

# *In re Bear Stearns Mortgage Pass-Through Certificates Litigation*

## **Proof of Claim and Release Instructions**

### **I. GENERAL INSTRUCTIONS**

1. To be potentially eligible to recover as a Member of the Class based on your claim in the action entitled *In re Bear Stearns Mortgage Pass-Through Certificates Litigation*, Case No. 08-CV-8093 (LTS) (the “Action”), you must complete and, on page 7 thereof, sign the Proof of Claim and Release Form. If you fail to timely submit a properly addressed (as set forth in paragraph 4 below) Proof of Claim and Release Form, your claim may be rejected and you may be precluded from any recovery from the Settlement Fund created in connection with the proposed settlement of the Action.

2. The capitalized and defined terms used herein shall have the meanings set forth in the Stipulation and Agreement of Settlement, unless otherwise noted.

3. Submission of the Proof of Claim and Release Form, however, does not assure that you will share in the proceeds of the settlement of the Action.

4. **YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM AND RELEASE FORM POSTMARKED ON OR BEFORE JULY 6, 2015:**

In re Bear Stearns Mortgage Pass-Through Certificates Litigation  
c/o GCG

P.O. Box 10148  
Dublin, OH 43017-3148  
(855) 382-6452

[www.BearStearnsCertificateSettlement.com](http://www.BearStearnsCertificateSettlement.com)

If you are NOT a Member of the Class (as defined below and in the Notice of Pendency of Class Action and Proposed Settlement, Final Approval Hearing, and Motion for Attorneys’ Fees and Reimbursement of Litigation Costs (“Notice”)), **DO NOT** submit a Proof of Claim Form.

5. If you are a Member of the Class and you do not timely request exclusion in connection with the proposed Settlement, you are bound by the terms of any judgment entered in the Action, including the releases provided therein, **WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM AND RELEASE FORM.**

### **II. CLAIMANT IDENTIFICATION**

The “Class” is defined as all Persons who: (i) prior to July 9, 2009, purchased or otherwise acquired offered RMBS pursuant or traceable to offerings BALTA 2006-5, BALTA 2006-6, BALTA 2006-7, BALTA 2006-8, BALTA 2007-1, BSARM 2006-4, BSARM 2007-1 (certificates backed by groups 1, 3 and 5 only), or BSARM 2007-3, and were damaged thereby; (ii) prior to August 20, 2008, purchased or otherwise acquired offered RMBS pursuant or traceable to offering BSMF 2006-AR1, and were damaged thereby; or (iii) prior to May 15, 2009, purchased or otherwise acquired offered RMBS pursuant or traceable to offerings BSMF 2006-AR2, BSMF 2006-AR3, BSMF 2006-AR4, BSMF 2006-AR5, BSMF 2007-AR1, BSMF 2007-AR3, SAMI 2006-AR4, SAMI 2006-AR5, SAMI 2006-AR6, SAMI 2006-AR7, SAMI 2006-AR8, SAMI 2007-AR1 (certificates backed by group 1 only), or SAMI 2007-AR2 (certificates backed by group 1 only), and were damaged thereby. Excluded from the Class are: (1) Defendants and the other Released Parties and any entity in which any Defendant has or had a controlling interest, except that affiliates and entities in which a Defendant has or had a controlling interest, other than Investment Vehicles (which are excluded only to the extent provided for in the definition of Investment Vehicles), are excluded from the Class only to the extent that such entities themselves had a proprietary (i.e., for their own account) interest in the Certificates and not to the extent that they have held the Certificates in a fiduciary capacity or otherwise on behalf of any third-party client, account, fund, trust or employee benefit plan that otherwise falls within the definition of the Class; and (2) Persons that have separately asserted or pursued their claims against Defendants asserting claims arising from securities covered by the Class, including by filing individual actions or privately entering into confidential tolling agreements with Defendants, as such Persons are identified on Appendix 1 to the Stipulation, which shall be kept confidential by the Settling Parties and the Claims Administrator and redacted or filed under seal in any public filing of the Stipulation. The Notice provides that anyone with questions as to whether or not they are excluded may call the Claims Administrator. Also excluded from the Class

are any Persons who exclude themselves by filing a valid request for exclusion in accordance with the requirements set forth in the Notice. More information about the Class definition and about the Settlement is available on the Settlement website: [www.BearStearnsCertificateSettlement.com](http://www.BearStearnsCertificateSettlement.com).

If you have documents evidencing transactions in the Certificates in your own name, you are the beneficial purchaser as well as the record purchaser. If, however, you purchased or acquired the Certificates at issue and the transactional document(s) was/were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser and the third party is the record purchaser.

Use Part I of the Proof of Claim and Release Form – entitled “Claimant Identification” – to identify each purchaser of record (“nominee”), if different from the purchaser or acquirer of the Certificates which form the basis of the claim. **THE CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER OR PURCHASERS, OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER OR PURCHASERS OF THE CERTIFICATES UPON WHICH THE CLAIM IS BASED.**

All joint purchasers must sign the claim. Executors, administrators, guardians, conservators and trustees must complete and sign the claim on behalf of persons represented by them and their authority must accompany this claim and their titles or capacities must be stated. The last four digits of the Social Security (or taxpayer identification) number and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

### **III. CLAIM FORM**

Use Part II of the Proof of Claim and Release Form – entitled “Transactions in Bear Stearns Mortgage Pass-Through Certificates” – to supply all required details of your transaction(s) in the Certificates, including any information concerning the exchange of one class or classes of Certificates for another class or classes of Certificates. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name, and print the name of the beneficial owner as well, on each additional sheet.

On the schedules, provide all of the requested information with respect to all of your purchases, acquisitions, and all of your sales of such Certificates whether such transactions resulted in a profit or loss. Failure to report all requested information may result in the rejection of your claim. You must include all information concerning any transactions in the Certificates; failure to include information concerning all transactions in the Certificates could disqualify your claim.

List each transaction, by Certificates, separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day and year of each transaction you list.

Copies of broker confirmations or other documentation of your transactions in the Certificates should be attached to your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim. Each transaction, including any exchange, must be fully and adequately documented.