IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CONSUMER FINANCIAL PROTECTION BUREAU,	:	C.A. No. 17-1323 (MN)
Plaintiff,	:	
v.	:	
THE NATIONAL COLLEGIATE MASTER STUDENT LOAN TRUST et al.,	:	[redacted]
Defendants.	:	Public Version Filed: July 17, 2020

DECLARATION OF ERIK HAAS IN SUPPORT OF THE INTERVENORS' MOTION TO DISMISS UNDER FED. R. CIV. P. 12(b)(6) AND 12(b)(1)

I, ERIK HAAS, declare as follows:

1. I am a member of the law firm of Patterson Belknap Webb & Tyler LLP, counsel for Ambac Assurance Corp. ("Ambac") in the above-captioned action. I submit this Declaration in support of the Intervenors' Motion to Dismiss.

2. Attached as **Exhibit 1** is a true and correct copy of the Special Servicing Agreement dated March 1, 2009 between First Marblehead Education Resources, Inc., U.S. Bank National Association, and the National Collegiate Student Loan Trusts.

3. Attached as **Exhibit 2** is a true and correct copy of the Default Prevention and Collection Services Agreement dated March 1, 2009 between First Marblehead Education Resources, Inc. and NCO Financial Systems, as amended.

4. Attached as **Exhibit 3** is a true and correct copy of the letter and enclosed attachments from Edward Keefe of the Consumer Financial Protection Bureau regarding the Civil Investigative Demand Served on National Collegiate Student Loan Trust 2007-1, dated

September 4, 2017. Substantively identical Civil Investigative Demands were served on the other Trusts on the same date.

5. Attached as **Exhibit 4** is a true and correct copy of an email and attachment from Mr. Keefe to Dorri Costello, of Wilmington Trust Company, dated May 9, 2016, and produced by Wilmington Trust Corporation in this action with Bates numbers WTC_CFPB_00000035.

6. Attached as **Exhibit 5** is a true and correct copy of the document entitled "Response to Notice and Opportunity to Respond and Advise National Collegiate Student Loan Trusts" from James Kosch of McCarter & English, counsel purporting to act on behalf of the Trusts, dated May 31, 2016, and produced by the CFPB in this action with Bates numbers CFPB-INTV-0003355–3373.

7. Attached as **Exhibit 6** is a true and correct copy of the Order entered on September 18, 2017 in the administrative proceeding captioned *In the Matter of Transworld Systems, Inc.*, File No. 2017-CFPB-0018.

8. Attached as **Exhibit 7** is a true and correct copy of the Trust Agreement for The National Collegiate Student Loan Trust 2006-4.

9. Attached as **Exhibit 8** is a true and correct copy of Senate Report 111-176 from the Committee on Banking, Housing and Urban Affairs on the Restoring American Financial Stability Act of 2010, dated April 30, 2010.

10. Attached as **Exhibit 9** is a true and correct copy of the document entitled "Financial Regulatory Reform: A New Foundation" issued by the Department of the Treasury on October 8, 2009.

11. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 10, 2020
New York, New York



Erik Haas