

GRAIS & ELLSWORTH LLP

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March 19, 2013

*By Fax and ECF*

Honorable Barbara R. Kapnick  
Supreme Court, New York County  
60 Centre Street, Room 555  
New York, New York 10007

*In re: The Bank of New York Mellon, Index No. 651786/2011*

Dear Justice Kapnick:

We represent Intervenor-Respondent the Federal Home Loan Bank of Seattle. The Seattle Bank respectfully requests that it be permitted to withdraw as an intervenor in this proceeding. Attached to this letter is an affirmation in support of this request and a proposed order. We respectfully request that the Court enter the proposed order and permit the Seattle Bank to withdraw from this proceeding.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Owen L. Cyrulnik". The signature is written in a cursive, flowing style.

Owen L. Cyrulnik

Enclosures

Copies to: Counsel of record by email and ECF

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, (as Trustee under  
various Pooling and Servicing Agreements and Indenture Trustee  
under various Indentures), et al.

Petitioners,

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

**Index No. 651786/2011**

**Kapnick, J.**

**AFFIRMATION OF  
OWEN L. CYRULNIK  
IN SUPPORT OF  
SEATTLE BANK'S  
MOTION TO  
WITHDRAW**

I, Owen L. Cyrulnik, hereby affirm under penalty of perjury that the following is true and correct:

1. I am a member of the Bar of the State of New York and of Grais & Ellsworth LLP, attorneys for several intervenor-respondents.
2. The Bank of New York Mellon commenced this proceeding by filing a petition under CPLR section 7701 on June 29, 2011. BNYM is seeking judicial approval of a proposed settlement that it entered into on behalf of 530 Trusts for which it serves as trustee.
3. On July 13, 2011, the Federal Home Loan Bank of Seattle moved by order to show cause for permission to intervene in this action. The Court granted the Seattle Bank's petition on August 19, 2011.
4. Withdrawal by Seattle Bank will not cause prejudice to any party remaining in this proceeding.
5. Accordingly, Seattle Bank moves to withdraw as an Intervenor-Respondent.

6. No previous application has been made for this relief.

Executed this 19th day of March, 2013, in New York, New York.

A handwritten signature in cursive script, appearing to read "Owen L. Cyrulnik".

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Owen L. Cyrulnik

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**Kapnick, J.**

**PROPOSED ORDER**

It is hereby ORDERED that Intervenor-Respondent the Federal Home Loan Bank of Seattle is permitted to withdraw as an Intervenor-Respondent in this proceeding.

ENTER,

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J.S.C.