SHER TREMONTE LLP

April 5, 2012

BY ELECTRONIC FILING AND HAND DELIVERY

The Honorable Barbara R. Kapnick
Supreme Court of the State of New York, Part 39
60 Centre Street, Room 208
New York, New York 10007

Re: In re the Application of The Bank of New York Mellon (Index No. 651786/2011)

Dear Justice Kapnick:

We represent Commonwealth Advisors, Inc., an Intervenor-Respondent in the above-referenced action. We respectfully request that the Court so-order the enclosed Unopposed Stipulation of Substitution, substituting certain funds in place of Commonwealth Advisors, Inc. in order to more accurately reflect the control of the certificates in the trusts that are at issue in this action.

Specifically, Commonwealth Advisors is seeking to have the following funds substituted in its place: CA Core Fixed Income Fund, LLC; CA Core Fixed Income Fund, Ltd.; CA High Yield Fund, LLC; CA High Yield Fund, Ltd.; Strategic Equity Fund, LLC; Strategic Equity Fund, Ltd.; and Sand Spring Capital III Master Fund, LLC, (the "Funds"). Each Fund is a Certificateholder, as defined in Bank of New York Mellon's Petition.

We have surveyed the parties by e-mail as to their position on substitution. No party has opposed the substitution. The Institutional Investors, through Scott Humphries at Gibbs & Bruns, affirmatively stated that they have no objection to substitution. In addition, Intervenor Western-Southern Life Assurance Co. stated that it had no objection. In a follow-up e-mail sent to all parties on March 27, 2012, we stated that, in the absence of receiving any objections by March 29, 2012, we would inform the Court that the parties had no objection to this request for substitution. No further responses were received.

Respectfully submitted,

Justin Sher

Justin M. Sher

Enclosure

41 MADISON AVENUE, 41ST FLOOR NEW YORK, NEW YORK 10010
WWW.SHERTREMONTE.COM | TEL: 212-202-2600 | FAX: 212-202-4156