

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

Assigned to: Kapnick, J.

**AFFIRMATION OF
DANIEL M. REILLY**

Motion Seq. 29-33

I, Daniel M. Reilly, hereby affirm under the penalty of perjury that the following is true and correct:

1. I am a member of the Bar of the State of Colorado and admitted to appear before this Court *pro hac vice*, and am a member of Reilly Pozner LLP, counsel for the AIG entities in this matter. I am familiar with the matters referenced herein and submit this affirmation in support of the Steering Committee's Consolidated Reply Memorandum of Law in Support of Orders to Show Cause.

2. Attached as Exhibit R-1, is a true and accurate copy pertinent excerpts from the Transcript of the April 24, 2012, Hearing before The Honorable Barbara R. Kapnick.

3. Attached as Exhibit R-2, is a true and accurate copy of pertinent excerpts from the Transcript of the October 12, 2012, Hearing before The Honorable Barbara R. Kapnick.

4. Attached as Exhibit R-3, is a true and accurate copy of an email dated April 18, 2011, from Mr. Kravitt to Mr. Koplow and Ms. Patrick, and Bates numbered BNYM_CW-00264674 (Dep. Ex. 90).

5. Attached as Exhibit R-4, is a true and accurate copy of the decision/order entered in ASR Levensverzekering NV, et. al. v. Swiss RE Financial Products Corp., et. al., Index No. 650557/2009, N.Y. State Sup. Ct. (Oct. 11, 2011).

6. Attached as Exhibit R-5, is a true and accurate copy of pertinent excerpts from the Deposition Transcript of Jason H.P. Kravitt (Sept. 20, 2012).

7. Attached as Exhibit R-6 is a true and accurate copy of a letter dated December 22, 2011 to the Honorable William H. Pauley regarding the withdrawal of the Monarch Entities and filed in Case No. 1:11-cv-05988-WHP, Doc. No. 149 (S.D.N.Y.).

8. Attached as Exhibit R-7 is a true and accurate copy of pertinent excerpts from the Deposition Transcript of Jason Buechele (Nov. 27, 2012).

9. Attached as Exhibit R-8 is a true and accurate copy of pertinent excerpts from the Deposition Transcript of Loretta Lundberg (Oct. 2 & 3, 2012).

10. Attached as Exhibit R-9 is a true and accurate copy of an email dated December 9, 2010, from Mr. Kravitt to Ms. Golin, and Bates numbered BNYM_CW-00270712-15 (Dep. Ex. 62).

11. Attached as Exhibit R-10 is a true and accurate copy of pertinent excerpts from the Deposition Transcript of Robert Bostrom (Dec. 18, 2012).

12. Attached as Exhibit R-11 is a true and accurate copy of pertinent excerpts from the Deposition Transcript of Scott Waterstredt (Dec. 5, 2012).

13. Attached as Exhibit R-12 is a true and accurate copy of pertinent excerpts from the Deposition Transcript of Randy Robertson (Nov. 29, 2012).

14. Attached as Exhibit R-13 is a true and accurate copy of pertinent excerpts from the Deposition Transcript of Bruce Bingham (Jan. 18, 2013).

15. Attached as Exhibit R-14 is a true and accurate copy of pertinent excerpts from the Deposition transcript of David Anthony (Nov. 15, 2012).

Affirmed this 1st day of February 2013.


Daniel M. Reilly