

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK : *IA PART 59*

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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), BlackRock Financial Management Inc. (intervenor), Kore Advisors, L.P. (intervenor), Maiden Lane, 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 Advisors, 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), 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),

Index No. 651786-2011

Assigned to: Kapnick, J.

*Scheduling*  
**ORDER**

Petitioners, -

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

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Upon hearing ~~and~~ oral argument on the record on August 2, 2012 with respect to issues of scheduling, and recognizing that there are outstanding discovery disputes that may impact the parties' ability to obtain discovery as set forth below, the Court hereby orders that this matter will proceed on the following schedule, unless otherwise ordered by the Court; *upon application of any of the parties'*

**December 14, 2012:** Fact discovery and depositions shall be complete.

**January 15, 2013:** Expert disclosures pursuant to CPLR 3101(d)(1) shall be made.

**February 15, 2013:** Expert discovery shall be complete.

**March 15, 2013:** (A) Briefs in support or opposition to the Settlement shall be filed, and (B) each intervenor and/or objector shall notify the Trustee and the Court (i) whether they object to the Settlement; and (ii) whether they intend to present evidence or testimony in opposition to the Settlement at the final hearing. Discovery of intervenors and/or objectors who give notice of objections pursuant to section (B)(i) hereof shall commence.

**March 29, 2013:** Responses in support or opposition to the Settlement shall be filed.

**April 12, 2013:** Replies in support or opposition to the Settlement shall be filed.

**May 2, 2013:** Final hearing on the Settlement begins.

All parties reserve all rights and objections to all discovery that is sought.

Dated: 8/10, 2012

ENTER



J.S.C.

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