

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NATIONAL CREDIT UNION ADMINISTRATION      :
BOARD, etc.,                               :
                Plaintiff,                 :   13 Civ. 6705 (DLC)
                -v-                       :   13 Civ. 6719 (DLC)
MORGAN STANLEY & CO., et al.,             :   13 Civ. 6721 (DLC)
                Defendants.               :   13 Civ. 6726 (DLC)
                :                         :   13 Civ. 6727 (DLC)
                :                         :   13 Civ. 6731 (DLC)
                :                         :   13 Civ. 6736 (DLC)
And other NCUA Actions.                   :
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UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

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NATIONAL CREDIT UNION ADMINISTRATION      :
BOARD, etc.,                               :
                Plaintiff,                 :   11 Civ. 2340 &
                -v-                       :   2649 (JWL)
RBS SECURITIES, INC., f/k/a GREENWICH     :   12 Civ. 2591 (JWL)
CAPITAL MARKETS, INC., et al.,           :   12 Civ. 2648 (JWL)
                Defendants.               :   13 Civ. 2418 (JWL)
                :
And other NCUA Actions.                   :
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

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NATIONAL CREDIT UNION ADMINISTRATION      :
BOARD, etc.,                               :
                Plaintiff,                 :
                -v-                       :
RBS SECURITIES, INC., f/k/a GREENWICH     :   11 Civ. 5887 (GW)
CAPITAL MARKETS, INC., et al.,           :   11 Civ. 6521 (GW)
                Defendants.               :
                :
And other NCUA Actions.                   :
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>6/4/14</u>
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ORDER

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

Goldman Sachs and NCUA submitted letters of May 30, 2014 regarding a dispute over the number of initial Goldman Sachs document custodians, and the time period for which their files must be searched. These letters were submitted in response to Orders of May 6 and 19, 2014. Goldman Sachs provided information to NCUA responsive to the May 6 Order on May 9, 15, 16, and 28. Based on the information provided by Goldman Sachs, on May 29, NCUA sought to add 20 additional custodians to the 37 custodians already identified for Goldman Sachs. Seven of the 20 have never been previously identified as custodians in other Goldman Sachs RMBS litigation. The parties conferred most recently regarding this dispute on May 29 and 30. Having reviewed the May 30 submissions, it is hereby

ORDERED that the searches for all Goldman Sachs custodians shall run through December 31, 2009, except that the cut-off date of September 28, 2007 may be used for the eight custodians that Goldman Sachs has represented to NCUA will not possess relevant information beyond that date. In the event that Goldman Sachs believes that there are additional custodians whose files will not possess relevant information beyond September 28, 2007, it should make a sufficiently detailed showing promptly to NCUA to explain the basis for that

contention. The parties should bring any remaining dispute regarding that issue to the Court's attention by **June 9, 2014**.

IT IS FURTHER ORDERED that the NCUA application that there be a total of 57 initial Goldman Sachs document custodians is granted.

IT IS FURTHER ORDERED that Goldman Sachs shall provide to NCUA a complete list of transaction managers for the RMBS at issue in these actions by Friday, **June 6, 2014**.

IT IS FURTHER ORDERED that, in the event a party believes that material should be redacted from a letter or its exhibits publicly filed on the S.D.N.Y. ECF docket, the letter and its exhibits shall be filed in redacted form on that docket and an unredacted copy of the letter and its exhibits, highlighting the redactions, sent to cotenysdchambers@nysd.uscourts.gov. This Court will forward the unredacted, highlighted documents to the Hon. George H. Wu, John W. Lungstrum and James P. O'Hara. Any Judge in these Actions may advise counsel that a document should be re-filed on ECF with fewer or no redactions.

IT IS FURTHER ORDERED that NCUA may file on the S.D.N.Y. ECF docket its May 30 submissions with the following redactions:

- 1) May 30 letter/footnote 2: The names of Goldman Sachs employees.
- 2) Exhibit A: The names of Goldman Sachs employees.

SO ORDERED:

Dated: June 4, 2014

/s/ Denise Cote
United States District Judge

Dated: June 4, 2014

/s/ George H. Wu
United States District Judge

Dated: June 4, 2014

/s/ John W. Lungstrum
United States District Judge

Dated: June 4, 2014

/s/ James P. O'Hara
United States Magistrate Judge