

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

Kapnick, J.

**PROPOSED ORDER TO  
WITHDRAW**

NOW, on the application of David A. Berger, attorney for objector Syncora  
Guarantee Inc., it is hereby

ORDERED, that the application of Syncora Guarantee Inc. to withdraw as an  
objector is granted.

ENTER,

\_\_\_\_\_  
J.S.C.

Dated: \_\_\_\_\_, 2012