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November 12, 2013

*Via E-filing and Facsimile*

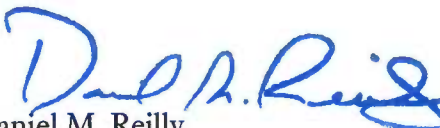
The Honorable Barbara R. Kapnick  
Supreme Court of the State of New York  
60 Centre Street  
New York, New York 10007

**Re: *In re the application of The Bank of New York Mellon***  
**(Index No. 651786/2011)**

Dear Justice Kapnick:

As requested by the Court on November 4, 2013, attached is a fully executed copy of Exhibit R-4179, the Stipulated Facts in Lieu of William Frey's Live Testimony.

Respectfully submitted,

  
Daniel M. Reilly

cc: Counsel of record (via ECF)