

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

Honorable Marcy S. Friedman
Part 60

Motion Seq. 1

**AFFIRMATION OF
DAVID I. SCHIEFELBEIN**

I, David I. Schiefelbein, an attorney admitted to practice before the courts of the State of New York, affirms the following to be true under penalty of perjury:


1. I am an associate with the law firm McKool Smith, P.C., counsel to respondent Nover Ventures, LLC (“Nover”) and special litigation counsel to The Bank of New York Mellon Trust Company, N.A., solely in its capacity as Trustee under the Duke IX Indenture (the “Duke IX Trustee”), in the above-captioned proceeding. I submit this affirmation in support of Nover’s and the Duke IX Trustee’s Responsive Submission.

2. Attached hereto as Exhibit A is a true and correct copy of the BSARM 2005-11 Pooling and Servicing Agreement, dated as of November 1, 2005.

3. Attached hereto as Exhibit B is a true and correct copy of the BALTA 2006-8 Pooling and Servicing Agreement, dated as of December 1, 2006.

4. Attached hereto as Exhibit C is a true and correct copy of the BSABS 2005-HE3 Pooling and Servicing Agreement, dated as of March 1, 2005.

DATED: September 28, 2018
New York, New York

By: 
David I. Schiefelbein