

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION, FIRST DEPARTMENT

In the matter of the application of
WELLS FARGO BANK, NATIONAL ASSOCIATION,
et. al.,

Petitioners,

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

Appellate Div. No. 2020-02716

New York County Clerk's
Index No. 657387/2017

**AFFIRMATION OF
ZACHARY G. NEWMAN
IN SUPPORT OF APPLICATION
FOR ADMISSION *PRO HAC VICE***

ZACHARY G. NEWMAN, an attorney duly admitted to practice law in the Courts of the State of New York, hereby affirms the following under the penalties of perjury, pursuant to CPLR § 2106:

1. I am a member of Hahn & Hessen LLP, local counsel for Petitioner Wells Fargo Bank, National Association (“Wells Fargo”), and, in that capacity, I have personal knowledge of the facts set forth herein. I respectfully submit this affirmation in support of Wells Fargo’s application, pursuant to 22 N.Y.C.R.R. §§ 602.2(a) and 1250.4(e) and § 520.11 of the Rules of the Court of Appeals, admitting Stephen M. Mertz and Julie R. Landy as counsel *pro hac vice* to represent Wells Fargo, together with Hahn & Hessen LLP, in the above-referenced proceeding.

2. As evidenced by their respective Certificates of Good Standing attached to their affirmations, Mr. Mertz and Ms. Landy are active members in good standing of the Minnesota State Bar, having been admitted to practice law in Minnesota on October 26, 1990 and October 29, 2010, respectively.

3. Mr. Mertz and Ms. Landy were granted *pro hac vice* admission in the underlying Supreme Court action by the Hon. Marcy Friedman by order dated January 10,

2018 and entered January 12, 2018 (the “Order”) and participated extensively as counsel for Wells Fargo in the proceeding below. A true and correct copy of the Order is attached hereto as Exhibit A.

4. Each of their affidavits states that he or she: (a) is a member of good standing in all jurisdiction in which he or she is admitted; (b) is associated with members of good standing of the New York State Bar, which members are the attorneys of record in this matter; (c) is familiar with and shall comply with the standards of professional conduct imposed upon members of the New York State Bar, including the rules of court governing the conduct of attorneys and the Rules of Professional Conduct; (d) shall be subject to the jurisdiction of the courts of the State of New York with respect to any acts occurring during the course of his or her participation in the above-captioned matter; (e) shall be subject to all disciplinary rules and regulations of the courts of the State of New York; and (f) will notify this Court immediately of any matter affecting his or her standing with the Minnesota State Bar and/or any other jurisdiction where he or she is admitted.

WHEREFORE, it is respectfully requested that Wells Fargo’s application, pursuant to 22 N.Y.C.R.R. §§ 602.2(a) and 1250.4(e) and § 520.11 of the Rules of the Court of Appeals, admitting Stephen M. Mertz and Julie R. Landy as counsel *pro hac vice* to represent Wells Fargo in the above proceeding be granted in its entirety.

Dated: New York, New York
December 22, 2020

s/ Zachary G. Newman
ZACHARY G. NEWMAN