

*Doc # 300-1*

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTRY OF NEW YORK**

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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.,

Index No. 651786/2011

Assigned to Kapnick, J.

Petitioners,

**[PROPOSED] ORDER TO  
WITHDRAW**

-against-

WALNUT PLACE LLC, et al.,

Intervenor-Respondents.

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NOW, on application of Rachel Gupta, Esq., attorney for intervenors Ambac Assurance Corporation and The Segregated Account of Ambac Assurance Corporation, it is hereby

ORDERED, that the application of Ambac Assurance Corporation and The Segregated Account of Ambac Assurance Corporation to withdraw as intervenors is granted.

ENTER,



J.S.C.

**BARBARA R. KAPNICK  
J.S.C.**

Dated: May 8, 2012

Ambac Assurance Corporation  
One State Street Plaza  
New York, New York 10004

*A member of Ambac Financial Group, Inc*

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Assistant General Counsel  
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April 30, 2012

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

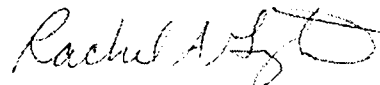
**Ambac**

Re: Petition of the Bank of New York Mellon (Index No. 651786/2011)

Dear Justice Kapnick:

We represent intervenors Ambac Assurance Corporation and The Segregated Account of Ambac Assurance Corporation (collectively "Ambac") in this action and write to inform the Court that Ambac is withdrawing from the Article 77 proceeding. Accordingly, we respectfully request that the Court enter the enclosed order of withdrawal.

Respectfully submitted,



Rachel A. Gupta

Encl.

cc: All counsel of record (via ECF)