Lutherans, and Western Asset Management Company.

DEFINITIONS & INSTRUCTIONS

1. “You” and “Your” mean and refer to NCUAB, and each of its successors and assigns, including each of their officers, employees, agents, attorneys; managers and/or any person or entity acting on their behalf.

2. The terms “Settlement,” “Settlement Agreement,” “Governing Agreements,” “Trustees,” and “Accepting Trusts” have the meanings assigned to them in the Trustees’ First Amended Petition [Doc. No. 57].

3. The term “Acceptance Date” means and refers to the date on which the Trustee for any Accepting Trust in which you hold certificates accepted the Settlement on behalf of the Accepting Trust.

4. The term “NCUAB Objections” means and refers to each of the specific objections to the Settlement made by you, as described in the Notice of the National Credit Union Administration Board as Liquidating Agent of Intent to Appear and Object to the Proposed Settlement [Doc. No. 121], including attachments and exhibits.

5. The term “Identify” means: (i) with respect to a document, the date, author, recipient, and subject matter of the document; (ii) with respect to an individual person, the full name and employer of the person; and (iii) with respect to an entity, the full name of the entity, and its role in connection with the Settlement and this proceeding.

6. Your answers to the interrogatories must be in writing under oath by an officer, director, member, agent or employee of NCUAB, pursuant to CPLR § 3133(b).

7. In responding to the requests for production, set forth the language of each request immediately prior to Your response to that request and identify by Bates number the documents responsive to each request.

8. Documents shall be produced as they are kept in the usual course of business or the documents shall be organized and labeled to correspond to the categories in these requests. In the case of documents that were already produced pursuant to federal, state, local government, or administrative requests, investigations, or subpoenas, those documents should be produced in the same manner as they were previously produced by You.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Documents attached to each other in their original form should not be separated when produced. Any attachments to email messages should be produced with, and linked to, the attaching email.

11. If You are unable to respond fully to any document request, respond to the extent possible, and specify the reasons for Your inability to respond in full and describe to the best of Your knowledge, information and belief, and with as much particularity as possible, those portions of the document that are not being produced.

12. When an objection is made to any request, the objection shall state with specificity all corresponding grounds.

13. If a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, You must clearly indicate the portions as to which the privilege is claimed in accordance with the procedure outlined above.

14. All documents shall be Bates stamped and include the following metadata (to the extent applicable):

- a. Document Date:
- b. Document Created Date:
- c. Document Modified Dates:
- d. Time Sent:
- e. To:
- f. From:
- g. Cc:
- h. Bcc:
- i. Subject
- j. Filename
- k. Doctype
- l. Beg Bates
- m. End Bates

15. All spreadsheets, including, without limitation, documents produced using Microsoft Excel, shall be produced in native format.

16. Documents not otherwise responsive to these requests shall be produced if such documents mention, discuss, refer to, or explain the documents that are called for by these requests, or if such documents are attached to documents called for by the requests and constitute routing slips, transmittal memoranda or letters, comments, evaluations or similar materials.

INTERROGATORIES

Interrogatory No. 1

Please state whether, before the Acceptance Date, you informed any Trustee for any Accepting Trust in which you hold certificates, of any of the NCUAB Objections, in whole or in part. If Your answer to this Interrogatory is “yes,” please Identify:

- (i) the specifics of each objection raised by You;
- (ii) the information communicated to the Trustee by You in connection with each objection;
- (iii) any documents or writings provided to the Trustee by You in connection with each objection and/or to communicate Your objection;
- (iv) the Trustee with whom you communicated, including the representative, counsel, expert, and/or employee of the Trustee with whom you communicated;
- (v) the date or dates on which You communicated with the Trustee regarding each objection, and whether the communications were oral, written, or both; and
- (vi) the person(s) who communicated Your objections to the Trustee on Your behalf on each of the above dates.

Interrogatory No. 2

If Your answer to Interrogatory No. 1 is “no,” in whole or in part, please state separately for each such NCUAB Objection the reason why You did not communicate with the Trustee regarding each objection before the Acceptance Date.

REQUESTS FOR PRODUCTION

Please produce all communications with, and documents provided to, any Trustee for any Trust in which You hold certificates, regarding any communication described by Interrogatory No. 1.

* * *

Dated: New York, New York
January 28, 2015

WARNER PARTNERS, P.C.

By: /s/ Kenneth E. Warner
Kenneth E. Warner
950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

GIBBS & BRUNS LLP
Kathy D. Patrick (*pro hac vice*)
Robert J. Madden (*pro hac vice*)
David Sheeren (*pro hac vice*)
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

*Attorneys for Intervenor-Petitioners, the Institutional
Investors*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of THE INSTITUTIONAL INVESTORS' SECOND DISCOVERY REQUESTS TO THE NATIONAL CREDIT UNION ADMINISTRATION BOARD was e-mailed and delivered via U.S. Mail to Counsel of Record for all Objectors on this the 28th day of January, 2015.

/s/ David Sheeren
David Sheeren