

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

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 AS LIQUIDATING AGENT (intervenor), and AMBAC ASSURANCE CORPORATION, AND THE SEGREGATED ACCOUNT OF AMBAC ASSURANCE CORPORATION (intervenor),

Respondents,

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

Index No. 652382/2014

Part 60

Marcy S. Friedman, J.S.C.

**NOTICE AND
STIPULATION OF
WITHDRAWAL**

PLEASE TAKE NOTICE that the QVT Fund V L.P., QVT Fund IV L.P., and Quintessence Fund L.P. (collectively, the “QVT Funds”), by and through their undersigned counsel, state as follows:

1. On October 31, 2014, the QVT Funds filed papers, NYSCEF Doc. No. 87, *et seq.*, seeking leave to appear and stating its objection to the settlement that is the subject of this proceeding (the “QVT Objection”).

2. On September 4, 2015, the QVT Funds filed its motion for partial summary judgment, NYSCEF Doc. No. 492, *et seq.* (the “QVT Motion”).

3. The QVT Funds hereby withdraw the QVT Objection and the QVT Motion, and withdraws from this proceeding as an Intervenor-Respondent, with prejudice.

4. Through their undersigned counsel, all parties in this proceeding hereby stipulate to the QVT Funds’ withdrawal.

DATED: January 18, 2016

WOLLMUTH MAHER & DEUTSCH LLP

s/ Michael C. Ledley

David H. Wollmuth
Michael C. Ledley
500 Fifth Avenue
New York, New York 10110
(212) 382-3300

Attorneys for the QVT Funds

Petitioners’ and Respondents’ Counsel:

ALSTON & BIRD LLP

SEWARD & KISSEL LLP

By: s/ Michael E. Johnson

By: s/ M. William Munno

Michael E. Johnson
90 Park Avenue
New York, NY 10016
(212) 210-9400

M. William Munno
One Battery Park Plaza
New York, NY 10004
(212) 574-1200

*Attorneys for Wilmington Trust,
National Association*

*Attorneys for Law Debenture
Trust Company of New York*

FAEGRE BAKER DANIELS LLP

By: s/ Michael M. Krauss

Robert Schnell
Michael M. Krauss
2200 Wells Fargo Center
90 S. Seventh Street
Minneapolis, Minnesota 55402
(612) 766-7000

*Attorneys for Wells Fargo
Bank, National Association*

MAYER BROWN LLP

By: s/ Matthew D. Ingber

Matthew D. Ingber
Christopher J. Houpt
1221 Avenue of the Americas
New York, New York 10020
(212) 506-2500

*Attorneys for The Bank of New York Mellon
and The Bank of New York Mellon Trust
Company, N.A.*

MORGAN, LEWIS & BOCKIUS LLP

By: s/ Kurt W. Rademacher

Michael S. Kraut
Kurt W. Rademacher
101 Park Avenue
New York, NY 10178-0060
(212) 309-6000

*Attorneys for Deutsche
Bank National Trust Company*

MAYER BROWN LLP

By: s/ Jean-Marie L. Atamian

Jean-Marie L. Atamian
James Ancone
1221 Avenue of the Americas
New York, New York 10020
(212) 506-2500

Attorneys for HSBC Bank USA, N.A.

JONES DAY

By: s/ Robert C. Micheletto

Robert C. Micheletto
222 East 41st Street
New York, New York 10017
(212) 326-3939

Attorneys U.S. Bank National Association

WARNER PARTNERS, P.C.

By: s/ Kenneth E. Warner

Kenneth E. Warner
WARNER PARTNERS, P.C.
950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

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 the Institutional Investors

SULLIVAN & CROMWELL LLP

By: s/ Robert A. Sacks

Robert A. Sacks
Darrell S. Cafasso
125 Broad Street
New York, New York 10004
(212) 558-400

Attorneys for JPMorgan Chase & Co.

WOLLMUTH MAHER &
DEUTSCH LLP

By: s/ Michael C. Ledley

David H. Wollmuth
Michael C. Ledley
Niraj J. Parekh
500 Fifth Avenue
New York, New York 10110
(212) 382-3300

Attorneys for Ambac

ROLLIN BRASWELL FISHER LLC

By: s/ Michael A. Rollin

Michael A. Rollin
Maritza D. Braswell
8350 E. Crescent Parkway, Suite 100
Greenwood Village, Colorado 80111
(303) 573-1600

Attorneys for W&L Investments, LLC