

McKool Smith

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May 14, 2018

VIA E-FILING AND HAND DELIVERY

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

RE: *In re application of Wells Fargo Bank, National Association, et. al.*,
Index No. 657387/2017 (the “Article 77 Proceeding”).

Dear Justice Friedman:

During the May 7, 2018 hearing, the Court afforded Nover Ventures, LLC (“Nover”) the opportunity to notify you within one week whether Nover will seek to make arrangements to have a trustee represent its interests in this proceeding in the event Nover is found not to have the right in its own capacity to participate in this proceeding. Nover submits this letter pursuant to such leave of Court.

Should the Court determine that Nover cannot participate in its own capacity, Nover will seek to make arrangements to have the CDO trustees represent its interests in this proceeding and respectfully requests the Court allow it to do so. Where Nover is the controlling class holder, it has already begun that process. Nover will seek to do so for its other CDO holdings, if necessary. Nover is informed that, in addition to the burden and expense of negotiating a direction and indemnity, Nover also may be required to pay for separate counsel to appear on behalf of the trustee for each CDO.

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Respectfully submitted,

MCKOOL SMITH, P.C.

By: /s/ Gayle R. Klein

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Attorneys for Nover Ventures, LLC

cc: Counsel of Record for All Parties (via ECF)