

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)

- v. -

for an Order, pursuant to CPLR 7701, seeking judicial
instructions and approval of a proposed settlement

Index No. 651786/2011

**AFFIRMATION OF MAX R.
SCHWARTZ IN SUPPORT OF
THE PUBLIC PENSION FUND
COMMITTEE'S MEMORANDUM
OF LAW IN OPPOSITION TO
THE PROPOSED SETTLEMENT**

Assigned to: Hon. Kapnick, J.

I, Max R. Schwartz, 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 New York and an associate at
Scott+Scott, Attorneys at Law, LLP, counsel for the Public Pension Fund Committee in this
matter.

2. Attached as Exhibit 1, is a true and correct copy of excerpts from a hearing in this
matter dated September 21, 2011, which took place before the Hon. William H. Pauley.

3. Attached as Exhibit 2, is a true and correct copy of excerpts [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

4. Attached as Exhibit 3, is a true and correct copy of [REDACTED]
[REDACTED]
[REDACTED].

5. Attached as Exhibit 4, is a true and correct copy of excerpts [REDACTED]

[REDACTED]

[REDACTED].

6. Attached as Exhibit 5, is a true and correct copy of a [REDACTED]

[REDACTED]

[REDACTED].

7. Attached as Exhibit 6, is a true and correct copy of a [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

8. Attached as Exhibit 7, is a true and correct copy of a [REDACTED]

[REDACTED]

[REDACTED].

9. Attached as Exhibit 8, is a true and correct copy of [REDACTED]

[REDACTED].

10. Attached as Exhibit 9, is a true and correct copy of [REDACTED]

[REDACTED].

11. Attached as Exhibit 10, is a true and correct copy of [REDACTED]

[REDACTED].

12. Attached as Exhibit 11, is a true and correct copy of the Opinion Concerning Contemplated Settlement Amount for 530 Trusts, prepared in connection with this matter by RRMS Advisors and dated June 7, 2011.

13. Attached as Exhibit 12, is a true and correct copy of [REDACTED]

[REDACTED].

14. Attached as Exhibit 13, is a true and correct copy of a [REDACTED]

[REDACTED]

[REDACTED]

Dated this 3rd day of May, 2013.

Max R. Schwartz