

6. Attached hereto as Exhibit 5 is a true and correct copy of a memorandum of law in support of the Institutional Investors' motion to enjoin the Article 77 proceeding.

7. Attached hereto as Exhibit 6 is a true and correct copy of a transcript of an April 19, 2018 hearing on the Institutional Investors' motion to enjoin the Article 77 proceeding.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Bankruptcy Court's Order on the Institutional Investors' motion to enjoin the Article 77 proceeding.

9. Attached hereto as Exhibit 8 is a true and correct copy of Bogert, THE LAW OF TRUSTS AND TRUSTEES, § 559.

10. Attached hereto as Exhibit 9 is a true and correct copy of *Matter of Lipin*, 9 Misc.2d 708, 710 (Sup. Ct. N.Y. Cnty. 1957), *aff'd* 6 A.D.2d 1011 (1st Dep't 1958).

11. Attached hereto as Exhibit 10 is a true and correct copy of RESTATEMENT (THIRD OF TRUSTS) § 71.

12. Attached hereto as Exhibit 11 is a true and correct copy of *Marvin F. Hall Tr. v. Hall*, 810 S.W.2d 710, 715 (Mo. Ct. App. 1991).

13. Attached hereto as Exhibit 12 is a true and correct copy of *City Bank Farmer's Trust Co. v Smith*, 263 N.Y. 292, 295-296 (1934).

14. Attached hereto as Exhibit 13 is a true and correct copy of *Ferguson v. Rippel*, 23 N.J. Sup. 132, 92 A.2d 647 (1952).

15. Attached hereto as Exhibit 14 is a true and correct copy of *Baxter's Ex'rs v. Baxter*, 43 N.J.Eq. 82, 10 A. 815.

16. Attached hereto as Exhibit 15 is a true and correct Compendium of Trust-by-Trust Definitions of Overcollateralization Amount in Governing Agreements For Disputed Trusts with an Overcollateralization Structure.

FURTHER AFFIANT SAYETH NOT.

David M. Sheeren

DAVID M. SHEEREN

Sworn to before me this
19th day of October, 2018.

Marissa Ann Vaughan

Notary Public in and for The State of Texas

