

EXHIBIT R-1444



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11/11/2010 04:39 PM

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cc

bcc

Subject: Re: Conversation with Chris Garvey of BofA in-house legal department

Good point. I didn't bring up what CH's would be asking for as I didn't think I had authorization to do so. Would everyone feel comfortable with my asking them if they would likely cooperate with an investigation request (not a buyback request, but just the investigation request)? I could throw that on the table, as Jane suggests, when I finally ask Kathy to withdraw the ED notice.

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Sent: Thu Nov 11 15:35:38 2010
Subject: Re: Conversation with Chris Garvey of BofA in-house legal department

Any indication re whether they will cooperate with our execution of the LOD? If we think they will, might help with argument to KP to withdraw 10/18 letter.

From: "Kravitt, Jason H. P." [JKravitt@mayerbrown.com]
Sent: 11/11/2010 09:39 AM CST
To: Jane Sherburne; Robert Bailey; Lincoln Finkenberg; Raymond Dorado; John Kevin McCarthy
Subject: Conversation with Chris Garvey of BofA in-house legal department

I just got off of the phone with Chris. We had a very cordial discussion. If I may describe the call "bluntly", he was trying to "pump" me.

After the pleasantries (he is home ill), he asked me to tell him what was in the letters from KP to BNYM that BofA has not seen. I told him that while I couldn't give him the letters they were generally trying to set up a valid CH direction to take the trustee actions that the CH group wanted and that we were going to answer them now in one "omnibus" LOD.

He then focused on what KP's game plans, and our game plans were. I replied that I couldn't tell him what she told us or what our client's plans were, but that I would give him my analysis. Which analysis is:

1. Kathy is better off fighting over loans that EDs.
2. It's in BNYM's self interest not to have an alleged ED outstanding.

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BNYM_CW-00285731

In re BNYM
Index No. 651786/11
Trial Exhibit
R-1444

In re BNYM
Index No. 651786/11
McCarthy 6/5/13
DEPO Ex. 1444

R1444-001

3. We'd be better off moving quickly with any investigations Kathy asked for to create a cooperative environment to get the Notice from the CH group removed.

I took great pains to emphasize that I was not predicting what the CHs would do or say, or what BNYM would do, was doing, would say, or was saying but that was just my analysis.

The call ended on a friendly note with mutual expressions of it's good to keep communication lines open.

Any questions or thoughts?

Jason

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