

At IAS Part 53 of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse located at 60 Centre Street, New York, New York on the ___ day of _____, 2024

PRESENT: Hon. Andrew S. Borrok, Justice.

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
under various Pooling and Servicing Agreements),

Petitioners,

for judicial instructions pursuant to CPLR Art. 77.

Index No. 656028/2021

**[PROPOSED] ORDER TO
SHOW CAUSE FOR
PARTIAL SEVERANCE
ORDER AND PARTIAL
FINAL JUDGMENT**

Upon the application of Poetic Holdings VII LLC and Pacific Investment Management Company LLC (“PIMCO”), through their counsel, and upon reading the annexed Affirmation of Erin R. Emory, sworn to on March 8, 2024 (the “Emory Affirmation”), good cause having been shown, it is hereby:

ORDERED that any interested person show cause before the Hon. Andrew S. Borrok at IAS Part 53, Room 238, of the Supreme Court of the State of New York for the County of New York, at the Courthouse located at 60 Centre Street, New York, New York, on _____, 2024 at ___ a.m./p.m., or as soon thereafter as counsel can be heard why the Court should not enter the [Proposed] Partial Severance Order and Partial Final Judgment (BSABS 2005-HE3), attached as Exhibit 1 to the Emory Affirmation; and it is further

ORDERED, that a service copy of this Order to Show Cause, and the papers upon which it is based, be made upon all appearing counsel for the parties, no later than _____, 2024, by e-filing and by email, and such service shall be deemed good and sufficient; and it is further,

ORDERED, that opposition papers, if any, are required to be served upon all appearing counsel for the parties, on or before the ____ day of _____, 2024.

ENTER:

Hon. Andrew S. Borrok