

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

In the matter of the application of

Wells Fargo National Bank, N.A., et al.

Petitioners,

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

Index No.: 657387-2017

Part 60

(Friedman, J.)

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2018, I caused the (1) Notice of Proposed Partial Severance Order and Partial Final Judgment with Respect to One Settlement Trust, BSABS 2005-HE7 and (2) Proposed Partial Severance Order and Partial Final Judgment of Prophet Mortgage Opportunities LP, Poetic Holdings VI LLC, Poetic Holdings VII LLC and the Institutional Investors to be efiled with the court via NYSCEF. The following parties have been served via ECF:

HAHN & HESSEN LLP
Zachary G. Newman
Stephen J. Grable
Brigitte R. Rose
488 Madison Avenue
New York, New York 10022
(212) 478-7200

FAEGRE BAKER DANIELS LLP
Robert L. Schnell
Stephen M. Mertz
Michael F. Doty
Julie R. Landy
2200 Wells Fargo Center
90 S. Seventh Street
Minneapolis, Minnesota 55402
(612) 766-6000

*Attorneys for Petitioner Wells Fargo Bank,
National Association*

JONES DAY
Nidhi Yadhava
250 Vesey Street
New York, New York 10281-1047
(212) 326-3939

Matthew A. Martel
Keith Kollmeyer
100 High Street
Boston, MA 02110-1781
(617) 449-6923

*Attorneys for Petitioner U.S. Bank National
Association*

ALSTON & BIRD LLP
Alexander S. Lorenzo
90 Park Avenue
New York, New York 10016
(212) 910-9400

MAYER BROWN LLP
Matthew D. Ingber
Christopher J. Houpt
Jarman D. Russell
1221 Avenue of the Americas
New York, New York 10020-1001
(212) 506-2500

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

MAYER BROWN LLP
Jean-Marie L. Atamian
James Ancone
1221 Avenue of the Americas
New York, New York 10020-1001
(212) 506-2500

Attorneys for Petitioner HSBC Bank USA, N.A.

QUINN EMANUEL URQUHART & SULLIVAN, LLP
Jordan A. Goldstein
Joshua S. Margolin
Stephen Schweizer
Kevin S. Reed
51 Madison Avenue, 22nd Floor
New York, New York 10010-1601
(212) 849-7000

Attorneys for Interested Persons 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

SCHLAM STONE & DOLAN LLP
John M. Lundin
Seth D. Allen
26 Broadway

Attorneys for Petitioner Wilmington Trust, National Association

MORGAN, LEWIS & BOCKIUS LLP
Kurt W. Rademacher
1701 Market Street
Philadelphia, Pennsylvania 19103
(215) 963-5000

Melissa F. Feig
101 Park Avenue
New York, New York 10178
(212) 309-6000

Attorneys for Petitioner Deutsche Bank National Trust Company

PATTERSON BELKNAP WEBB & TYLER LLP
Peter W. Tomlinson
Daniel A. Friedman
1133 Avenue of the Americas
New York, New York 10036-6710
(212) 336-2000

Attorneys for Olifant Fund Ltd., FFI Fund Ltd. and FYI Ltd.

Henry J. Ricardo
1133 Avenue of the Americas
New York, New York 10036-6710
(212) 336-2000

Attorney for Ambac Assurance Corporation and the Segregated Account of Ambac Assurance Corporation

SCHINDLER COHEN & HOCHMAN LLP
Anna Vinogradov
Jonathan L. Hochman
100 Wall Street, 15th Floor
New York, New York 10005
(212) 277-6300

New York, New York 10004
(212) 344-5400

Attorneys for Respondent HBK Master Fund LP

MILLER & WRUBEL P.C.
Charles R. Jacob III
Kerrin T. Klein
570 Lexington Avenue
New York, New York 10022
(212) 336-3500

Attorneys for Respondent D.E. Shaw Refraction Portfolios, L.L.C.

BECKER, GLYNN, MUFFLY, CHASSIN & HOSINSKI LLP
Robin L. Alperstein
299 Park Avenue
New York, New York 10171
(212) 888-3033

ELLINGTON MANAGEMENT GROUP L.L.C.
Daniel R. Margolis
53 Forest Avenue
Old Greenwich, Connecticut 06870
(203) 409-3503

Attorneys for Ellington Management Group, L.L.C.

AKERMAN LLP
Brian S. Fraser
Phillip A. Spinella
666 Fifth Avenue, 20th Floor
New York, New York 10103
(212) 880-3800

Attorneys for Interested Party Axonic Capital LLC

MCKOOL SMITH, P.C.
Gayle R. Klein
Robert W. Scheef

KRAMER LEVIN NAFTALIS & FRANKEL LLP

Philip Bentley
Andrew Pollack
Thomas Moers Mayer
1177 Avenue of the Americas
New York, New York 10036
(212) 715-9100

Attorneys for 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

DOGRAMACI KUSHNER LLP
Amiad Kushner
1120 Avenue of the Americas, 4th Fl.
New York, New York 10036
(212) 309-7580

Attorneys for Respondents FT SOF IV Holdings, LLC, Fir Tree Capital Opportunity Master Fund III, Fir Tree COF III, and DW Partners LP

PERRY, JOHNSON, ANDERSON, MILLER & MOSKOWITZ LLP
E. Page Allinson
Isaac Gradman
Kristin Mattiski-Nicholls
438 First Street, 4th Floor
Santa Rosa, CA 95401
(707) 525-8800

Attorney for Respondents DW Partners LP, FT SOF IV Holdings LLC, Fir Tree Capital Opportunity Master Fund L.P., and Fir Tree Capital Opportunity Master Fund III, L.P.

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

GIBBS & BRUNS LLP

David I. Schiefelbein
One Bryant Park, 47th Floor
New York, New York 10036
(212) 402-9400

Attorneys for Nover Ventures, LLC

HOFFNER PLLC
David S. Hoffner
800 Third Avenue, 13th Floor
New York, New York 10022
(212) 471-6203

DECHERT LLP
Mauricio A. Espana
1095 Avenue of the Americas
New York, New York 10036
(212) 698-3500

*Attorneys for Respondent Strategos Capital
Management, LLC*

Kathy D. Patrick
David M. Sheeren
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

Attorneys for The Institutional Investors

ROPES & GRAY LLP
Lee S. Gayer
Joshua Y. Sturm
1211 Avenue of the Americas
New York, New York 10036
(212) 841-0626

Attorneys for the GMO Funds

ROSS & ORENSTEIN
Josh B. Orenstein
222 South Ninth Street, Suite 470
Minneapolis, MN 55402
(612) 436 9802

*Attorneys for Respondent Prophet Mortgage
Opportunities LP*

I further certify that on April 5, 2018, pursuant to the Order to Show Cause entered on December 19, 2017 (Docket No. 30) paragraph 15, I caused two hard copies of the (1) Notice of Proposed Partial Severance Order and Partial Final Judgment with Respect to One Settlement Trust, BSABS 2005-HE7 and (2) Proposed Partial Severance Order and Partial Final Judgment of Prophet Mortgage Opportunities LP, Poetic Holdings VI LLC, Poetic Holdings VII LLC and the Institutional Investors to be delivered to the Clerk of Part 60 at the following address:

The Honorable Marcy S. Friedman
New York State Supreme Court
Commercial Division
60 Centre Street, Courtroom 248
New York, NY 10007

Dated: April 4, 2018

AXINN, VELTROP & HARKRIDER LLP

/s/ Donald W. Hawthorne

Donald W. Hawthorne

Felix J. Gilman

114 W 47th Street

New York, NY 10036

Tel: 212.728.2200

Fax: 212.728.2201

dhawthorne@axinn.com

fgilman@axinn.com

*Attorneys for Respondents Poetic Holdings VI LLC,
Poetic Holdings VII LLC and Prophet Mortgage
Opportunities LP*