



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE
INVESTOR PROTECTION BUREAU

September 12, 2011

BY ELECTRONIC FILING AND FACSIMILE

Hon. Barbara R. Kapnick
Supreme Court of the State of New York
60 Centre Street, Room 555
New York, NY 10007

Re: *In the Application of The Bank of New York Mellon, et al.*
(Index No. 651786/2011, Kapnick, J.)

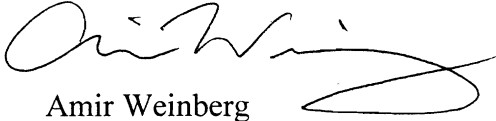
Dear Justice Kapnick,

This Office represents proposed intervenor Eric T. Schneiderman, Attorney General of the State of New York ("NYAG") in the above action. We write to inform the Court that the NYAG has agreed with counsel for Bank of New York to adjourn the date for filing a reply brief in further support of the NYAG's Motion to Intervene (Document Number 101, Motion Sequence Number 12) until the pending removal action is decided by Judge William H. Pauley III of the United States District Court for the Southern District of New York, to which this action was removed.

By way of background, NYAG served and filed a motion to intervene before Justice Kapnick of the Supreme Court, on August 4, 2011. Bank of New York served and filed a response to that motion on August 16, 2011. On August 19, 2011, we agreed with Bank of New York to adjourn the date on which NYAG would file its reply brief in support of its motion to intervene, to September 6, 2011, and the return date of the motion to September 7, 2011. Shortly thereafter, on August 26, 2011, Walnut Place removed the matter (Document Number 164). On September 1, 2011, Bank of New York moved by Order to Show Cause for remand to New York State Supreme Court.

In view of Bank of New York's pending remand motion, we have agreed with Bank of New York to further adjourn the date on which NYAG's reply brief is to be served and filed, to a date five (5) days following this Court's decision of the pending remand motion. The stipulation is enclosed herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Amir Weinberg", with a large, sweeping flourish at the end.

Amir Weinberg
Assistant Attorney General
Investor Protection Bureau

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT 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,

-against-

WALNUT PLACE LLC *et al.*,

Intervenor-Respondents.

2011-cv-5988 (WHP)

STIPULATION TO ADJOURN SERVICE OF REPLY PAPERS

WHEREAS, counsel for Proposed Intervenor Counter-Plaintiff, Eric T. Schneiderman, Attorney General of the State of New York (the "Attorney General"), and Petitioner The Bank of New York Mellon ("BNYM"), agreed to adjourn the return date of the Attorney General's Motion to Intervene in the above-captioned action, currently scheduled to take place September 7, 2011, at 9:30 a.m.;

WHEREAS, the above-captioned matter has been removed to federal court;

WHEREAS, BNYM has filed a remand motion in federal court;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the Attorney General and BNYM, that the return date of the Attorney General's Motion to Intervene is adjourned to six (6) business days after the district court has issued a decision on BNYM's remand motion.

IT IS FURTHER STIPULATED AND AGREED that the Attorney General's reply papers to BNYM's Opposition To The Motion To Intervene By Eric T.

Schneiderman, Attorney General Of The State Of New York, and in further support of the Attorney General's Motion to Intervene, shall be served five (5) business days after the district court has issued a decision on BNYM's remand motion.

IT IS FURTHER STIPULATED AND AGREED that electronic, facsimile, or PDF signatures shall be deemed to be original signatures, and that this stipulation may be executed in counterparts and delivered by facsimile or electronic mail.

Dated: September 2, 2011
New York, New York

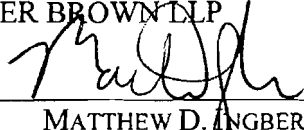
ERIC T. SCHNEIDERMAN
Attorney General of the State of New York

By: 
MARIA FILIPAKIS

Special Deputy Attorney General
120 Broadway, 23rd Floor
New York, New York 10271
(212) 416-8493

Counsel for Proposed Intervenor Counter-Plaintiff

Dated: September 2, 2011
New York, New York

MAYER BROWN LLP
By: 
MATTHEW D. INGBER

1675 Broadway
New York, New York 10019
(212) 506-2380

Counsel for Petitioner The Bank of New York Mellon

SO ORDERED:

Dated: September __, 2011
New York, New York

WILLIAM H. PAULEY III, U.S.D.J.