

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

In the matter of the application of

THE BANK OF NEW YORK MELLON (as Trustee under various Pooling and Servicing Agreements and Indenture Trustee under various Indentures), *et al.*

Petitioners,

for an order, pursuant to C.P.L.R. § 7701, seeking judicial instructions and approval of a proposed settlement.

Index No. 651786/2011

Assigned to: Kapnick, J.

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that the undersigned Intervenor-Respondents (collectively with objectors, “Intervenors”) appeal to the Appellate Division of the Supreme Court, First Department, from the May 21, 2013 Decision and Order granting Petitioners’ order to show cause to strike Intervenors’ jury demand (copy, along with the May 20, 2013 hearing transcript incorporated into the Decision and Order by reference, the NYSCEF Confirmation Notice of the Decision and Order, and the accompanying Notice of Entry, served on all parties by NYSCEF on May 28, 2013, attached as Ex. A). This appeal is taken from each and every part of the Decision and Order, as well as the whole thereof.

**DATED: May 28, 2013**

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