

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

**NOTICE OF ENTRY**

**PLEASE TAKE NOTICE** that the attached is a true and correct copy of the Decision and  
Order on Motion in this matter dated and entered in the office of the Clerk of that Court on  
September 29, 2023.

Dated: September 29, 2023  
New York, New York

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Richard J. D'Amato

Uri A. Itkin  
Richard J. D'Amato  
Michael Chen  
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*Attorneys for HBK Master Fund L.P.*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 53

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U.S. BANK NATIONAL ASSOCIATION (AS TRUSTEE,  
SECURITIES ADMINISTRATOR, PAYING AGENT,  
AND/OR CALCULATION AGENT UNDER VARIOUS  
POOLING AND SERVICING AGREEMENTS), U.S. BANK  
TRUST COMPANY, NATIONAL ASSOCIATION (AS  
TRUSTEE, SECURITIES ADMINISTRATOR, PAYING  
AGENT, AND/OR CALCULATION AGENT UNDER  
VARIOUS POOLING AND SERVICING AGREEMENTS),

Plaintiff,

- v -

N/A,

Defendant.

INDEX NO. 656028/2021

MOTION DATE N/A

MOTION SEQ. NO. 013

**DECISION + ORDER ON  
MOTION**

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HON. ANDREW BORROK:

The following e-filed documents, listed by NYSCEF document number (Motion 013) 310, 311, 312, 313, 314, 315, 316, 317

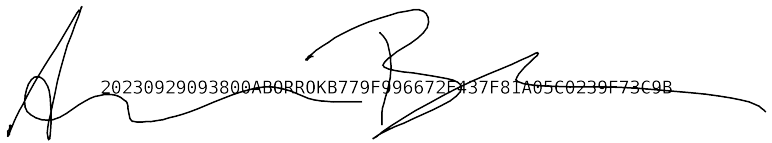
were read on this motion to/for SEAL.

Upon the foregoing documents, the motion to seal NYSCEF Doc. Nos. 268, 270, and 278 is granted because they contain confidential, proprietary, and competitively sensitive software code and modeling information, such that the good cause basis for sealing outweighs the public interest in the information (*Danco Lab., Ltd. v Chemical Works of Gedeon Richter, Ltd.*, 274 AD2d 1, 8 [1st Dept 2000]; 22 NYCRR § 216.1[a]). The data file at NYSCEF Doc. No. 270 shall be sealed in its entirety and references thereto in NYSCEF Doc. Nos. 268 and 278 are properly redacted in the publicly filed versions of those documents at NYSCEF Doc. Nos. 314 and 315.

Accordingly, it is hereby ORDERED that the Clerk of the Court is directed, upon service on him of a copy of this order with notice of entry, to seal NYSCEF Doc. Nos. 268, 270, and 278 and to separate these documents and to keep them separate from the balance of the file in this action; and it is further

ORDERED that thereafter, or until further order of the court, the Clerk of the Court shall deny access to the said sealed documents to anyone (other than the staff of the Clerk or the court) except for counsel of record for any party to this case and any party; and it is further

ORDERED that service upon the Clerk of the Court shall be made in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible at the "E-Filing" page on the court's website).



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9/29/2023

DATE

ANDREW BORROK, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE

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COUNTY OF NEW YORK

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**AFFIRMATION OF SERVICE**

I, Richard J. D’Amato, an attorney duly admitted to practice law before the courts in the  
State of New York, herby affirm the following:

1. I am not a party to this action and I am over eighteen years of age;
2. I am a Counsel with the law firm of Akin Gump Strauss Hauer & Feld LLP, One Bryant  
Park, New York, New York 10036, counsel for HBK Master Fund L.P.; and
3. On September 29, 2023, I caused to be served on the parties to this action a true and correct  
copy of the foregoing Decision and Order on Motion with Notice of Entry via NYSCEF.

Dated: September 29, 2023  
New York, New York

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Richard J. D’Amato

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