

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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MARIANNE GERSCHEL,

Plaintiff,

- against -

BANK OF AMERICA, N.A.,

Defendant.

ORDER

20 Civ. 5217 (NRB)

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS on August 16, 2022, the Court issued a memorandum and order which granted Bank of America's motion for summary judgment, and further providing that Bank of America's resignation as trustee would be accepted upon the Court's approval of an adequate independent corporate successor trustee, and further directing Bank of America and Marianne Gerschel to submit for the Court's consideration as a successor independent corporate trustee Trust Departments of two banks or trust companies who meet the criteria of the Trust Instrument and agree to accept the position;

WHEREAS on October 17, 2022, counsel for Marianne Gerschel and Bank of America jointly wrote to propose two candidates for corporate trustee that were acceptable to both;

WHEREAS on November 4, 2022, the intervenors, Patrick Gerschel and Mark Giannone, filed a letter stating that both candidates were qualified and acceptable to them; it is hereby


ORDERED that City National Bank N.A. is selected as corporate trustee; and it is further

ORDERED that the parties submit a proposed order effectuating the appointment of City National Bank N.A. as corporate trustee; and it is further

ORDERED that if the parties cannot agree on the proposed order, that separate orders should be submitted with an explanation of the bases for the differences.

SO ORDERED.

Dated: New York, New York
November 17, 2022


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE