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May 17, 2013

*Via E-Filing and Facsimile*

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

**Re: *In re the application of The Bank of New York Mellon***  
**(Index No. 651786/2011) (“Article 77 Litigation”)**

Dear Justice Kapnick:

Please see enclosed correspondence from Vertical Capital, which does not have access to the e-file system.

Respectfully submitted,

Daniel M. Reilly

Enclosure

cc: All counsel (via ECF)

**VERTICAL CAPITAL**  
INVESTMENT ADVISORS

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

**Re: Vertical Capital Withdrawal as Objector**

Dear Justice Kapnick

This note confirms Vertical Capital's withdrawal as an Objector to the Countrywide RMBS Settlement as between The Bank of New York Mellon and various Countrywide and Bank of America entities related to alleged breaches of certain representations and warranties and prudent servicing practices.

Sincerely,

A handwritten signature in black ink, appearing to be "B. T. Graham", followed by a horizontal line extending to the right.

Brett T Graham  
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