

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

In the Matter of the Application of

U.S. BANK NATIONAL ASSOCIATION (as Trustee,
Securities Administrator, Paying Agent, and/or Calculation
Agent under various Pooling and Servicing Agreements),

Petitioner,

for Judicial Instructions Under CPLR Article 77.

Index No. 656028/2021

Justice Andrew Borrok

IAS Part 53

**AFFIRMATION IN SUPPORT OF HBK MASTER FUND L.P.'S
OPENING MERITS BRIEF**

I, Uri A. Itkin, affirm as follows:

1. I am an attorney duly admitted to practice before the Courts of the State of New York. I am a partner at the law firm of Akin Gump Strauss Hauer & Feld LLP, counsel for respondent HBK Master Fund L.P. (“HBK”). I respectfully submit this Affirmation in support of HBK’s Opening Merits Brief filed herewith.

2. Attached hereto as Exhibit 1 is a true and correct copy of the May 23, 2022 letter from Keith M. Kollmeyer to counsel for all appearing parties.

3. Attached hereto as Exhibit 2 is a true and correct copy of the *Fannie Mae Servicing Guide* (Oct. 12, 2022), also available at <https://singlefamily.fanniemae.com/media/32286/display>.

4. Attached hereto as Exhibit 3 is a true and correct copy of a transcript of the deposition of Daniel Nevis taken on January 27, 2023.

5. Attached hereto as Exhibit 4 is a true and correct copy of Baird Webel, *Troubled Asset Relief Program (TARP) Implementation and Status*, Congressional Research Service (June 27, 2013) available at <https://sgp.fas.org/crs/misc/R41427.pdf>.

6. Attached hereto as Exhibit 5 is a true and correct copy of Julia Kagan, *Home Affordable Modification Program (HAMP)*, Investopedia (updated June 5, 2022) available at <https://www.investopedia.com/terms/h/home-affordable-modification-program.asp>.

7. Attached hereto as Exhibit 6 is a true and correct copy of ASF Alert: Treasury Responds to ASF Request on Principal Forbearance; Principal Reduction Alternative Also Discussed (June 4, 2010), USBWaterfall-A77-00002475–USBWaterfall-A77-00002477.

8. Attached hereto as Exhibit 7 is a true and correct copy of Supplemental Documentation—Frequently Asked Questions, Home Affordable Modification Program (July 28, 2009), USBWaterfall-A77-00002485–USBWaterfall-A77-00002508.

9. Attached hereto as Exhibit 8 is a true and correct copy of Supplemental Directive 10-05, Home Affordable Modification Program – Modification of Loans with Principal Reduction Alternative (June 3, 2010), USBWaterfall-A77-00002781–USBWaterfall-A77-00002791.

10. Attached hereto as Exhibit 9 is a true and correct copy of the August 24, 2022 Affidavit of Daniel Nevis, USBWaterfall-A77-00000959–USBWaterfall-A77-00000964.

11. Attached hereto as Exhibit 10 is a true and correct copy of a February 11, 2019 email from Global Structured Finance to Sudhanwa Karmarkar, USBWaterfall-A77-00004757–USBWaterfall-A77-00004758.

12. Attached hereto as Exhibit 11 is a true and correct copy of the April 3, 2023 Affidavit of Stephanie Simon.

13. Attached hereto as Exhibit 12 is a true and correct copy of the April 3, 2023

Affidavit of James H. Aronoff.

14. Attached hereto as Exhibit 13 is a true and correct copy of the March 8, 2007 Free Writing Prospectus for Bear Stearns Asset Backed Securities I Trust 2007-HE3.

I affirm under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

New York, New York
April 3, 2023

/s/ Uri A. Itkin
Uri A. Itkin

CERTIFICATE OF COMPLIANCE

This affirmation complies with this Court’s 7,000-word limit because it contains 438 words (using the “word count” function of Microsoft Word), excluding the parts of the affirmation exempted by Rule 17 of the New York Commercial Division Rules.

Dated: April 3, 2023

/s/ Uri A. Itkin

Uri A. Itkin