

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), BlackRock Financial Management Inc. (intervenor), Kore Advisors, L.P. (intervenor), Maiden Lane, LLC (intervenor), Metropolitan Life Insurance Company (intervenor), Trust Company of the West and affiliated companies controlled by The TCW Group, Inc. (intervenor), Neuberger Berman Europe Limited (intervenor), Pacific Investment Management Company LLC (intervenor), Goldman Sachs Asset Management, L.P. (intervenor), Teachers Insurance and Annuity Association of America (intervenor), Invesco Advisors, Inc. (intervenor), Thrivent Financial for Lutherans (intervenor), Landesbank Baden-Wuerttemberg (intervenor), LBBW Asset Management (Ireland) plc, Dublin (intervenor), ING Bank fsb (intervenor), ING Capital LLC (intervenor), ING Investment Management LLC (intervenor), Nationwide Mutual Insurance Company and its affiliated companies (intervenor), AEGON USA Investment Management LLC, authorized signatory for 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, plc, 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 (intervenor), Federal Home Loan Bank of Atlanta (intervenor), Bayerische Landesbank (intervenor), Prudential Investment Management, Inc. (intervenor), and Western Asset Management Company (intervenor),

Petitioners,

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

Index No. 651786-2011

Kapnick, J.

**AFFIRMATION OF
MATTHEW D. INGBER
IN SUPPORT OF
ORDER TO SHOW
CAUSE TO STRIKE
OBJECTORS' JURY
DEMAND**

Matthew D. Ingber, an attorney duly licensed to practice law in the State of New York, hereby affirms under penalty of perjury that the following is true and correct:

1. I am a partner of the law firm of Mayer Brown LLP, attorneys for Petitioner, The Bank of New York Mellon ("BNYM"). I am familiar with the proceedings in this case and submit this affirmation in support of the motion by the Institutional Investors and BNYM to strike the Objectors' Jury Demand.

2. BNYM joins in this motion, and having reviewed the accompanying affirmation of Mr. Warner, I adopt all of the statements therein.

WHEREFORE, your affirmant respectfully requests that this Court strike the Objectors' Jury Demand, together with such other and further relief as this Court deems just and proper.


Matthew D. Ingber

Affirmed this 9th
day of May, 2013.