

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
NATIONAL CREDIT UNION ADMINISTRATION :
BOARD, etc., :

Plaintiff, :

-v- :

MORGAN STANLEY & CO., et al., :

Defendants. :

And other NCUA Actions. :
-----X

13 Civ. 6705 (DLC)
13 Civ. 6719 (DLC)
13 Civ. 6721 (DLC)
13 Civ. 6726 (DLC)
13 Civ. 6727 (DLC)
13 Civ. 6731 (DLC)
13 Civ. 6736 (DLC)

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

-----X
NATIONAL CREDIT UNION ADMINISTRATION :
BOARD, etc., :

Plaintiff, :

-v- :

RBS SECURITIES, INC., f/k/a GREENWICH :
CAPITAL MARKETS, INC., et al., :

Defendants. :

And other NCUA Actions. :
-----X

11 Civ. 2340 &
2649 (JWL)
12 Civ. 2591 (JWL)
12 Civ. 2648 (JWL)
13 Civ. 2418 (JWL)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

-----X
NATIONAL CREDIT UNION ADMINISTRATION :
BOARD, etc., :

Plaintiff, :

-v- :

RBS SECURITIES, INC., f/k/a GREENWICH :
CAPITAL MARKETS, INC., et al., :

Defendants. :

And other NCUA Actions. :
-----X

11 Civ. 5887 (GW)
11 Civ. 6521 (GW)

ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/14/14

HON. DENISE COTE, HON. JOHN W. LUNGSTRUM, and HON. GEORGE H. WU, District Judges; and HON. JAMES P. O'HARA, Magistrate Judge:

Pursuant to the Loan File Reunderwriting Protocol of April 9, 2014 ("Loan File Protocol") entered in these coordinated actions, the defendants were required to make all reasonable efforts to complete production of the Loan Files and Guidelines for the Sampled Loans in their control by June 27, 2014, and to cooperate with NCUA in obtaining any remaining such documents from third parties. Within twenty-one days of receiving a request from NCUA for a stipulation regarding a Loan File, a Defendant Group is to provide a stipulation in writing, as described in the Loan File Protocol. The first status report required by the Protocol was due July 11. On July 11, NCUA and eight Defendant Groups each submitted status reports.

Through an Order of July 1, 2014, the date by which defendants must complete production of third-party transcripts was extended to July 11. On July 11, UBS with the consent of NCUA requested until July 25 to produce such transcripts. Accordingly, it is hereby

ORDERED that the parties, except any party as to whom a stay has been entered, shall jointly submit a single status report regarding the Loan File Protocol. The report may exceed two pages. It shall be accompanied by a chart indicating among other things the number of sample loans in each action, the number of loan files produced to NCUA for that sample, and the

percentage produced. Where the percentage is less than 100%, the chart should indicate in whose custody it is believed that the missing loan files reside. To the extent a defendant is believed to be the custodian of a missing loan file, the defendant, except any defendant as to whom a stay has been entered, shall separately explain its failure to produce the loan file by June 27, 2014, or the date of the last status report to the Court.

IT IS FURTHER ORDERED that the agreements of NCUA, Goldman Sachs, and RBS to extend the defendants' time to respond to the NCUA requests for stipulations, as reflected in the NCUA letter of July 11, are approved nunc pro tunc. In the future, the parties may on consent extend the time to so stipulate with the understanding that any disagreements regarding the twenty-one day period for stipulation must be promptly brought to the Court's attention.

SO ORDERED:

Dated: July 14, 2014

/s/ Denise Cote

United States District Judge

Dated: July 14, 2014

/s/ George H. Wu

United States District Judge

Dated: July 14, 2014

/s/ John W. Lungstrum

United States District Judge

Dated: July 14, 2014

/s/ James P. O'Hara

United States Magistrate Judge