

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION, FIRST DEPARTMENT

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-Appellants-Cross-Respondents,*

for an order, pursuant to C.P.L.R. § 7701, seeking judicial instructions and  
approval of a proposed settlement.

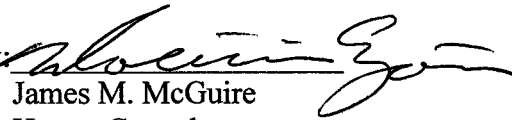
Index No. 651786-2011

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE THAT** upon the annexed Affirmation of James M. McGuire, dated June 17, 2014 and the exhibits annexed thereto, and the annexed Affidavit of Robert J. Madden, dated June 12, 2014, Petitioner-Appellant-Cross-Respondent The Bank of New York Mellon will move this Court in the Supreme Court of New York, Appellate Division, First Department located at 27 Madison Avenue, New York, New York on the 26th day of June, 2014 at 3 p.m. or as soon thereafter as counsel may be heard, for an order granting Petitioner-Appellant-Cross Respondent's motion for a preference and adoption of the Stipulation as the briefing schedule, and granting such further relief as the Court may direct.

**PLEASE TAKE FURTHER NOTICE** that pursuant the briefing schedule set forth by this Court, answering papers are required to be served upon the undersigned by June 24, 2014.

Dated: June 17, 2014  
New York, New York

By: 

James M. McGuire  
Hector Gonzalez  
Mauricio A. España  
DECHERT LLP  
1095 Avenue of the Americas  
New York, New York 10036  
(212) 698-3500

Matthew D. Ingber  
Christopher J. Houpt  
MAYER BROWN LLP  
1675 Broadway  
New York, New York 10019  
(212) 506-2500

*Attorneys for Petitioner-Appellant-Cross-Respondent The Bank of New York Mellon*

15283407.2