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Pursuant to Civil L.R. 3-16, the undersigned certifies that the following listed persons, associations of persons, firms, partnerships, corporations (including parent corporations) or other entities (i) have a financial interest in the subject matter in controversy or in a party to the proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be substantially affected by the outcome of this proceeding:

- 1. M&T BANK (A/K/A MANUFACTURERS AND TRADERS TRUST COMPANY), parent of Plaintiff Wilmington Trust Company.
- 2. WILMINGTON TRUST CORPORATION, parent of both Plaintiff Wilmington Trust, National Association and M&T Bank.
- 3. M&T BANK CORPORATION, parent of Wilmington Trust Corporation.

DATED: October 9, 2013

ALSTON & BIRD LLP KURT OSENBAUGH WHITNEY CHELGREN

/s/ Whitney Chelgren
Whitney Chelgren

Attorneys for Plaintiffs
WILMINGTON TRUST COMPANY and
WILMINGTON TRUST, NATIONAL
ASSOCIATION, as Trustees for the Trusts
Listed in Exhibit C to the Second Amended
Complaint