

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

-----	X
	:
In the matter of the application of	:
	:
THE BANK OF NEW YORK MELLON, in its	:
Capacity as Trustee or Indenture Trustee of 530	:
Countrywide Residential Mortgage-Backed	:
Securitization Trusts,	:
	:
Petitioner,	:
	:
For Judicial Instructions under CPLR Article 77	:
On the Distribution of a Settlement Payment.	:
	:
	:
-----	X

NY County Clerk's
Index No. 150973/2016
Assigned to: Scarpulla, J.
NOTICE OF APPEAL

PLEASE TAKE NOTICE that, pursuant to CPLR §5701(a), Respondents BlackRock Financial Management Inc. and AEGON (including Transamerica Life Insurance Company, AEGON Financial Assurance Ireland Limited, Transamerica Life International (Bermuda) Ltd., Monumental Life Insurance Company, Transamerica Advisors Life Insurance Company, AEGON Global Institutional Markets, pic, LIICA Re II, Inc., Pine Falls Re, Inc., Transamerica Financial Life Insurance Company, Stonebridge Life Insurance Company, and Western Reserve Life Assurance Co. of Ohio), by their counsel, Warner Partners, P.C. and Gibbs & Bruns, LLP, each hereby appeal to the Appellate Division of the Supreme Court of the State of New York, First Department, from the Decision/Order of the Supreme Court of the State of New York, County of New York (Scarpulla, J.) entered April 5, 2017 to the extent that it ruled on the settlement distribution methodology for the Fourteen Trusts (as defined). AEGON and BlackRock do not, however, appeal with respect to the portions of the Decision/Order addressing CWABS 2006-12 or correctly holding “that there is no support in the Governing Agreements for a distribution to relate back to a prior set of certificate balances.” Decision at 17.

Dated: May 4, 2017
New York, New York

WARNER PARTNERS, P.C.

By. /s/ Kenneth E. Warner
Kenneth E. Warner

950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

GIBBS & BRUNS LLP

Kathy D. Patrick (*pro hac vice*)
Robert J. Madden (*pro hac vice*)
David Sheeren (*pro hac vice*)
1100 Louisiana, Suite 5300
Houston, Texas 77002
(713) 650-8805

Attorneys for AEGON and BlackRock Financial Management, Inc.