

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), Maiden Lane II, LLC (intervenor), Maiden Lane III, 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 Advisers, 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), New York Life 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)

Petitioner,

for an order pursuant to CPLR § 7701 seeking judicial instructions and approval of a proposed settlement.

Index No.  
651786/2011

Assigned to:  
Kapnick, J.

**AFFIRMATION OF  
JEREMY D. EICHER  
IN SUPPORT OF PRO  
HAC VICE  
ADMISSION OF IAN R.  
MCCONNEL**

Jeremy D. Eicher, an attorney duly licensed to practice law in the State of New York, affirms under penalties of perjury and says:

1. I have been a member in good standing of the Bar of the State of New York since I was admitted on December 26, 2008.
2. I am a Deputy Attorney General for the Delaware Department of Justice.
3. I am familiar with the above referenced proceeding and make this affidavit in support of the *pro hac vice* admission of Mr. McConnel in this matter.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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Kapnick, J.

**PROPOSED ORDER  
TO ADMIT COUNSEL  
PRO HAC VICE**

Ian R. McConnel, Deputy Attorney General, having applied to this court for admission *pro hac vice* to represent, intervenor, State of Delaware, in this action, said application becomes supported by an affidavit of Jeremy D. Eicher, Esq., a member of the Bar of the State of New York and attorney of record herein for Ian R. McConnel, an affidavit of the applicant dated August 9, 2011, and a Certificate in Good Standing from the Delaware Supreme Court, and the Court having reviewed the foregoing submissions and due deliberation having been had, it is now therefore

ORDERED that the motion is granted and Ian R. McConnel, Deputy Attorney General is permitted to appear and to participate in this action on behalf of intervenor; and it is further

ORDERED that he/she shall at all times be associated herein with counsel who is a member in good standing of the Bar of the State of New York and is attorney of record for the party in question and all pleadings, briefs and other papers filed with the court shall be signed by the attorney of record, who shall be held responsible for such papers and for the conduct of this action; and it is further

ORDERED that, pursuant to Section 520.11 of the Rules of the Court of Appeals and Section 602.2 of the Rules of the Appellate Division, First Department, the attorney hereby admitted *pro hac vice* shall abide by the standards of professional conduct imposed upon members of the New York Bar, including the Rules of the Courts governing the conduct of attorneys and the Disciplinary Rules of the Code of Professional Responsibility; and it is further

ORDERED that he shall be subject to the jurisdiction of the courts of the State of New York with respect to any acts occurring during the course of his/her participation in this matter; and it is further

ORDERED that said counsel shall notify the court immediately of any matter or event in this or any other jurisdiction which affects his standing as a member of the Bar.

ENTER:

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Justice Barbara R. Kapnick

Dated: August 9, 2011

4. Ian R. McConnell is a Deputy Attorney General at the Delaware Department of Justice, who is the Director of the Fraud and Consumer Protection Division. I have known and worked with Mr. McConnell since I joined the Delaware Department of Justice in December 2008.

5. I have worked closely with Mr. McConnell. I know from personal experience that he is an attorney who abides by the rules of ethics and acts with the highest integrity.

6. As evidenced by his Certificate of Good Standing attached to his respective affidavit, Mr. McConnell is an active member in good standing of the Bar of the State of Delaware, having been admitted to practice law in Delaware on December 17, 2006.

7. Mr. McConnell, as evidenced by his affidavit, is familiar with and agrees to be bound by the standards of professional conduct imposed upon members of the New York bar, including the rules of court governing the conduct of attorneys and the Disciplinary Rules of the Code of Professional Responsibility. Mr. McConnell acknowledges and agrees that he shall be subject to the jurisdiction of the courts of the State of New York with respect to any acts occurring during the course participation in this matter.

8. To the best of my knowledge, there are no disciplinary proceedings pending against Mr. McConnell in the State of Delaware or in any other jurisdiction; nor has there ever been any such proceedings brought against Mr. McConnell in any jurisdiction.

9. To the best of my knowledge, Mr. McConnell has not been previously admitted *pro hac vice* in this Court.

WHEREFORE, it is respectfully requested that the application to admit Ian R. McConnell *pro hac vice* to represent intervenor, State of Delaware in the above captioned matter, together with me, be granted.

Dated: August 9, 2011

THE DELAWARE DEPARTMENT OF JUSTICE

By:  \_\_\_\_\_

Jeremy D. Eicher (NY Bar No. 4643573)

Deputy Attorney General

Delaware Department of Justice

820 N. French St.

Wilmington, DE 19801

(302) 577-8600

*Counsel for Proposed Intervenor the State of Delaware*

Affirmed this 9<sup>th</sup>  
day of August, 2011.

  
Notary Public

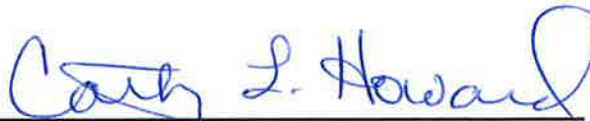
SHERRY V. HOFFMAN  
NOTARIAL OFFICER  
Attorney No. 2031  
Pursuant to 29 Del. C. #4323(a)(3)

**SUPREME COURT OF THE STATE OF DELAWARE****CERTIFICATE OF GOOD STANDING**

The Clerk of the Supreme Court of the State of Delaware, the highest Court in the State, certifies that **Ian Roberts McConnel** was admitted to practice as an attorney in the Courts of this State on **December 15, 2006** is an **active** member of the Bar of the Supreme Court of the State of Delaware in good standing.

**IN TESTIMONY WHEREOF,**

I have hereunto set my hand and affixed the seal of said Court at Dover this 5<sup>th</sup> day of August 2011.



Cathy L. Howard  
Clerk of the Supreme Court



# Office of Disciplinary Counsel

SUPREME COURT OF THE STATE OF DELAWARE

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Carvel State Office Building  
820 North French Street, 11th Floor  
Wilmington, Delaware 19801  
(302) 577-7042  
(302) 577-7048 (Fax)  
<http://courts.delaware.gov/odc>

FREDERICK W. IOBST  
Chief Counsel

PATRICIA BARTLEY SCHWARTZ  
Disciplinary Counsel

JOELLE E. POLESKY  
Disciplinary Counsel

August 8, 2011

## CONFIDENTIAL

Ian Robert McConnell, Esquire  
Department of Justice  
Carvel State Building  
820 N. French Street  
Wilmington, DE 19801

**Re: Ian Robert McConnell  
Delaware Bar ID No. 4888**

Dear Mr. McConnell:

In response to your request for a complete history of disciplinary complaints and resolution thereof, please be advised that no disciplinary matters are pending and no disciplinary sanctions have been imposed against you.

Sincerely,



Patricia Bartley Schwartz

PBS:mlm

**IAN ROBERTS MCCONNEL**

10 Dickinson Lane • Wilmington, Delaware, 19807

**Education****Boston College Law School**Juris Doctor, *cum laude*

GPA: 3.47/4.0

Activities: *Boston College International and Comparative Law Review*, Editor-in-Chief; Boston College Law School Veterans Association, Board Member

Newton, Massachusetts

May 2006

**Middlebury College**Bachelor of Arts, *cum laude*, in East Asian Studies/Japan

GPA: 3.55/4.0

Honors: College Scholar and Dean's List

Middlebury, Vermont

February 1998

**Doshisha University**

Completed coursework in Japanese language, history and culture

Kyoto, Japan

August 1995-May 1996

**Experience****Department of Justice for the State of Delaware***Director of the Consumer Protection and Fraud Division*

Wilmington, Delaware

May 2011 - Present

- Supervised and managed the Fraud Division, one of four Divisions in the Department of Justice, which includes the Consumer Protection, Investor Protection, Medicaid Fraud Control, and Special Investigations Units.

*Director of the Consumer Protection Unit*

July 2008-April 2011

- Supervised and managed twenty four people, to include 6 attorneys and 10 investigators.
- Prosecuted and/or litigated consumer fraud related criminal and civil actions in Superior Court.
- Led and settled a 43 state consumer protection investigation into the marketing practices of Pfizer.
- Competitively selected by the Council of State Governments to be a 2009 Toll Leadership Fellow.

*Special Assistant United States Attorney*

April 2009-September 2010

- Selected to prosecute federal gun possession felonies in the District Court of the State of Delaware on behalf of the Delaware U.S. Attorney's Office.

*Deputy Attorney General, Civil and Consumer Fraud Divisions*

April 2008-July 2008

**Morris, Nichols, Arsht & Tunnell LLP***Associate*

Wilmington, Delaware

September 2006-March 2008

**Strong Capital Management***High Net-Worth Sales Team Manager*

Menomonee Falls, Wisconsin

April 2002-July 2003

**United States Marine Corps***Infantry Officer, First Lieutenant*

Camp Lejeune, North Carolina

June 1998-February 2002

**Licenses, Affiliations, and Language**

Admitted to the Bar of the State of Delaware, U.S. District of Delaware and the U.S. Supreme Court; formerly Series 7, 63 and 24 licensed. Member of the Delaware State Bar Association Ethics Committee and Nominating Committee for the Executive Committee. Conversationally proficient in Japanese.