

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

In the matter of the application of

THE BANK OF NEW YORK MELLON (as Trustee under various Pooling and Servicing Agreements and Indenture Trustee under various Indentures), *et al.*

Petitioners,

for an order, pursuant to C.P.L.R. § 7701, seeking judicial instructions and approval of a proposed settlement.

Oral argument requested

Index No. 651786/2011

Hon. Saliann Scarpulla

**NOTICE OF MOTION  
FOR LEAVE  
TO REARGUE**

**PLEASE TAKE NOTICE** that upon the annexed Affirmation of Mark C. Zauderer, Esq., dated February 18, 2014, the exhibits attached thereto, the accompanying memorandum of law, and all prior pleadings and proceedings in this action, Respondent American International Group, Inc.<sup>1</sup> (“AIG” or “Respondents”) will move this Court, at 60 Centre Street, New York, New York, on March 4, 2014 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order, pursuant to CPLR 2221(d):

(1) granting AIG leave to reargue and, upon reargument, vacating the January 31, 2014 summary judgment Decision & Order (Doc. No. 1036) to the extent it approved the Settlement Agreement, and directing a trial in this matter; and

<sup>1</sup> This Motion is being made on behalf of all of the Respondent American International Group, Inc. entities, including American International Group, Inc., American General Assurance Company, American General Life and Accident Insurance Company, American General Life Insurance Company, American General Life Insurance Company of Delaware, American Home Assurance Company, American International Life Assurance Company of New York, Chartis Property Casualty Company, Chartis Select Insurance Company, Commerce and Industry Insurance Company, First SunAmerica Life Insurance Company, Lexington Insurance Company, National Union Fire Insurance Company of Pittsburgh, PA, New Hampshire Insurance Company, SunAmerica Annuity and Life Assurance Company, SunAmerica Life Insurance Company, The Insurance Company of The State of Pennsylvania, The United States Life Insurance Company in The City of New York, The Variable Annuity Life Insurance Company, and Western National Life Insurance Company.

(2) granting such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to CPLR 2214(b), answering papers, if any, shall be served no later than seven days in advance of the return date of this motion and any reply papers shall be served at least one day before such time.

Dated: New York, New York  
February 18, 2014

Respectfully submitted,

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