

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

In the Matter of the Application of

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

Petitioners,

For Judicial Instructions under C.P.L.R. Article 77  
on the Administration and Distribution of a  
Settlement Payment.

Index No. 651625/2018

IAS Part 60

Hon. Marcy Friedman

**DECLARATION OF JUSTIN M. ELLIS**

JUSTIN M. ELLIS hereby declares the following pursuant to CPLR 2106:

1. I am an attorney at law duly licensed to practice law in the State of New York. I am employed by MoloLamken LLP, counsel for Respondent Tilden Park Capital Management LP and affiliates, together with their advisory clients (collectively "Tilden Park"), in the above-captioned action. My address is 430 Park Avenue, New York, NY 10022.

2. I submit this Declaration in support of the Reply Brief of Tilden Park.

3. Attached as Exhibit A is a true and correct excerpted copy of the Trust Agreement for the Lehman XS 2005-10 Trust Agreement, dated as of December 1, 2005.

4. Attached as Exhibit B is a true and correct copy of the May 25, 2016 remittance report issued by Citibank, N.A. as Trustee for the Lehman XS 2005-10 Trust.

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

New York, NY  
November 16, 2018

/s/ Justin M. Ellis  
Justin M. Ellis  
MoloLamken LLP  
430 Park Avenue  
New York, NY 10022  
(212) 607-8159 (telephone)  
(646) 710-4948 (facsimile)  
jellis@mololamken.com