

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

In the matter of the application of

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, LAW DEBENTURE TRUST COMPANY OF NEW YORK, WELLS FARGO BANK, NATIONAL ASSOCIATION, HSBC BANK USA, N.A., AND DEUTSCHE BANK NATIONAL TRUST COMPANY, (as trustees under various Pooling and Servicing Agreements and indenture trustees under various Indentures),

Petitioners,

for an order, pursuant to CPLR § 7701, seeking judicial instruction, and approval of a proposed settlement.

Index No. 652382/2014


Part 60
(Friedman, J.)

**NOTICE OF MOTION FOR
ADMISSION *PRO HAC VICE***

PLEASE TAKE NOTICE THAT, upon the annexed Affirmation of Michael M. Krauss in Support of Application for Admission *Pro Hac Vice*, Affidavits of Robert L. Schnell, Jr. and Stephen M. Mertz, Petitioner Wells Fargo Bank, National Association will move this Court before the Honorable Marcy S. Friedman on August 28, 2014 at 9:30 a.m., or as soon thereafter as counsel may be heard, at the Motion Submission Part Courtroom at the Courthouse at 60 Centre Street, Room 130, New York, New York 10007 for an Order admitting Robert L. Schnell, Jr. and Stephen M. Mertz to the Bar of this Court *pro hac vice* as counsel for Petitioner Wells Fargo Bank, National Association.

Dated: August 18, 2014
Minneapolis, Minnesota

FAEGRE BAKER DANIELS LLP

By: 

Michael M. Krauss (NY #2825768)

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*Attorney for Petitioner Wells Fargo Bank,
National Association*

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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, LAW DEBENTURE TRUST COMPANY OF NEW YORK, WELLS FARGO BANK, NATIONAL ASSOCIATION, HSBC BANK USA, N.A., AND DEUTSCHE BANK NATIONAL TRUST COMPANY, (as trustees under various Pooling and Servicing Agreements and indenture trustees under various Indentures),

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Part 60
(Friedman, J.)

AFFIRMATION OF MICHAEL M. KRAUSS IN SUPPORT OF APPLICATION FOR ADMISSION *PRO HAC VICE*

MICHAEL M. KRAUSS, an attorney at law admitted to practice before this Court, affirms as follows, under the penalties of perjury:

1. I am a member of the firm of Faegre Baker Daniels LLP, 90 South Seventh Street, Suite 2200, Minneapolis, Minnesota 55402-3901, attorney for Petitioner Wells Fargo Bank, National Association (“Wells Fargo”) in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Petitioner Wells Fargo’s application to admit Robert L. Schnell, Jr. and Stephen M. Mertz as counsel *pro hac vice* to represent Petitioner Wells Fargo in this matter.

2. I am a member in good standing of the Bar of the State of New York.

3. Mr. Schnell is a member in good standing of the Minnesota State Bar (a certified copy of a Certificate of Good Standing is annexed to his affidavit). Mr. Schnell is also admitted to practice in the following courts: the U.S. Supreme Court, U.S. Court of Appeals for the Eighth Circuit, U.S. Court of Appeals for the Ninth Circuit, U.S. Court of Federal Claims, and U.S.

District Court for Minnesota. I have known Mr. Schnell for approximately ten years, having worked with him in Faegre Baker Daniels LLP's Business Litigation and Finance & Restructuring practice groups. Mr. Schnell is a skilled attorney and a person of integrity.

4. Mr. Mertz is a member in good standing of the Minnesota State Bar (a certified copy of a Certificate of Good Standing is annexed to his affidavit), and is also admitted to practice in the U.S. Court of Appeals for the Eighth Circuit and the U.S. District Court for the District of Minnesota. I have worked with Mr. Mertz for ten years, having worked with him in Faegre Baker Daniels LLP's Business Litigation and Finance & Restructuring practice groups. Mr. Mertz is a skilled attorney and a person of integrity.

5. Accompanying this affirmation are affidavits of Mr. Schnell and Mr. Mertz stating that each are familiar with the requirements of the Rules of this Court and particularly that, upon admission, they become subject to the disciplinary jurisdiction of this Court.

6. I respectfully submit a proposed order admitting Mr. Schnell and Mr. Mertz *pro hac vice* that is accompanying this affirmation.

WHEREFORE, it is respectfully requested that the motion for admission of Robert L. Schnell, Jr. and Stephen M. Mertz *pro hac vice* to represent Petitioner Wells Fargo in the above-captioned matter, be granted.

Dated: August 18, 2014
Minneapolis, Minnesota

FAEGRE BAKER DANIELS LLP

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