

**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 Service
Agreements) et al.,

Petitioners,

For Judicial Instructions Under CPLR Article 77.

Index No. 656028/2021

**Justice Andrew S. Borrok
Part 53**

**FINAL WITNESS AND EXHIBITS LISTS ON BEHALF OF
PRIMARY CERTIFICATEHOLDERS**

Pursuant to the Stipulation and [Proposed] Order Setting a Pre-Trial Schedule, submitted to the Court by all parties on September 27, 2023, and CPLR § 3101, certain Primary Certificateholders (the “Primary Certificateholders”)¹ hereby provide notice of the following final lists of witnesses and exhibits that they may call in the final hearing in this action:

I. Witness List

1. Daniel Nevis
2. Dean Smith
3. Steven Hilfer
4. James Aronoff

¹ This group consists of Ellington Management Group, L.L.C. (“Ellington”), Pacific Investment Management Company, LLC (“PIMCO”), Olifant Fund, Ltd., FFI Fund, Ltd., and FYI, Ltd. (collectively the “Olifant Funds”), Reliance Standard Life Insurance Company, Safety National Casualty Corporation, Stephen Finkelstein, and NAV LLC (collectively, the “Reliance Parties”), and Taconic Master Fund 1.5 LP, Taconic Opportunity Master Fund LP, and Park Royal II LLC (collectively, the “Taconic Funds”).

5. Stephanie Simon

The Primary Certificateholders may not call all of these witnesses at the hearing. The final witnesses and the order of witnesses will depend on the various parties' presentations in the case. The Primary Certificateholders further reserve the right to add or remove witnesses as necessary, including: additional witnesses should new documents or information be provided on or after the date of this list; any witness in response to the Court's ruling on motions and submissions of witness testimony, exhibits, or other evidence that the other parties may proffer; any witnesses that are necessary to lay the foundation for the admissibility of evidence, should the parties be unable to stipulate as to admissibility; any witness for purposes of rebuttal or impeachment; and any witness designated by any party on its witness list.

II. Exhibit List

The Primary Certificateholders attach their exhibits hereto as Appendix A. The Primary Certificateholders may or may not introduce all the listed exhibits at the hearing. The final exhibits will depend on the various parties' presentations in the case. The Primary Certificateholders further reserve the right to introduce Petitioner's or any other party's exhibits, and to introduce additional exhibits should new documents or information be provided on or after the date of this list.

The Primary Certificateholders also reserve the right to amend or supplement their exhibit list at any time prior to the final hearing, to introduce as an exhibit any exhibit identified by Petitioner or any other party, to introduce other exhibits for purposes of impeachment, rebuttal, credibility, foundation, or any other purpose permitted under the CPLR and the applicable rules, to object to particular uses of the exhibits on this exhibit list, and to respond to any new exhibits identified on or after the date of this exhibit list.

Dated: October 16, 2023

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