

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.

Index No. 651786/2011

Hon. Saliann Scarpulla

**STIPULATION AND PROPOSED  
ORDER DISCONTINUING  
MOTION**

WHEREAS, on February 19, 2014, Intervenor-Respondents the Retirement Board of the Policemen's Annuity & Benefit Fund of the City of Chicago, City of Grand Rapids General Retirement System, and City of Grand Rapids Police and Fire Retirement System ("Policemen's Fund") made a motion (Motion Sequence 45) pursuant to C.P.L.R. 2221(d) for leave to reargue with respect to the Court's decision dated January 31, 2014 (the "January 31, 2014 Decision");

WHEREAS the Court scheduled oral argument on the motion to reargue for July 9, 2014;

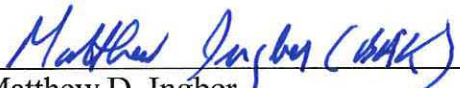
WHEREAS the parties stipulated and agreed on June 9, 2014 to adjourn the oral argument on the motion to reargue to September 24, 2014, and thereafter stipulated and agreed to further adjourn the oral argument on the motion to reargue to February 26, 2015;

WHEREAS on October 23, 2014, oral argument on the appeals of the January 31, 2014 Decision was heard and pursuant to New York C.P.L.R. 4405 this Court lost jurisdiction over the motion to reargue;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that the motion to reargue is discontinued.

Dated: New York, New York  
February 20, 2015

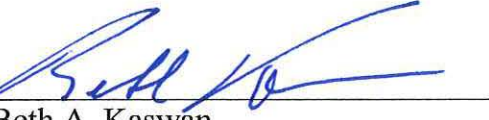
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SO ORDERED:

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HON. SALIANN SCARPULLA