

# EXHIBIT 4

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March 29, 2013

**VIA ELECTRONIC MAIL**

Talcott J. Franklin  
Talcott Franklin P.C.  
208 North Market Street, Suite 200  
Dallas, Texas 75202

Re: *Knights of Columbus v. The Bank of New York Mellon* (Index No. 651442/2011)

Dear Tal:

We write in response to your letter, dated March 20, 2013.

We can reiterate what we have told you, and the Court, on several occasions—namely, that the Settlement Agreement contains no release of claims against BNY Mellon. I made this point, as you know, during oral argument in this case:

[W]e have said numerous times in the context of the Article 77, in response to allegations that the trustee was conflicted because it negotiated a release for itself, we said look at the settlement agreement. There is no release of claims against the trustee. We are not conflicted. There is no release . . . So that is why . . . we are not arguing that in this case that [the trustee] is released by the settlement agreement. There was not a release in the settlement agreement of claims.

Hr. Tr. at 33, dated April 25, 2012. We expect that any orders or judgments in the Article 77 case will have *res judicata* effect.

Feel free to contact me if you have any questions.

Very truly yours,

  
Matthew D. Ingber