

At IAS part 60 of the Supreme Court of the State of New York, held in and for the County of New York, at 60 Centre Street, New York, New York, on the     day of                     2014.

PRESENT:

Honorable Marcy S. Friedman, Justice

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, and approval of a proposed settlement.

Index No. 652382/2014

**[PROPOSED] ORDER TO SHOW CAUSE**

Upon the accompanying affirmation of Magdalena H. Spencer, dated October 31, 2014, the accompanying Memorandum of Law in Support of Order to Show Cause Why Brevan Howard Credit Catalysts Master Fund Limited and Brevan Howard Credit Value Master Fund Limited, two funds for which DW Investment Management, LP serves as investment manager (such funds, collectively, the “DW Funds”) Should Not Be Entitled to Intervene, the Order of the Honorable Marcy S. Friedman (Docket No. 40, Aug. 15, 2014) and all papers and proceedings heretofore had herein, and sufficient cause appearing therefor,

ORDERED, that Petitioners or their attorneys show cause before this Court at the Courthouse thereof, 60 Centre Street, New York, NY, Part 60, the Honorable Marcy S. Friedman presiding, on the \_\_\_\_ day of \_\_\_\_\_, 2014, at 9:30 a.m. or as soon thereafter as the parties may be heard:

- (1) why the DW Funds should not be granted leave to intervene in this proceeding as a matter of right pursuant to CPLR 1012(a), or alternatively by permission pursuant to CPLR 1013; and
- (2) why such other and further relief as to this Court may seem just and proper should not be granted, and

ORDERED, that service of a copy of this order and a copy of the papers upon which it is granted by e-filing on or before \_\_\_\_\_, 2014, shall be deemed good and sufficient service.

ORDERED, that answering papers, if any, shall be served so as to be received by counsel no later than \_\_\_\_ o'clock \_\_ .m. on \_\_\_\_\_, 2014.

ENTER.

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J.S.C.