

**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 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

Hon. Marcy S. Friedman

**AFFIRMATION OF PETER W.  
TOMLINSON IN SUPPORT OF  
THE OPENING MERITS BRIEF OF  
OLIFANT FUND, LTD., FFI FUND  
LTD. AND FYI LTD.**

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Peter W. Tomlinson affirms pursuant to C.P.L.R. § 2016 that the following is true:

1. I am an attorney in good standing with the bar of this Court. I am a partner at Patterson Belknap Webb & Tyler LLP, counsel for Olifant Fund, Ltd., FFI Fund Ltd., and FYI Ltd. (the “Olifant Funds”) in this action. I submit this Affirmation in support of the Olifant Funds’ Opening Merits Brief.

2. Attached hereto as Exhibit 1 is a true and correct copy of relevant excerpts from the Trust Agreement for the Lehman XS (“LXS”) Trust Series 2007-1 dated as of January 1, 2007.

I affirm under penalty of perjury that the foregoing is true and correct.

New York, New York

Date: October 19, 2018

/s/ Peter W. Tomlinson

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