

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

-----	x Appellate Div. No.
	: 2020-02716
In the matter of the application of	:
	: New York County Clerk’s
WELLS FARGO BANK, NATIONAL ASSOCIATION,	: Index No. 657387/2017
et al.,	:
	:
Petitioners,	:
	:
For Judicial Instructions under CPLR Article 77 on the the	:
Administration and Distribution of a Settlement Payment.	:
	:
	:
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**AFFIRMATION OF KEVIN S. REED IN SUPPORT OF THE
AIG PARTIES’ MOTION FOR AN EXTENSION OF TIME**

Kevin S. Reed, an attorney admitted to practice in the State of New York, affirms as follows under penalty of perjury:

1. I am an attorney with the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel to the AIG Parties.¹ As such, I make this Affirmation based on personal knowledge.

2. The AIG Parties support, and join in, the March 19, 2021 application filed by the Institutional Investors’ counsel for a two week extension of time, to April 5, 2021, to respond to Solula, LLC’s (“Solula”) motion for permission to submit an amicus brief (the Institutional Investors’ application is currently at NYSCEF Doc. Nos. 95 and 96, though the Clerk of the Court has directed that it be refiled as a single document). Familiarity with the Institutional Investors’ application is assumed herein.

¹ The “AIG Parties” include American General Life Insurance Company, American Home Assurance Company, American International Reinsurance Company, Lexington Insurance Company, National Union Fire Insurance Company of Pittsburgh, The United States Life Insurance Company, and the Variable Annuity Life Insurance Company.

3. The AIG Parties requested a 14-day the extension of the March 22, 2021 return date Solula specified for its motion directly from the Solula’s counsel, but the request was refused via email dated March 18, 2021.

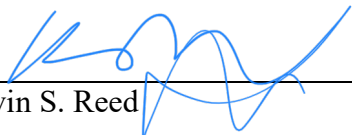
4. The issues presented by Solula’s Motion are important to the AIG Parties, especially since Solula seeks to file a brief in support of legal arguments that they have opposed through years of litigation in this Court, and in the trial court below.

5. The sought after adjournment will give us, and counsel for aligned parties in this matter, time to review Solula’s motion and respond appropriately. Obligations on other matters prevented us from doing so last week.

6. Granting a two week extension of time to respond to Solula’s Motion for permission to submit an amicus brief will not prejudice Solula. This appeal has not been calendared for argument, and the Court has not yet ruled on the litigants’ joint application for a three-part brief filing protocol that eliminated the need for cross-motions. Moreover, when asked if her client had a particular reason for refusing the requested adjournment of the return date, Solula’s counsel did not provide one but merely wrote, “Yes, we chose the 22nd [as a return date] for a reason. And of course, we also want the court to hear the motion as soon as possible.”

WHEREFORE, it is respectfully requested that the Institutional Investors’ application for an extension of time, in which the AIG Parties join, be granted.

Dated: New York, New York
March 22, 2021



Kevin S. Reed