

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

In The Matter Of The Application Of

THE BANK OF NEW YORK MELLON, in its Capacity  
as Trustee for 278 Residential Mortgage-Backed  
Securitization Trusts,

*Petitioner,*

For Judicial Instructions Under CPLR Article 77  
Concerning the Proper Pass-Through Rate Calculation for  
CWALT Interest Only Senior Certificates.

Index No. 150738/2019

IAS Part 60

Hon. Marcy S. Friedman

Mot. Seq. 001

**REVISED JOINT  
STIPULATION  
REGARDING BRIEFING  
SCHEDULE**

WHEREAS on January 24, 2019, The Bank of New York Mellon (“BNYM”) filed a petition for a special proceeding pursuant to CPLR Article 77 in the Supreme Court of the State of New York (Dkt. 1) (the “Petition”), styled *In the Matter of the Application of The Bank Of New York Mellon, in its Capacity as Trustee for 278 Residential Mortgage-Backed Securitization Trusts, Petitioner, For Judicial Instructions Under CPLR Article 77 Concerning the Proper Pass-Through Rate Calculation for CWALT Interest Only Senior Certificates*, Index No. 150738/2019;

WHEREAS on April 18, 2019 certain parties appeared before the Court for a preliminary status conference, at which the Court set a briefing schedule with respect to the parties’ positions on the merits of the Petition that provided for opening briefs to be filed May 31, 2019, opposition briefs to be filed June 14, 2019, and reply briefs to be filed June 28, 2019 (Dkt. 43, at 24:4–11);

WHEREAS on May 14, 2019 (Dkt. 44), the Trustee sought leave to provide a supplemental notice to certificateholders in the 278 residential mortgage-backed securitization trusts at issue in this proceeding (the “Covered Trusts”) concerning the Computation Method Issue, as that term is defined in the Trustee’s May 14, 2019 letter (the “Supplemental Notice”);

WHEREAS on May 16, 2019, the Court held a telephonic conference at which it instructed the Trustee to submit a Proposed Order to Show Cause with respect to the proposed Supplemental Notice, and further indicated that the briefing schedule would be extended to permit other certificateholders in the Covered Trusts an opportunity to appear following the transmission of such notice;

WHEREAS on May 22, 2019, the Court entered an Order to Provide Supplemental Notice, directing the Trustee to issue the Supplemental Notice to certificateholders in the Covered Trusts and setting a June 14, 2019 deadline for any other interested certificateholder to appear in this proceeding (Dkt. 48);

WHEREAS on June 11, 2019, the parties submitted a Joint Stipulation Regarding Briefing Schedule with respect to the parties' positions on the merits of the Petition (Dkt. 49);

WHEREAS on June 14, 2019, the Federal Home Loan Bank of San Francisco ("FHLB") appeared in this action (Dkt. 52), and as a result the parties agreed to further revise the briefing schedule on the merits of the Petition;

WHEREAS on June 20, 2019, the Court held a telephonic status conference during which the parties informed the Court of FHLB's appearance and the parties' agreement to further revise the briefing schedule, and the Court instructed the parties to file a revised stipulation describing same;

NOW, THEREFORE, the parties hereby stipulate and agree on the following revised briefing schedule with respect to the merits of the Petition:

1. Opening brief by the Trustee, by Silian Ventures, LLC, and a single opening brief by the various investors in principal and interest certificates, each brief of 20 pages to be served and so received by June 28, 2019;

2. Opposition briefs by the same three parties or groups of 20 pages to be served and so received by July 19, 2019; and
3. Reply briefs by the same three parties or groups to be served and so received by July 31, 2019.

The below-signed parties jointly and respectfully request that the Court so-Order this

Joint Stipulation Regarding Briefing Schedule.

Dated: June 25, 2019

/s/ Jonathan E. Pickhardt

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*/s/ David M. Sheeren*

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