

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

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In the matter of the application of :
U.S. BANK NATIONAL ASSOCIATION, WELLS : Index No. 651625/2018
FARGO BANK, NATIONAL ASSOCIATION, : Hon. Melissa A. Crane
WILMINGTON TRUST, NATIONAL : **STIPULATION AND**
ASSOCIATION, WILMINGTON TRUST : **[PROPOSED] ORDER**
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. :

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WHEREAS, Petitioners commenced this action with the filing of the Petition (NYSCEF Doc. No. 1) seeking judicial guidance regarding the distribution and administration of certain settlement payments among the settlement trusts subject to the Petition and listed on Exhibit A thereto (NYSCEF Doc. No. 2), as amended (NYSCEF Doc. No. 84) (the “Subject Settlement Trusts”);

WHEREAS, by Interim Decision and Order dated March 19, 2020 (NYSCEF Doc. No. 239) (the “Referral Order”), the Court ruled its resolution of certain disputed issues required interpretation of agreements over which the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) had retained jurisdiction, and ordered Petitioners to “advise the Bankruptcy Court of this decision and order” and further ordered the proceeding “stayed pending hearing and determination by the Bankruptcy Court of the aforesaid issues”;

WHEREAS, in a series of partial severance orders and partial final judgments entered between December 17, 2018 (NYSCEF Doc. No. 196) and June 5, 2024 (NYSCEF Doc. No. 318) (the “Severance Judgments”), the Court has instructed the Petitioners with respect to the relief requested in the Petition for each of the Subject Settlement Trusts, and with the severance of these trusts from the case, no further judicial guidance is being requested by Petitioners in this proceeding;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, as follows:

1. With respect to the Subject Settlement Trusts, the Referral Order has been mooted by the resolution of the issues set forth in the Petition and this proceeding no longer presents issues requiring interpretation of the Settlement Agreement or other guidance from the Bankruptcy Court.
2. The Court retains jurisdiction to enforce the terms of its Severance Judgments.
3. Except as otherwise set forth herein, all matters presented in the Petition have been resolved and this proceeding is closed.
4. This stipulation may be executed in counterparts.

Dated: New York, New York
July 2, 2024

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SO ORDERED, July ___, 2024:

J.S.C.