

**Exhibit 38**  
**to**  
**Affidavit of Daniel M. Reilly**  
**in Support of Joint Memorandum of**  
**Law in Opposition to Proposed Settlement**

**From:** Kravitt, Jason H. P.  
**Sent:** Friday, October 29, 2010 12:45 PM  
**To:** 'kpatrick@gibbsbruns.com'  
**Subject:** Countrywide serviced PSAs where Bank of New York Mellon serves as Trustee/Your letter of 18 October

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Hello, how are you? My name is Jason Kravitt and I am a partner in the finance practice at Mayer Brown LLP.

I work in the structured finance space, often represent financial institutions, and specialize in regulatory implications of various structures and matters.

I have been retained to help Bank of New York Mellon to attempt to work constructively with your investor clients. I would very much like to meet you and try to work out an arrangement that works for both of our clients.

I am traveling during the middle of today, but could call you later in the afternoon to try and set something up in Houston perhaps on Tuesday, Wednesday, Thursday or Friday morning next week? Some days are better or worse for me, but I'd like to know what works for you and I'll try to figure out how to accommodate my schedule.

May I ask you to please let me know what time a short call could work for you later this afternoon? I look forward to your reply.

Jason

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**In Re BNY Mellon**  
**Index No. 651786/11**  
**Depo. Exh. 028**