

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

In the matter of the application of

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

Petitioners,

for judicial instructions pursuant to CPLR Art. 77.

Index No. 656028/2021

Justice Andrew S. Borrok  
Part 53

**STIPULATION AND  
~~PROPOSED~~ ORDER FOR  
REMOTE DEPOSITIONS**

WHEREAS, the parties in this case have met and conferred, through their undersigned counsel, regarding conducting depositions remotely;

WHEREAS, the parties agree that, in accordance with Rule 37 of the Rules of the Commercial Division of the Supreme Court, the convenience of all parties and witnesses in this case would be best served by conducting depositions via remote electronic means; and

WHEREAS, the parties agree that depositions in this case shall be conducted in accordance with the Commercial Division's protocol for remote depositions, attached hereto as Exhibit A;


NOW, THEREFORE, on the joint motion of the parties, it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. Depositions in this case shall be conducted via remote electronic means in accordance with the Commercial Division's protocol for remote depositions, attached hereto as Exhibit A.

2. This stipulation may be executed in counterparts, and faxed, emailed, or electronic signatures shall have the same force and effect as originals.

*So ordered: 9/19/23*



**Hon. Andrew Borrok**

Dated: September \_\_, 2023  
New York, New York

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Hon. Andrew Borrok, J.S.C.

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*Attorneys for U.S. Bank National Association, solely in its capacity as trustee for the NIM Trusts BSSP 2005-32N, BSNIM 2004-HE10, and BSSP 2006-3, and solely at the direction of Poetic Holdings VI LLC, and U.S. Bank National Association, solely in its capacity as trustee of NIM trusts BSABS NIM 2003-HE1, BSABS NIM 2004-FR3N, BSABS NIM 2004-HE11, BSABS NIM 2004-HE6N, BSABS NIM 2004-HE9N, BSABS NIM 2005-AQ2N, and BSABS NIM 2005-FR1 and solely at the direction of HBK Master Fund L.P.*

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