

Print Form

SUPREME COURT OF THE STATE OF NEW YORK

UCS-840C
3/2011

COUNTY OF New York x

Index No. _____

In the matter of the application of U.S. Bank, N.A. et. al.

RJI No. (if any) _____

-against-

Plaintiff(s)/Petitioner(s)

COMMERCIAL DIVISION

Request for Judicial Intervention Addendum

Defendant(s)/Respondent(s) x

COMPLETE WHERE APPLICABLE [add additional pages if needed]:

Plaintiff/Petitioner's cause(s) of action [check all that apply]:

- Breach of contract or fiduciary duty, fraud, misrepresentation, business tort (e.g. unfair competition), or statutory and/or common law violation where the breach or violation is alleged to arise out of business dealings (e.g. sales of assets or securities; corporate restructuring; partnership, shareholder, joint venture, and other business agreements; trade secrets; restrictive covenants; and employment agreements not including claims that principally involve alleged discriminatory practices)
- Transactions governed by the Uniform Commercial Code (exclusive of those concerning individual cooperative or condominium units)
- Transactions involving commercial real property, including Yellowstone injunctions and excluding actions for the payment of rent only
- Shareholder derivative actions — without consideration of the monetary threshold
- Commercial class actions — without consideration of the monetary threshold
- Business transactions involving or arising out of dealings with commercial banks and other financial institutions
- Internal affairs of business organizations
- Malpractice by accountants or actuaries, and legal malpractice arising out of representation in commercial matters
- Environmental insurance coverage
- Commercial insurance coverage (e.g. directors and officers, errors and omissions, and business interruption coverage)
- Dissolution of corporations, partnerships, limited liability companies, limited liability partnerships and joint ventures — without consideration of the monetary threshold
- Applications to stay or compel arbitration and affirm or disaffirm arbitration awards and related injunctive relief pursuant to CPLR Article 75 involving any of the foregoing enumerated commercial issues — without consideration of the monetary threshold

Plaintiff/Petitioner's claim for compensatory damages [exclusive of punitive damages, interest, costs and counsel fees claimed]:

\$ None

Plaintiff/Petitioner's claim for equitable or declaratory relief [brief description]:

Petitioners entered into a settlement on behalf of certain residential mortgage- securitization trusts that resolve claims that Lehman Brothers and its affiliates misrepresented the quality of mortgage loans deposited in the trusts and failed to service the loans properly. The settlement requires a cash payment of \$2.38 billion (reduced as required under the terms of the settlement agreement) and detailed mortgage loan servicing standards. The trustees now seek judicial instructions concerning the administration and distribution of the settlement on behalf of certain trusts.

Defendant/Respondent's counterclaim(s) [brief description, including claim for monetary relief]:

[Empty box for counterclaim description]

I REQUEST THAT THIS CASE BE ASSIGNED TO THE COMMERCIAL DIVISION. I CERTIFY THAT THE CASE MEETS THE JURISDICTIONAL REQUIREMENTS OF THE COMMERCIAL DIVISION SET FORTH IN 22 NYCRR § 202.70(a), (b) AND (c).

Dated: 04/04/2018


SIGNATURE

Zachary G. Newman, Esq.
PRINT OR TYPE NAME