

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT 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,

-against-

WALNUT PLACE LLC, et al.

Respondents,

for an order pursuant to CPLR § 7701 seeking judicial instructions  
and approval of a proposed settlement.

Case No. 11 CV 5988-WHP

Hon. William H. Pauley

ECF Case

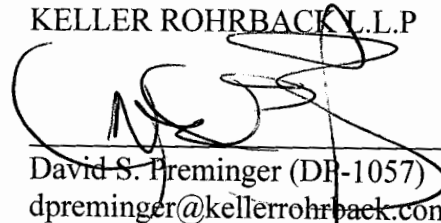
FILED  
2011 SEP 27 PM 12:14  
C.D. OF N.Y.

**MOTION TO ADMIT COUNSEL *PRO HAC VICE***

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, David S. Preminger, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of Gary A. Gotto, Keller Rohrback, P.L.C., 3101 North Central Avenue, Suite 1400, Phoenix, AZ 85012, telephone (602) 248-0088, facsimile: (602) 248-2822, e-mail: ggotto@krplc.com. Gary A. Gotto is a member in good standing of the bar of the State of Arizona. There are no pending disciplinary proceedings against Gary A. Gotto in any State or Federal Court.

Dated: New York, NY  
September 22, 2011

KELLER ROHRBACK L.L.P.



David S. Preminger (DF-1057)  
dpreminger@kellerrohrback.com  
770 Broadway, Second Floor  
New York, New York 10006  
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**DECLARATION OF DAVID S. PREMINGER IN SUPPORT OF  
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

David S. Preminger declares and states pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the firm of Keller Rohrback LLP, Co-Counsel for Respondents Federal Home Loan Bank of Boston, Federal Home Loan Bank of Chicago, and Federal Home Loan Bank of Indianapolis in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my knowledge of the facts set forth herein and in support of the Motion to admit Gary A. Gotto as counsel *pro hac vice* to represent Respondents Federal Home Loan Bank of Boston, Federal Home Loan Bank of Chicago, and Federal Home Loan Bank of Indianapolis in this matter.

2. I am a member in good standing of the bar of the state of New York, and was admitted to practice law on March 12, 1973. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Gary A. Gotto since May 2008. I am familiar with his practice. We have both been involved in complex ERISA class action litigation representing plaintiffs.

4. Gary A. Gotto is a partner with the firm of Keller Rohrback P.L.C. in Phoenix, Arizona.

5. I have found Mr. Gotto to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure. A copy of his Certificate of Good Standing for the State Bar of Arizona is attached hereto as Exhibit A.

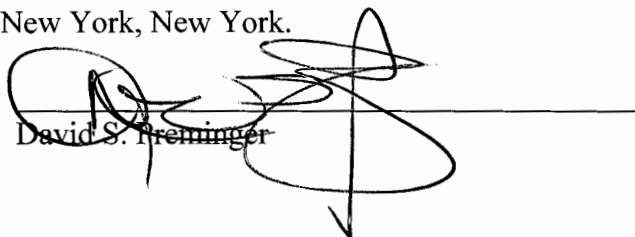
6. Accordingly, I am pleased to move for the admission of Gary A. Gotto, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of Gary A. Gotto, *pro hac vice*, which is attached as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Gary A. Gotto, *pro hac vice*, to represent Respondents Federal Home Loan Bank of Boston, Federal Home Loan Bank of Chicago, and Federal Home Loan Bank of Indianapolis in the above captioned matter, be granted.

I declare under penalty of perjury of the Laws of the United States that the foregoing is true and correct.

Executed on September 22, 2011 in New York, New York.

  
David S. Preninger

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**ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION**

Upon the motion of David S. Preminger, counsel for Respondents Federal Home Loan Bank of Boston, Federal Home Loan Bank of Chicago, and Federal Home Loan Bank of Indianapolis in the above captioned case, and said sponsor attorney's declaration in support; IT IS HEREBY ORDERED that

Gary A. Gotto  
Keller Rohrback, P.L.C.  
3101 North Central Avenue, Suite 1400  
Phoenix, AZ 85012  
Telephone (602) 248-0088  
Facsimile: (602) 248-2822  
E-mail: ggotto@krplc.com

is admitted to practice *pro hac vice* as counsel for Respondents Federal Home Loan Bank of Boston, Federal Home Loan Bank of Chicago, and Federal Home Loan Bank of Indianapolis in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic

Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

So Ordered: New York, New York  
September \_\_\_\_, 2011

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United States District/Magistrate Judge

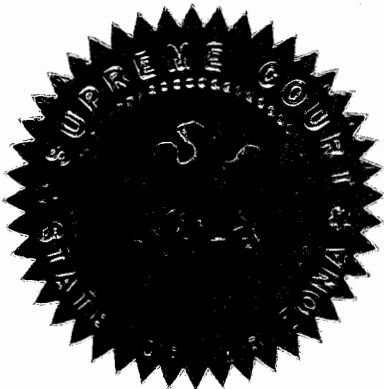
**CERTIFICATE OF THE CLERK OF THE SUPREME COURT  
OF THE  
STATE OF ARIZONA**

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*I, Rachelle M. Resnick, Clerk of the Supreme Court of the State of Arizona, hereby certify that, according to the records of my office and upon the recommendation of the Disciplinary Clerk of the Supreme Court of Arizona*

**GARY ANTHONY GOTTO**

*was on the 23rd day of October, 1982, duly admitted to practice as an Attorney and Counselor at Law in all the courts of Arizona; that no disciplinary proceedings are pending against this attorney in the Arizona Supreme Court as of the date of this certificate; and that this name now appears on the Roll of Attorneys in this office as an active member of the Bar in good standing.*



*Given under my hand and the seal of said Court this 13th day of September, 2011.*

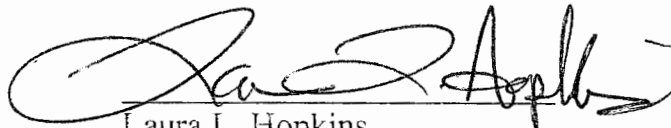
*RACHELLE M. RESNICK, Clerk*

By *Allison Carro*  
*Allison D. Carro*  
*Deputy Clerk II*

CERTIFICATE OF GOOD STANDING  
ISSUED BY THE DISCIPLINARY CLERK  
FOR AND ON BEHALF OF  
THE SUPREME COURT OF ARIZONA

The Disciplinary Clerk pursuant to Rule 74, Rules of the Supreme Court of Arizona, hereby certifies that according to the records of the State Bar, **GARY ANTHONY GOTTO** was duly admitted to practice as an attorney and counselor at law in all courts of Arizona by the Supreme Court of Arizona on October 23, 1982 and is now, as of the date of this Certificate, an active member of the State Bar of Arizona in good standing.

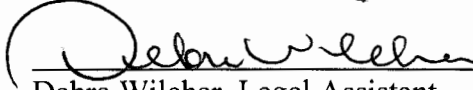
Given under the seal of the Disciplinary  
Clerk of the Supreme Court of Arizona  
this 6<sup>th</sup> day of September 2011.

A handwritten signature in black ink, appearing to read "Laura L. Hopkins", written over a horizontal line.

Laura L. Hopkins  
Disciplinary Clerk

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing *Motion To Admit Counsel Pro Hac Vice* to be served upon all counsel of record on September 26, 2011

  
\_\_\_\_\_  
Debra Wilcher, Legal Assistant