

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

----- X
ABN AMRO BANK, N.V., *et al.*,

Plaintiffs,

Index No. 601475/09

- against -

MBIA INC., MBIA INSURANCE
CORPORATION, and NATIONAL PUBLIC
FINANCE GUARANTEE CORPORATION
(f/k/a MBIA INSURANCE CORP. OF
ILLINOIS),

**STIPULATION AND ORDER
OF DISCONTINUANCE BY
MORGAN STANLEY
CAPITAL SERVICES LLC.**

Defendants.
----- X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties hereto, that, pursuant to CPLR 3217(a)(2) and 3217(b), the above-captioned plenary action is hereby discontinued with prejudice as to Plaintiff Morgan Stanley Capital Services LLC. (f/k/a Morgan Stanley Capital Services Inc.), with all parties to bear their own costs and attorneys fees. The above-captioned plenary action is not discontinued as to the remaining Plaintiffs, BNP Paribas, Merrill Lynch International; Bank of America, N.A., Natixis, Natixis Financial Products LLC (f/k/a Natixis Financial Products Inc.); Société Générale; and UBS AG, London Branch. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
December 15, 2011

SULLIVAN & CROMWELL LLP

By: Robert J. Giuffra, Jr.
Gandolfo V. DiBlasi
Robert J. Giuffra, Jr.
Michael T. Tomaino, Jr.
Brian T. Frawley
Julia M. Jordan
125 Broad Street
New York, NY 10004
Tel: (212) 558-4000

*Attorneys for Plaintiffs, including
Petitioner Morgan Stanley Capital
Services LLC*

HUGHES HUBBARD & REED
LLP

By: Michael Luskin
Michael Luskin
Robb W. Patryk
One Battery Park Plaza
New York, NY 10004
Tel: (212) 837-6000

*Attorneys for Plaintiff Société
Générale*

KASOWITZ, BENSON, TORRES
& FRIEDMAN LLP

By: Marc E. Kasowitz
Marc E. Kasowitz
Daniel R. Benson
Seth A. Moskowitz
Kenneth R. David
1633 Broadway
New York, NY 10019
Tel: (212) 506-1700

*Attorneys for Defendants MBLA
Inc., MBLA Insurance Corp. and
National Public Finance
Guarantee Corp. (f/k/a MBLA
Insurance Corp. of Illinois)*

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP

By: Scott D. Musoff
Jay B. Kasner
Scott D. Musoff
George D. Zimmerman
4 Times Square
New York, NY 10036
Tel: (212) 735-3000
*Attorneys for Plaintiffs Merrill
Lynch International and Bank of
America, N.A.*

KRAMER LEVIN NAFTALIS &
FRANKEL LLP

By:



Gregory A. Horowitz
Susan Jacquemot
1177 Avenue of the Americas
New York, NY 10036
Tel: (212) 715-9100
*Attorneys for Plaintiff BNP
Paribas*

SO ORDERED:

New York, New York
December 21, 2011

J.S.C.



BARBARA R. KAPNICK
J.S.C.