

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

<p>In the matter of the application of</p> <p>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),</p> <p style="text-align: center;">Petitioners,</p> <p>For Judicial Instructions under CPLR Article 77 on the Administration and Distribution of a Settlement Payment.</p>
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Index No. 651625/2018

Justice Marcy Friedman

IAS Part 60

MERITS BRIEF OF POETIC HOLDINGS VII LLC

Poetic Holdings VII LLC (“Poetic”) hereby submits its merits brief regarding the issues raised by the Petition.¹ Poetic adopts and incorporates by reference Point II of the merits brief of Olifant Fund, Ltd., FFI Fund Ltd., and FYI Ltd. (NYSCEF Doc. No. 147), and respectfully requests that the Court instruct the respective Trustee to distribute the Settlement Payment via the Write-Up First method to the certificate classes in LMT 2005-3, LXS 2005-8, LXS 2006-15, LXS 2006-17, LXS 2006-19, LXS 2006-20, LXS 2007-1, LXS 2007-5H, SARM 2006-12, SARM 2007-10, SASCO 2004-S2, and SASCO 2004-S3.

¹ Capitalized terms not defined herein shall have the meaning ascribed to them in the Petition.

Dated: New York, New York
October 19, 2018

Respectfully submitted,

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