

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

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In the matter of the application of	:	
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WELLS FARGO BANK, NATIONAL ASSOCIATION, et	:	Index No. 657387/2017
al.,	:	
	:	Friedman, J.
	:	
Petitioners,	:	AFFIRMATION OF
	:	KENNETH E. WARNER
For Judicial Instructions under CPLR Article 77 on the	:	
Administration and Distribution of a Settlement Payment.	:	
	:	
	:	
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KENNETH E. WARNER, an attorney duly licensed to practice law in the State of New York, affirms under penalties of perjury and says:

1. I am a member of Warner Partners, P.C., attorneys of record for the Institutional Investors in the above captioned action. I am familiar with the proceedings in this case and make this affirmation in support of the Institutional Investors' coordinated omnibus application that the out-of-state counsel named below be admitted *pro hac vice* in this matter, pursuant to Paragraph 9 of the Court's February 13, 2018 Scheduling Order (Dkt. No. 194) and pursuant to 22 NYCRR 520.11(a)(1).


2. I respectfully move the *pro hac vice* admission in this proceeding of Kathy D. Patrick, Esq., and David M. Sheeren, Esq., attorneys in good standing of the Texas bar, to be associated with my firm in this matter representing the Institutional Investors. I have known and worked with the Gibbs & Bruns firm and their attorneys for more than a decade, and I know Ms. Patrick and Mr. Sheeren to be attorneys of great integrity, professionalism, and competence, based upon the work I have done with them on various matters during that time.

3. Attached as Exhibit A is the Affidavit of Ms. Patrick, together with her certificate of good standing from the Texas bar, in support of this application for her *pro hac vice* admission. Also attached as part of Exhibit A is the Affidavit of Mr. Sheeren, together with his certificate of good standing from the Texas bar, in support of this application for his *pro hac vice* admission. As set out in those Affidavits, Ms. Patrick and Mr. Sheeren state that (a) they are familiar with, and agree to be bound by, the standard of professional conduct imposed upon members of the New York bar, including the rules of court governing the conduct of attorneys and the Disciplinary Rules of the Code of Professional Responsibility; (b) they acknowledge and agree that they shall be subject to the jurisdiction of the courts of the State of New York with respect to any acts occurring during the course of his participation in this matter; (c) there are no disciplinary proceedings pending against them in the State of Texas or in any other jurisdiction, nor have there ever been any such proceedings brought against him or her in any jurisdiction; and (d) they have previously been admitted *pro hac vice* in this Court.

4. Dogramaci Kushner LLP, attorneys of record for Respondents Fir Tree Capital Opportunity Master Fund III, L.P. and DW Partners, LP, requests the *pro hac vice* admission of Isaac Gradman, Esq. and E. Page Allinson, Esq.. Attached as Exhibit B is the Affirmation of Amiad Kushner, Esq., in support of the applications of Mr. Gradman and Ms. Allinson. Attached as Exhibit C is the Affidavit of Mr. Gradman, together with his certificate of good standing from the California bar, in support of his application for *pro hac vice* admission. Also attached as part of Exhibit C is the Affidavit of Ms. Allinson, together with her certificate of good standing from the California bar, in support of her application for *pro hac vice* admission.

WHEREFORE, it is respectfully requested that the Court admit Kathy D. Patrick, Esq., David M. Sheeren, Esq., Isaac Gradman, Esq., and E. Page Allinson, Esq. *pro hac vice* in the above captioned matter.

Affirmed this 27th day
of February, 2018.


Kenneth E. Warner