

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

In the matter of the application of

WELLS FARGO BANK, NATIONAL ASSOCIATION,
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, HSBC BANK
USA, N.A., and DEUTSCHE BANK NATIONAL TRUST
COMPANY (as Trustees, Indenture Trustees, Securities
Administrators, Paying Agents, and/or Calculation Agents
of Certain Residential Mortgage-Backed Securitization
Trusts),

Petitioners,

For Judicial Instructions under CPLR Article 77 on the
Administration and Distribution of a Settlement Payment.

Index No. 657387/2017

IAS Part 60

Honorable Marcy S. Friedman

NOTICE OF MOTION

**ORAL ARGUMENT
REQUESTED**

PLEASE TAKE NOTICE that upon the affidavit of Kevin S. Reed, Esq., sworn to March 12, 2018, the exhibits annexed thereto, the accompanying memorandum of law dated March 12, 2018, and upon all prior pleadings and proceedings heretofore had herein, Respondents Tilden Park Investment Master Fund LP, Tilden Park Management I LLC and Tilden Park Capital Management LP, on behalf of themselves and their advisory clients (collectively, "Tilden Park"), AEGON USA Investment Management, LLC, 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), the Federal National Mortgage Association (Fannie Mae), Goldman Sachs Asset Management L.P., Voya Investment Management LLC, Invesco Advisers, Inc., Kore Advisers, L.P., Metropolitan Life Insurance Company, Pacific Investment Management Company LLC, Teachers Insurance and

Annuity Association of America, the TCW Group, Inc., Thrivent Financial for Lutherans, Western Asset Management Company (collectively, with the other parties listed after Tilden Park, the “Institutional Investors”), American General Life Insurance Company, American Home Assurance Company, Lexington Insurance Company, National Union Fire Insurance Company of Pittsburgh, Pa., The United States Life Insurance Company in the City of New York, The Variable Annuity Life Insurance Company (collectively, with the other parties listed after the Institutional Investors, “the AIG Parties”), DW Partners LP, Olifant Fund, Ltd., FYI Ltd., and FFI Fund Ltd. (collectively, with the other parties listed after DW Partners LP, “the Olifant Funds,” and together with all of the aforementioned parties, the “Challenging Respondents”), will move this Court, by their undersigned attorneys, at the Motion Submission Part thereof, Room 130, located at 60 Centre Street, New York, New York, on May 7, 2018, or as soon thereafter as counsel may be heard for an Order, pursuant to CPLR 3212, granting summary judgment for lack of standing against any and all Respondents to the extent they have purported to appear in this proceeding in connection with a Settlement Trust (as defined in the Petition) without owning certificates issued by such Settlement Trust.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s Order dated March 8, 2018 [Dkt. No. 243], answering papers, if any shall be served upon the undersigned no later than April 12, 2018, and any reply papers shall be served no later than April 26, 2018.

Dated: New York, New York
March 12, 2018

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