

MOTION INFORMATION STATEMENT

Docket Number(s): 15-2559 Caption [use short title] _____

Motion for: Joint Motion to Stay Appeal Federal Housing Finance Agency & Deutsche Bank National Trust Co. as Trustee for the SABR 2006-WM4 Trust v. WMC Mortgage, LLC fka WMC Mortgage Corp.

Set forth below precise, complete statement of relief sought:
Joint motion to stay appeal and not issue any decision in the case pending investor input and approval of settlement agreement based on executed binding term sheet.

MOVING PARTY: Deutsche Bank Nat'l Trust Co. as Trustee OPPOSING PARTY: (joint motion) WMC Mortgage, LLC

Plaintiff Defendant
 Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Robert K. Kry OPPOSING ATTORNEY: Matthew S. Hellman
[name of attorney, with firm, address, phone number and e-mail]

MoloLamken LLP Jenner & Block LLP
600 New Hampshire Ave., N.W., Suite 660 1099 New York Ave., N.W., Suite 900
Washington, D.C. 20037 Washington, D.C. 20001

Court-Judge/Agency appealed from: Southern District of New York - Hellerstein, J.

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):
 Yes No (explain): _____

Opposing counsel's position on motion:
 Unopposed Opposed Don't Know

Does opposing counsel intend to file a response:
 Yes No Don't Know

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has request for relief been made below? Yes No
Has this relief been previously sought in this Court? Yes No
Requested return date and explanation of emergency: _____

Is oral argument on motion requested? Yes No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? Yes No If yes, enter date: argued on June 10, 2016

Signature of Moving Attorney: /s/ Robert K. Kry Date: 8/9/2016 Service by: CM/ECF Other [Attach proof of service]

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

FEDERAL HOUSING FINANCE AGENCY,
AS CONSERVATOR FOR THE FEDERAL
HOME LOAN MORTGAGE CORPORATION,
ON BEHALF OF THE TRUSTEE OF THE
SECURITIZED ASSET BACKED
RECEIVABLES LLC TRUST 2006-WM4
(SABR 2006-WM4),

Plaintiff,

DEUTSCHE BANK NATIONAL TRUST
COMPANY, IN ITS CAPACITY AS TRUSTEE
OF THE SECURITIZED ASSET BACKED
RECEIVABLES LLC TRUST 2006-WM4
(SABR 2006-WM4),

Intervenor-Plaintiff-Appellant,

v.

WMC MORTGAGE, LLC FKA WMC
MORTGAGE CORP.,

Defendant-Appellee.

No. 15-2559

JOINT MOTION TO STAY APPEAL

Appellant Deutsche Bank National Trust Company, in its capacity as Trustee for the SABR 2006-WM4 Trust (“the Trustee”), and appellee WMC Mortgage, LLC fka WMC Mortgage Corp. (“WMC”), respectfully jointly move to stay this appeal pending a settlement of this action.

This appeal concerns claims arising out of a mortgage securitization. The Trustee asserted claims for breach of contract against WMC, the originator in the securitization. The district court dismissed the suit. The Trustee appealed, and a panel of this Court (Pooler, Lohier, and Carney, JJ.) heard argument on June 10, 2016 after full briefing. The case currently remains under submission.

The Trustee and WMC recently executed a binding term sheet for a settlement that would resolve all claims asserted in this action. The Trustee and WMC require additional time for the Trustee to seek investor input and any required approvals concerning the settlement.

Accordingly, the parties respectfully request that the Court stay this action, hold the appeal in abeyance, and not issue any decision in the case for a period of 120 days to complete the steps outlined above. The parties will either move to dismiss the appeal within that period, or else request that the Court take such other action as may be appropriate.

The parties thank the Court for its time and attention to this matter.



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Respectfully submitted,



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