

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

PRESENT: MARCY S. FRIEDMAN PART 60

Justice

In the matter of the application of

WELLS FARGO BANK, NATIONAL ASSOCIATION, et al.

Petitioners,

INDEX NO. 657387/2017

MOTION SEQ. 001

INTERIM ORDER

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

The following papers, numbered 1 to were read on this motion

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

No (s).

Answering Affidavits — Exhibits

No (s).

Replying Affidavits

No (s).

Cross-Motion: Yes No

WHEREAS, on December 15, 2017, petitioners 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 U.S.A., N.A.; and Deutsche Bank National Trust Company (collectively, Petitioners) appeared and presented an Order to Show Cause to the court for signature; and

WHEREAS, on this date, the court granted certain relief requested in the Order to Show Cause, including but not limited to setting a "Final Hearing" date of March 19, 2018 for the Petition; directing, as an interim measure, that Petitioners cause the Allocable Shares of the Settlement Payment for each Settlement Trust to be maintained as a deposit in escrow; and establishing a procedure for notifying certificateholders and other interested parties of this proceeding (the Notice Program); and

WHEREAS, the court declined to grant certain additional, affirmative relief requested in paragraphs 2 (2)-(3) and paragraphs 3-5 of the Order to Show Cause (the affirmative relief), but scheduled a further appearance for December 20, 2017 at 10:00 a.m. in Part 60, Rm. 248, 60 Centre St., New York, NY 10007 for argument on the affirmative relief (the Adjourn Date); and

WHEREAS, the court finds that notice should be provided to potentially interested persons of the Adjourn Date so that any objections to the affirmative relief may be considered by the court.

It is accordingly hereby ORDERED that any potentially interested person who wishes to be heard on Petitioners' application for the aforementioned affirmative relief may appear and be heard on the Adjourn Date, provided that such person e-files, or submits a hard copy to the Clerk of Part 60, of a notice of appearance on or prior to that date; and it is further

ORDERED that Petitioners shall provide notice of the Adjourn Date to potentially interested persons on or before December 19, 2017 by (1) posting a copy of this order and of the Order to Show

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

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Cause to <http://www.rmbstrusteesettlement.com>, the public settlement website created by the Petitioners; and by (2) electronically transmitting a copy of this order or, if not possible, a notice conforming to the language of this order, to The Depository Trust Company (DTC), for DTC to transmit through its "LENS" electronic notice system; and it is further

ORDERED that nothing in this order shall be deemed to supersede, modify, or replace the Notice Program set forth in paragraph 6 of the Order to Show Cause with respect to the Final Hearing.

Dated: 12-19-17

 , J.S.C.
MARCY S. FRIEDMAN, J.S.C.

- 1. Check one: CASE DISPOSED NON-FINAL DISPOSITION
- 2. Check as appropriate:.....Motion is: GRANTED DENIED GRANTED IN PART OTHER
- 3. Check if appropriate:..... SETTLE ORDER SUBMIT ORDER
 DO NOT POST FIDUCIARY APPOINTMENT REFERENCE