

At IAS Part 60 of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse located at 60 Centre Street, New York, New York on the ___ day of _____, 2021

P R E S E N T: Hon. Melissa A. Crane, Justice.

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 Distribution of a Settlement Payment.

Index No. 657387/2017

**NOTICE OF [PROPOSED]
PARTIAL SEVERANCE
ORDER AND PARTIAL
FINAL JUDGMENT**

(BSABS 2006-HE6)

Pursuant to the second ORDER appearing in the Court's Decision and Order dated February 13, 2020 (NYSCEF No. 843), 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), Goldman Sachs Asset Management L.P., Voya Investment Management LLC, Invesco Advisers, Inc., Kore Advisors, 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, and Western Asset Management Company (each for themselves and, to the extent applicable, as

investment managers of funds and accounts, and collectively, the “Institutional Investors”), U.S. Bank National Association (“U.S. Bank”), solely in its capacity as NIM trustee (“U.S. Bank as NIM Trustee”)¹, and Tilden Park Investment Master Fund LP, Tilden Park Management I LLC, and Tilden Park Capital Management LP, each on behalf of itself and its advisory clients (“Tilden Park Parties”) respectfully submit a [Proposed] Partial Severance Order and Partial Final Judgment (the “Proposed Order”) concerning the administration and distribution of the allocable shares of the settlement payment for BSABS 2006-HE6 (the “Trust,” and the allocable shares for the Trust, the “Subject Allocable Shares”), as set forth in the Proposed Order attached as Exhibit A. The Trust has not been the subject of any previous proposed severance orders presented to the Court in this proceeding. As fully set forth in the Proposed Order, the Institutional Investors, U.S. Bank as NIM Trustee, and the Tilden Park Parties are the only parties claiming an interest in the Trust with standing to appear with respect to the Trust, and respectfully urge the Court to enter the Proposed Order. As there is no triable issue of fact as to the above Trust or the entry of this judgment, the Institutional Investors, U.S. Bank as NIM Trustee, and the Tilden Park Parties request that the judgment be entered without further delay so that the Subject Allocable Shares can promptly be paid.

The Institutional Investors, U.S. Bank as NIM Trustee, and the Tilden Park Parties have conferred with the trustee for the Trust, U.S. Bank (“U.S. Bank as Trustee”). U.S. Bank as Trustee takes no position concerning whether the Court should enter the Proposed Order, but has confirmed that it can implement the Proposed Order if entered.

¹ As more fully set forth in footnote 2 of the Proposed Order, (i) U.S. Bank as NIM Trustee submits the Order at the direction of HBK Master Fund L.P. (“HBK”) pursuant to a direction and indemnity agreement and (ii) U.S. Bank’s capacity in its role as NIM Trustee is separate and distinct from U.S. Bank’s capacity in its role as Trustee of the Trust.

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*Attorneys for U.S. Bank National
Association, solely in its capacity as NIM
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