

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: IA PART 39

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),

Petitioner,

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

Index No. 651786/2011

**NOTICE OF INTENTION TO
APPEAR AND OBJECT TO
PROPOSED SETTLEMENT**

Oriental Bank and Trust (“Oriental”), as a Potentially Interested Person, hereby files this notice of intention to appear and object to the proposed settlement between The Bank of New York Mellon, as Trustee or Indenture Trustee, and Bank of America Corporation, Countrywide Home Loans, Inc., Countrywide Financial Corporation, and BAC Home Loans Servicing, LP. (the “Proposed Settlement”).

On August 5, 2011, this Honorable Court entered an *Order* whereby it granted leave to any Potentially Interested Person who wishes to object to the Proposed Settlement to file, on or before August 30, 2011, a written notice of intention to appear and object as provided in the *Order to Show Cause* dated June 29, 2011. Pursuant to the *Order*, a Potentially Interested Person may object to the Proposed Settlement on the ground that it does not have enough information to evaluate it.

Oriental is a Puerto Rico commercial bank and former holder of two tranches of one of the mortgage securitization trusts listed in Exhibit A to the *Notice of a Special Proceeding and*

Proposed Settlement between The Bank of New York Mellon, as Trustee or Indenture Trustee, and Bank of America Corporation, Countrywide Home Loans, Inc., Countrywide Financial Corporation, and BAC Home Loans Servicing, LP, namely, CWHL 2006-21 (A19) and CWHL 2006-21 (A1). As such, Oriental is a Potentially Interested Person.

Oriental suffered significant losses as a result of the same acts and omissions that give rise to the present certificate holders' rights under the Proposed Settlement. However, it is not clear from the terms and conditions of the Proposed Settlement whether Oriental would be entitled, as a former certificate holder, to any remedies thereunder.


Oriental objects to the Proposed Settlement because it lacks enough information to evaluate it and determine if Oriental is entitled to any remedies thereunder.

WHEREFORE, Oriental respectfully requests that this Honorable Court deem preserved Oriental's rights to seek discovery and supplement its objection to the Proposed Settlement and take any other appropriate actions.

In San Juan, Puerto Rico, this 29th day of August, 2011.

Respectfully submitted,

McCONNELL VALDÉS LLC

By: 


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Attorneys for
ORIENTAL BANK AND TRUST

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that, on August 29, 2011, a true and exact copy of this document was sent by overnight courier to the following counsel of record:

Bank of New York Mellon
Attn: Matthew D. Ingber
1675 Broadway
New York, NY 10019
Counsel for Petitioner

By: 

Roberto C. Quiñones-Rivera
New York Bar No. 2428373