

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), *et al.*

Petitioners,

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

Index No. 651786/2011

Assigned to: Kapnick, J.

**AFFIRMATION OF
PETER N.TSAPATSARIS
IN SUPPORT OF PRO
HAC VICE ADMISSION
OF TALCOTT J.
FRANKLIN**

PETER N. TSAPATSARIS, ESQ., an attorney duly admitted to practice before this Court, hereby affirms and states under penalty of perjury pursuant to CPLR 2106:

1. I am managing director of the firm Peter N. Tsapatsaris LLC, located at 200 E 33rd St., 27th Floor, Suite D, New York, NY, 10016, attorneys for Objectors Knights of Columbus, Amici Associates L.P., Amici Qualified Associates L.P., The Collectors Fund L.P., Amici Offshore Ltd., Manichaeian Capital, Cedar Hill Capital Partners, Kerndt Brothers Savings Bank, Lea County State Bank, People’s Independent Bank, First Bank, Thomaston Savings Bank, First National Banking Company, First National Bank and Trust of Rochelle, LL Funds LLC, DoubleLine Capital LP, First Financial of Maryland Federal Credit Union, Valley National Bank, and Radian Asset Assurance, Inc. (“Objectors”) in this action. I make this Affirmation based on personal knowledge in support of Objectors’ motion to admit Talcott J. Franklin as counsel *pro hac vice* to represent Objectors in this matter.

2. I was admitted to practice before the Supreme Court for the State of New York in

May 2004, and am a member in good standing of the Bar of the State of New York.

3. Mr. Franklin is an attorney with Talcott Franklin PC, which maintains its offices at 208 N. Market Street, Suite 200, Dallas, Texas 75202. He has been a member of good standing of the bar of the State of Texas since May 17, 1999. He is also a member in good standing of the Bars of the States of North Carolina (licensed but not practicing in the State) and South Carolina (inactive) and admitted to practice before the following United States District Courts: the District for the District of Columbia, the Eastern and Northern Districts of Texas, the Eastern, Middle, and Western Districts of North Carolina, the District of South Carolina, and the District of Colorado, as well as the United States Court of Appeals for the Ninth Circuit. Mr. Franklin's June 4, 2013 Affidavit, attaching his certificate of good standing from the State of Texas, is submitted in support of this Motion.

4. I have worked with Mr. Franklin on multiple matters, including the case *Knights of Columbus v. The Bank of New York Mellon*, No. 651442/2011, currently pending before this Court. I know from personal experience that he is an attorney of the highest caliber and integrity.

5. Mr. Franklin has been engaged to assist in Peter N. Tsapatsaris LLC's representation of Objectors in this action. I respectfully submit that the *pro hac vice* admission of Mr. Franklin is necessary to the effective representation of Knights of Columbus in this matter.

6. A proposed form of Order is respectfully submitted herewith.

7. WHEREFORE, it is respectfully requested that this application to admit Talcott J. Franklin *pro hac vice* to represent Objectors in this matter be granted.

Dated: New York, NY
June 4, 2013



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