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May 2, 2013

VIA E-FILING

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

**Re: Application of The Bank of New York Mellon; Index No. 651786/11**

Dear Justice Kapnick:

We have been asked by Fir Tree, an investment management firm, to e-file for them a letter they have written to Your Honor supporting the proposed settlement. We are accommodating Fir Tree's request, so that all parties will have notice of the letter (Fir Tree is not able to access e-filing itself).

A copy of Fir Tree's letter is attached.

Respectfully,



Kenneth E. Warner

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Enc.

cc: All counsel of record