

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), BlackRock Financial Management Inc. (intervenor), Kore Advisors, L.P. (intervenor), Maiden Lane, LLC (intervenor), Metropolitan Life Insurance Company (intervenor), Trust Company of the West and affiliated companies controlled by The TCW Group, Inc. (intervenor), Neuberger Berman Europe Limited (intervenor), Pacific Investment Management Company LLC (intervenor), Goldman Sachs Asset Management, L.P. (intervenor), Teachers Insurance and Annuity Association of America (intervenor), Invesco Advisors, Inc. (intervenor), Thrivent Financial for Lutherans (intervenor), Landesbank Baden-Wuerttemberg (intervenor), LBBW Asset Management (Ireland) plc, Dublin (intervenor), ING Bank fsb (intervenor), ING Capital LLC (intervenor), ING Investment Management LLC (intervenor), Nationwide Mutual Insurance Company and its affiliated companies (intervenor), 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 (intervenor), Federal Home Loan Bank of Atlanta (intervenor), Bayerische Landesbank (intervenor), Prudential Investment Management, Inc. (intervenor), and Western Asset Management Company (intervenor),

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.

WITHDRAWAL OF
NOTICE OF INTENTION
TO APPEAR AND
OBJECT

WITHDRAWAL OF INTENT TO APPEAR AND OBJECT

NATIONAL CREDIT UNION ADMINISTRATION BOARD, as Liquidating Agent of U.S. Central Federal Credit Union, Western Corporate Federal Credit Union, Members United Corporate Federal Credit Union, Southwest Corporate Federal Credit Union, and Constitution Corporate Federal Credit Union (the "Liquidating Agents") and NATIONAL CREDIT UNION ADMINISTRATION, in its capacity as a federal agency of the United States of America, ("NCUA") by its attorneys, states as follows:

1. On August 30, 2011, the Liquidating Agents and NCUA filed a notice of Intent to Appear and to Object to the proposed settlement in this matter.
2. The Liquidating Agents and NCUA hereby withdraw their notice of intention to appear and their objection to the proposed settlement in this matter.

Dated: New York, New York
March 29, 2013

NATIONAL CREDIT UNION
ADMINISTRATION BOARD, as Liquidating
Agent of U.S. Central Federal Credit Union,
Western Corporate Federal Credit Union, Members
United Corporate Federal Credit Union, Southwest
Corporate Federal Credit Union, and Constitution
Corporate Federal Credit Union

By: Dirk Marschhausen (DM – 7930)
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/s/ Dirk Marschhausen



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NATIONAL CREDIT UNION
ADMINISTRATION, in its capacity as a federal
agency of the United States of America

By:
PREET BHARARA
United States Attorney for the
Southern District of New York,
Attorney for Defendant

/s/ David S. Jones

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S U P R E M E C O U R T O F T H E S T A T E O F N E W Y O R K
C O U N T Y O F N E W Y O R K

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), BlackRock Financial Management Inc. (intervenor), Kore Advisors, L.P. (intervenor), Maiden Lane, LLC (intervenor), Metropolitan Life Insurance Company (intervenor), Trust Company of the West and affiliated companies controlled by The TCW Group, Inc. (intervenor), Neuberger Berman Europe Limited (intervenor), Pacific Investment Management Company LLC (intervenor), Goldman Sachs Asset Management, L.P. (intervenor), Teachers Insurance and Annuity Association of America (intervenor), Invesco Advisors, Inc. (intervenor), Thrivent Financial for Lutherans (intervenor), Landesbank Baden-Wuerttemberg (intervenor), LBBW Asset Management (Ireland) plc, Dublin (intervenor), ING Bank fsb (intervenor), ING Capital LLC (intervenor), ING Investment Management LLC (intervenor), Nationwide Mutual Insurance Company and its affiliated companies (intervenor), 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 (intervenor), Federal Home Loan Bank of Atlanta (intervenor), Bayerische Landesbank (intervenor), Prudential Investment Management, Inc. (intervenor), and Western Asset Management Company (intervenor),

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.

**[PROPOSED] ORDER TO
WITHDRAW
NOTICE OF INTENT
TO APPEAR AND
OBJECT**

NOW, on the application of the attorneys for NATIONAL CREDIT UNION ADMINISTRATION BOARD, as Liquidating Agent of U.S. Central Federal Credit Union, Western Corporate Federal Credit Union, Members United Corporate Federal Credit Union, Southwest Corporate Federal Credit Union, and Constitution Corporate Federal Credit Union (the "Liquidating Agents") and NATIONAL CREDIT UNION ADMINISTRATION, in its capacity as a federal agency of the United States of America, ("NCUA"), it is hereby:

ORDERED, that the application of the Liquidating Agents and NCUA to withdraw their Notice of Intention to Appear and Object is granted.

ENTER,

J.S.C.

Dated: _____, 2013

CERTIFICATE OF SERVICE

This is to certify that on this the 31th day of March, 2013, a true and correct copy of the Notice of Intention to Appear and Object was served on the following counsel of record as indicated below by U.S. Mail:

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/s/ Dirk Marschhausen 
Dirk Marschhausen

Index No: 651786-2011

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

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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.,

Plaintiff(s),

- against -

WALNUT PLACE LLC, WALNUT PLACE II LLC,
WALNUT PLACE III LLC WALNUT PLACE IV LLC,
et. al.

Defendant(s).

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WITHDRAWAL OF NOTICE OF
INTENT TO APPEAR AND OBJECTIONS
AND PROPOSED ORDER

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