

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

BLACKROCK CORE BOND PORTFOLIO,
et al.,

Plaintiffs,

-against-

WELLS FARGO BANK, NATIONAL
ASSOCIATION,

Defendant.

Index No. 656587/2016

Justice Andrew Borrok (Part 53)

**SUPPLEMENTAL AFFIDAVIT OF TIMOTHY A. DELANGE IN FURTHER SUPPORT
OF PLAINTIFFS' MOTION FOR (1) FINAL APPROVAL OF SETTLEMENT
AND PROPOSED PLAN OF ALLOCATION; (2) CERTIFICATION OF THE ACTION
AS A CLASS ACTION FOR SETTLEMENT PURPOSES PURSUANT TO CPLR 901,
ET SEQ.; AND (3) AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT
OF LITIGATION EXPENSES**

I, TIMOTHY A. DeLANGE, an attorney admitted to practice in the courts of the State of California and admitted *pro hac vice* in this Action, affirm under penalty of perjury pursuant to New York Civil Practice Law and Rules (“CPLR”) 2106 that the following is true and correct:

1. I am a partner of the law firm of Bernstein Litowitz Berger & Grossmann LLP (“BLB&G” or “Plaintiffs’ Counsel”), and attorneys of record for Plaintiffs. I respectfully submit this Supplemental Affidavit in further support of Plaintiffs’ motion for orders: (1) granting final approval of the proposed Settlement and proposed Plan of Allocation; (2) certifying the action as a Class Action for settlement purposes pursuant to CPLR 901, *et seq.*; and (3) awarding attorneys’ fees and reimbursement of litigation expenses (the “Final Approval Motion”).

2. Attached hereto as Exhibit 6 is a true and correct copy of the Supplemental Affidavit of Jack Ewashko of JND Legal Administration Regarding (A) Mailing of the Notice and Claim Form; and (B) Report on Requests for Exclusion Received (“Supp. Ewashko Aff.”).

3. The Court’s January 30, 2019 Order (1) Directing Notice to the Proposed Settlement Class of the Proposed Settlement and Fairness Hearing, and (2) Setting Date for Fairness Hearing (the “Notice Order”) directed Notice be disseminated to the Settlement Class. The Notice Order also set a deadline of April 15, 2019 for Settlement Class Members to submit objections to the Settlement, the proposed Plan of Allocation and/or the Fee and Expense Application or to request exclusion from the Settlement Class, and set a Fairness Hearing date of May 6, 2019.

4. In accordance with the Notice Order, Plaintiffs’ Counsel posted the Settlement Agreement, the Notice, the Summary Notice, and the Proof of Claim Form to its firm website at www.blbglaw.com. The Notice, the Summary Notice, and the Proof of Claim Form continues to remain available on my firm’s website. On April 2, 2019, Plaintiffs’ Counsel posted copies of the papers filed in support of Plaintiffs’ motion for final approval of the Settlement and Plan of

Allocation and Plaintiffs' Counsel's motion for an award of attorneys' fees and expenses to my firm's website.

5. The deadline for Settlement Class Members to file objections to the Settlement, adequacy of representation by Plaintiffs and their counsel, the proposed Plan of Allocation, the entry of an Order and Final Judgment approving the Settlement, or to request exclusion from the Settlement Class, was April 15, 2019. To date, two objections were filed and received. Both "objections" have been resolved and withdrawn. *See* Joint Stipulation of the Parties and NCUA Plaintiffs Withdrawing NCUA Plaintiffs' Objections to the Settlement ("NCUA Stipulation"); Joint Stipulation of the Parties and The FHFA Objectors Withdrawing The FHFA Objectors' Objections to the Settlement.

6. To date, only two sets of requests for exclusion have been submitted on behalf of eleven funds or trusts. *See* Supp. Ewashko Aff. ¶5 & Ex. 1. The National Credit Union Administration Board ("NCUA") and Graeme W. Bush as separate trustee for NCUA Guaranteed Notes submitted a request for exclusion which was unnecessary because the Settlement Class definition already excluded the NCUA. Pursuant to the NCUA Stipulation, the exclusion provision regarding the *Nat'l Credit Union Admin. Bd., et al. v. Wells Fargo Bank, N.A.*, Case No. 14-cv-10067 (S.D.N.Y.), action has been amended to add "as to the Trusts at issue in that action."

I affirm under penalty of perjury that the foregoing is true and correct.

Dated: April 29, 2019
San Diego, California

BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP

By: /s/ Timothy A. DeLange
Timothy A. DeLange
12481 High Bluff Drive, Suite 300
San Diego, CA 92130
Tel: (858) 793-0070
Fax: (858) 793-032

Attorneys for Plaintiffs

EXHIBIT 6

**SUPREME COURT OF THE STATE OF NEW YORK
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BLACKROCK CORE BOND PORTFOLIO,
et al.,

Plaintiffs,

-against-

WELLS FARGO BANK, NATIONAL
ASSOCIATION,

Defendant.

Index No. 656587/2016

Justice Andrew Borrok (Part 53)

**SUPPLEMENTAL AFFIDAVIT OF JACK EWASHKO REGARDING
(A) MAILING OF THE NOTICE AND CLAIM FORM; AND
(B) REPORT ON REQUESTS FOR EXCLUSION RECEIVED**

JACK EWASHKO, being duly sworn, deposes and says:

1. I am the Director of Securities Class Action for JND Legal Administration (“JND”). Pursuant to the Court’s January 30, 2019 Order (1) Directing Notice to the Proposed Settlement Class of the Proposed Settlement and Fairness Hearing, and (2) Setting Date for Fairness Hearing (the “Notice Order”), JND was authorized to act as the Claims Administrator in connection with the Settlement of the above-captioned action (the “Action”).¹ I submit this Affidavit as a supplement to my earlier affidavit, the Affidavit of Jack Ewashko Regarding (A) Mailing of the Notice and Claim Form; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion Received to Date, dated March 29, 2019 (the “Initial Mailing Affidavit”). I am over 21 years of age and am not a party to the Action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

MAILING OF THE NOTICE PACKET

2. As described in my Initial Mailing Affidavit, JND mailed a total of 10,172 copies of the Notice and Claim Form (the “Notice Packet”) through March 29, 2019, including to all the potential Settlement Class Members identified by Wells Fargo as registered holders of the Trusts, to all other potential Settlement Class Members identified in expert reports of Michael L. Hartzmark, Ph.D., as well as to banks, brokers, and other nominees in JND’s database and in response to requests from those brokers and nominees. The Notice Packets mailed to banks, brokers, and other nominees included a cover letter (the “Broker Letter”) explaining that a court had ordered that they must, within 14 days of receipt of the Notice Packet, either send JND a list of the names and addresses of beneficial owners of a security issued from one of the 271

¹ Unless otherwise defined herein, all capitalized terms have the meanings set forth in the Stipulation and Agreement of Settlement dated November 9, 2018 (the “Stipulation”).

Residential Mortgage-Backed Securities Trusts identified in the Notice or request additional copies of the Notice Packet (and then forward those copies to the beneficial owners within seven days of receipt). A copy of the Broker Letter is attached as Exhibit A. In addition to the direct mailing of the Notice Packet to nominees in JND's proprietary database, JND also sent reminder postcards to all brokers and other nominees who did not respond to the initial mailing. The postcard advises them of their obligation to notice their clients who acquired or held beneficial interest in a security issued from one of Trusts. A copy of the postcard is attached hereto as Exhibit B.

3. Since the execution of my Initial Mailing Affidavit on March 29, 2019, JND has continued to disseminate copies of the Notice Packet in response to additional requests that were received from nominees. As is not uncommon in these types of actions, not all of the nominees complied with these requirements in a timely manner. A number of nominees submitted names and addresses or requested additional copies of the Notice Packet after the 14-day deadline for doing so. JND responded to the requests as they were received. Through April 26, 2019, JND has mailed a total of 22,908 Notice Packets to potential Settlement Class Members and nominees. Of the 12,736 Notice Packets mailed after March 29, 2019 through April 26, 2019, 12,679 were mailed as the result of submissions of names and addresses (or requests for additional Notice Packets) after March 29, 2019 from eight brokers or other nominees. JND had mailed each of these nominees the request to provide names of eligible Settlement Class Members on March 4, 2019.

TELEPHONE HELPLINE AND WEBSITE

4. JND continues to maintain the case-specific, toll-free telephone number (1-833-843-2644) and interactive voice response system to accommodate any inquiries from potential members of the Settlement Class. JND also continues to maintain the dedicated website for the

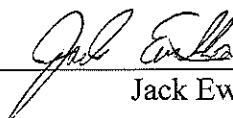
Action (www.BlackRockWellsFargoTrusteeClassAction.com) in order to assist Settlement Class Members. On April 2, 2019, JND posted to the website copies of the papers filed in support of Plaintiffs' motion for final approval of the Settlement and Plan of Allocation and Lead Counsel's motion for an award of attorneys' fees and expenses. JND will continue maintaining and, as appropriate, updating the website and toll-free telephone number until the conclusion of the administration.

REPORT ON REQUESTS FOR EXCLUSION RECEIVED

5. The Notice informed potential members of the Settlement Class that requests for exclusion from the Settlement Class were to be mailed or otherwise delivered, addressed to *BlackRock Wells Fargo Trustee Litigation*, EXCLUSIONS, c/o JND Legal Administration, P.O. Box 91224, Seattle, WA 98111, such that they were received by no later than April 15, 2019. JND has been monitoring all mail delivered to that post office box. As of the date of this Affidavit, JND has received 3 requests for exclusion. Exhibit 1 to this Affidavit lists the names of the persons and entities who have requested exclusion from the Settlement Class and their city and state.

I affirm under penalty of perjury that the foregoing is true and correct.

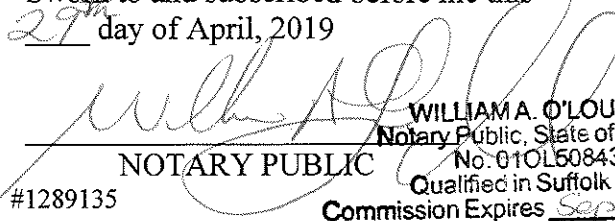
Executed in Jericho, New York on April 29, 2019.



Jack Ewashko

Sworn to and subscribed before me this

29th day of April, 2019



WILLIAM A. O'LOUGHLIN
Notary Public, State of New York
No. 01015084336
Qualified in Suffolk County
NOTARY PUBLIC
#1289135
Commission Expires Sept 2, 2021

EXHIBIT A



March 4, 2019

NOTICE TO BROKERS AND OTHER NOMINEES

**TIME SENSITIVE COURT-ORDERED
ACTION REQUIRED ON YOUR PART**

BlackRock Wells Fargo Trustee Class Action
Index No. 656587/2016

A proposed Settlement of the above-noted securities class action has been reached. Enclosed is the Notice of Pendency of Class Action, Proposed Settlement and Fairness Hearing and Right to Appear and Proof of Claim and Release form (the "Notice Packet") that the Court has ordered be timely sent to potential Class Members.

The Court has directed that, if you are a broker or other nominee that at any time on or after June 18, 2014 held or acquired a beneficial interest in a security issued from the 271 residential mortgage-backed securities trusts identified in appendix I of the notice for the beneficial interest of persons or organizations other than yourself, **WITHIN FOURTEEN (14) DAYS OF YOUR RECEIPT OF THE ENCLOSED NOTICE PACKET you must either:**

(1) Provide the Claims Administrator, JND Legal Administration, with a list of the names and addresses of the beneficial owners described above; or

(2) Request from the Claims Administrator sufficient copies of the enclosed Notice Packet to forward to all such beneficial owners and, within seven (7) days of receipt of those copies, forward the Notice Packet to such beneficial owners.

If you choose the first option above, the Claims Administrator will send a copy of the Notice Packet to the beneficial owners.

If you do not have any beneficial owners potentially in this litigation, please kindly confirm via email.

Mailing Address:

BlackRock Wells Fargo Trustee Class Action
c/o JND Legal Administration
P.O. Box 91224
Seattle, WA 98111

For Express Mail Deliveries, please use:

BlackRock Wells Fargo Trustee Class Action
c/o JND Legal Administration
1100 2ND Ave, Suite 300
Seattle, WA 98101

Email: BRBsecurities@JNDLA.com

Phone: 1-888-843-2644

JND Legal Administration

EXHIBIT B

RE: *BlackRock Wells Fargo Trustee Class Action/Index No. 656587/2016*

To Whom It May Concern:

On March 4, 2019, we mailed you a copy of the Notice Packet because the Court has ordered that if you at any time on or after June 18, 2014 held or acquired a beneficial interest in a security issued from the 271 Residential Mortgage-Backed Securities Trusts identified in Appendix I (collectively, the “Trusts”) of the Notice, were to either (a) request from the Claims Administrator sufficient copies of the Notice Packet to forward to all such beneficial owners and, within seven (7) calendar days of receipt of those Notice Packets forward them to all such beneficial owners; or (b) provide a list of the names and addresses of all such beneficial owners for the BlackRock Wells Fargo Trustee Litigation.

Mailing Address:

BlackRock Wells Fargo Trustee Class Action
c/o JND Legal Administration
P.O. Box 91224
Seattle, WA 98111

Email: BRBSecurities@JNDLA.com

Phone: 1-833-843-2644

EXHIBIT 1

Requested By:

John A. Libra
Korein Tillery LLC
205 N. Michigan Plaza, Suite 1950
Chicago, IL 60601

Entities**NCUA:**

National Credit Union Administration
Graeme Bush

Carol F. Lee
Special Counsel
280 Park Avenue, 5th Fl
New York, NY 10017

TACONIC CAPITAL:

Taconic Master Fund 1.5 LP
Taconic Opportunity Master Fund LP
Park Royal I LP
Park Royal II LP

Daniel M. Cohen
Vice President Corporate Trust Services
9062 Old Annapolis Rd, MAC R1204-010
Columbia, MD 21045

WELLS FARGO:

Cayman ABSC NIM Trust 2007-HE2
Option One Mortgage Securities III Corp. Re-NIM Trust 2007-1
Option One NIM Trust 2006-2
Option One NIM Trust 2006-1
Option One NIM Trust 2007-CP1
Option One NIM Trust 2007-3
Option One NIM Trust 2007-FXD1