FILED: NEW YORK COUNTY CLERK 03/06/2014

NYSCEF DOC. NO. 1094

INDEX NO. 651786/2011

RECEIVED NYSCEF: 03/06/2014

SUPREME COURT OF THE STATE OF NEW YORK APPELLATE DIVISION: FIRST DEPARTMENT

In the matter of the application of

THE BANK OF NEW YORK MELLON, (as Trustee under various Pooling and Servicing Agreements and Indenture Trustee under various Indentures), *et al.*,

NY County Clerk's Index No. 651786/2011

Petitioners,

NOTICE OF APPEAL

for an order, pursuant to C.P.L.R. § 7701, seeking judicial instructions and approval of a proposed settlement.

PLEASE TAKE NOTICE that, pursuant to CPLR §5701(a), Intervenor-Petitioners BlackRock Financial Management Inc., Kore Advisors, L.P., Maiden Lane, LLC, Metropolitan Life Insurance Company, Trust Company of the West and affiliated companies controlled by The TCW Group, Inc., Neuberger Berman Europe Limited, Pacific Investment Management Company LLC, Goldman Sachs Asset Management, L.P., Teachers Insurance and Annuity Association of America, Invesco Advisors, Inc., Thrivent Financial for Lutherans, Landesbank Baden-Wuerttemberg, LBBW Asset Management (Ireland) plc, Dublin, ING Bank fsb, ING Capital LLC, ING Investment Management LLC, Nationwide Mutual Insurance Company and its affiliated companies, AEGON USA Investment Management LLC, authorized signatory for Transamerica Life Insurance Company, AEGON Financial Assurance Ireland Limited, Transamerica Life International (Bermuda) Ltd., Monumental Life Insurance Company, Transamerica Advisors Life Insurance Company, AEGON Global Institutional Markets, plc, LIICA Re II, Inc., Pine Falls Re, Inc., Transamerica Financial Life Insurance Company, Stonebridge Life Insurance Company, and Western Reserve Life Assurance Co. of Ohio, Federal Home Loan Bank of Atlanta, Bayerische Landesbank, Prudential Investment Management, Inc., and Western Asset Management Company (collectively, the "Institutional Investors") hereby

appeal to the Appellate Division, Supreme Court of the State of New York, First Judicial Department, from the Decision/Order/Judgment of Supreme Court, New York County (*per* Hon. Barbara R. Kapnick) dated January 31, 2014 and entered in the Office of the County Clerk on February 21, 2014.

Dated: March 6, 2014 New York, NY

WARNER PARTNERS, P.C.

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Attorneys for Intervenor-Petitioners, the Institutional Investors

TO: All Counsel of Record