

**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

The undersigned, Matthew D. Ingber, states the following under penalty of perjury:

1. I am a partner of the law firm of Mayer Brown LLP, attorneys for Petitioner The Bank of New York Mellon (“BNYM” or “Trustee”). I am familiar with the matters referenced herein and submit this affirmation in support of The Bank of New York Mellon’s Response to Objections.

2. Attached hereto as **Exhibit 1** is a true and correct copy of an article published by Amherst Mortgage Insight on May 17, 2013, entitled *Subsequent Recoveries—What Is The Market Telling Us?*

3. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts of the Pooling and Servicing Agreement for the residential mortgage-backed securitization trust CWALT 2006-OC7.

4. Attached hereto as **Exhibit 3** is a true and correct copy of a blog posting by Adam Levitin and published on creditslips.org on June 30, 2011, entitled *The BoA MBS Settlement*.

5. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the transcript of the September 20, 2012 deposition of Jason Kravitt.

6. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from the transcript of the May 15, 2013 deposition of Charles Cowan.

7. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from the transcript of the May 2, 2013 deposition of John Coates.

Dated: May 20, 2013
New York, New York

/s/ Matthew D. Ingber
Matthew D. Ingber