

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the matter of the application of

U.S. BANK NATIONAL ASSOCIATION, WELLS
FARGO BANK, NATIONAL ASSOCIATION,
WILMINGTON TRUST, NATIONAL
ASSOCIATION, WILMINGTON TRUST COMPANY,
and CITIBANK, N.A. (as Trustees, Indenture Trustees,
Securities Administrators, Paying Agents, and/or
Calculation Agents of Certain Residential Mortgage-
Backed Securitization Trusts),

Petitioners,

For Judicial Instructions under CPLR Article 77 on the
Administration and Distribution of a Settlement
Payment.

Index No. 651625/2018

Crane, J.

**AFFIRMATION OF KURT W.
RADEMACHER**

I, Kurt W. Rademacher, an attorney duly admitted to practice law in the State of New York, hereby affirm under penalties of perjury, pursuant to CPLR § 2106, as follows:

1. I am a partner with the firm of Morgan, Lewis & Bockius LLP, counsel for Petitioner U.S. Bank National Association (“U.S. Bank”) in this proceeding. I am familiar with the proceedings in this case.

2. I have personal knowledge of the facts stated in this affirmation. I make this application in support of the Proposed Order to Show Cause (the “Proposed OSC”) filed by U.S. Bank contemporaneously herewith.

3. All capitalized terms used and not otherwise defined herein have the meanings ascribed to such terms in the Petition (NYSCEF No. 1).

4. On April 20, 2018, the Court entered an Order to Show Cause (the “Show Cause Order”) (NYSCEF No. 37) directing the Petitioners to provide notice of this proceeding pursuant to the notice program described in the Show Cause Order (the “Notice Program”), and the Court

found that the Notice Program was the best notice practicable, was reasonably calculated to put interested persons on notice of the proceeding, and constituted due and sufficient notice of the proceeding in satisfaction of federal and state due process requirements and other applicable law.

5. The Notice Program directed that interested parties respond to the Petition on or before May 30, 2018.

6. No interested party has appeared in this case asserting an interest in SASCO 2004-17XS (the “Undisputed Trust”).

7. The Partial Severance Order and Partial Final Judgment filed by U.S. Bank contemporaneously herewith resolves the issues for which judicial instructions were sought concerning the administration and distribution of the Settlement Payment for the Undisputed Trust.

8. While no party has appeared in this case asserting an interest in the Undisputed Trust, consistent with prior instructions of this Court, the Proposed OSC filed herewith provides an opportunity for parties to file opposition papers to the Order.

9. For the reasons set out herein and subject to my understanding that no party has asserted an interest in the Undisputed Trust, U.S. Bank respectfully requests that the Court enter the Order.

10. No prior application for the relief herein requested has been made to this Court or to any other Court.

Dated: New York, New York
December 8, 2023

/s/ Kurt W. Rademacher
Kurt W. Rademacher