

EXHIBIT R-53

From: Kravitt, Jason H. P.
Sent: Wednesday, December 1, 2010 9:34 PM
To: 'mgkoplow@wlrk.com'; 'tnmirvis@wlrk.com'; 'epgolin@wlrk.com'
Cc: Ingber, Matthew D. <MIngber@mayerbrown.com>
Subject: Our discussion today

Good evening lady and gentlemen. A short follow up from our discussion today.

Matt and I just finished a call with our client discussing our call with you. In our just ended discussion, we agreed that you made some very good points on the notice to CHs. It would help us considerably in our decision making process to put aside such notice if indeed we received the very narrow liability indemnity that we discussed with you this afternoon.

Again, we would be happy to talk further if you wish and look forward to our call tomorrow afternoon.

All the best.

Jason

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In re BNYM
Index No. 651786/11
Trial Exhibit

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In Re BNY Mellon
Index No. 651786/11

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