

**MUST BE  
POSTMARKED  
NO LATER THAN  
NOVEMBER 14, 2014**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
*NEW JERSEY CARPENTERS VACATION FUND, et al., v.  
THE ROYAL BANK OF SCOTLAND GROUP, PLC, et al.*  
Case No. 08-cv-5093-LAP  
[www.HarborviewMBSSettlement.com](http://www.HarborviewMBSSettlement.com)

**HMB**

**PROOF OF CLAIM FORM AND RELEASE**  
**INSTRUCTIONS FOR COMPLETING PROOF OF CLAIM AND RELEASE FORM**

**GENERAL**

1. To recover as a member of the Settlement Class based on your claims in the action entitled *New Jersey Carpenters Vacation Fund, et al., v. The Royal Bank of Scotland Group, plc, et al.*, Civ. No. 08-cv-5093-LAP (the "Action"),<sup>1</sup> you must complete and, on page 6 hereof, sign this Proof of Claim and Release Form ("Proof of Claim Form"). If you fail to file a properly addressed (as set forth in paragraph 3 below) Proof of Claim 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. Submission of this Proof of Claim Form, however, does not assure that you will share in the proceeds of the Settlement of the litigation.
3. YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM FORM POSTMARKED ON OR BEFORE NOVEMBER 14, 2014, ADDRESSED AS FOLLOWS:  
**Harborview MBS Claims Administrator**  
P.O. Box 43253  
Providence, RI 02940-3253
4. If you are NOT a member of the Settlement Class (as defined in the Notice of Pendency of Class Action, Preliminary Approval Order, and Proposed Settlement, Settlement Fairness Hearing and Motion for Attorneys' Fees and Reimbursement of Litigation Expenses ("Notice")) DO NOT submit a Proof of Claim Form.
5. If you are a member of the Settlement Class and you did not timely and validly 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 FORM.

**CLAIMANT IDENTIFICATION**

6. If you purchased or acquired Certificates and held the certificate(s) in your name, you are the beneficial purchaser as well as the record purchaser. If, however, you purchased or acquired Certificates and the certificate(s) 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.
7. Use Part I of this form entitled "Claimant Identification" to identify each purchaser of record ("nominee"), if different from the beneficial purchaser of Certificates which form the basis of this claim. THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S), OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S), OF THE CERTIFICATES UPON WHICH THIS CLAIM IS BASED.
8. All joint beneficial purchasers must sign this claim. Executors, administrators, guardians, conservators, and trustees must complete and sign this claim on behalf of beneficial purchasers 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 purchaser(s) 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.

**IDENTIFICATION OF TRANSACTION(S)**

9. Use Part II of this form entitled "Schedule of Transactions in Harborview Certificates" to supply all required details of your transaction(s) regarding the 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 on each additional sheet.
10. On the schedules, provide all of the requested information with respect to *all* of your purchases or acquisitions of the Certificates, and all sales and dispositions thereof, whether such transactions resulted in a profit or a loss. Failure to report all such transactions may result in the rejection of your claim.
11. List each transaction 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.
12. Copies of broker confirmations or other documentation of your transaction(s) 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.

<sup>1</sup> This Proof of Claim Form incorporates by reference the definitions in the Stipulation of Settlement, dated April 17, 2014 ("Settlement Agreement"), and all capitalized terms used, but not defined herein, shall have the same meanings as in the Settlement Agreement. The Settlement Agreement can be obtained at [www.HarborviewMBSSettlement.com](http://www.HarborviewMBSSettlement.com).

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## PART I: CLAIMANT IDENTIFICATION

Beneficial Purchaser's Name (First, Middle, Last)

Record Purchaser's Name (if different from beneficial purchaser listed above)

Address Line 1 (Number and Street or P.O. Box)

Address Line 2 (if needed)

City

State or Province

Zip Code

Country Name

Email

Telephone Number (Work)

Telephone Number (Home)

Last Four Digits of Social Security Number (for individuals)

OR

Last Four Digits of Taxpayer Identification Number  
(for estates, trusts, corporations, etc.)

**PART II: SCHEDULE OF TRANSACTIONS IN HARBORVIEW CERTIFICATES**

**A. Purchases and Acquisitions:** List all purchases and acquisitions of the Certificates listed on [www.HarborviewMBSSettlement.com](http://www.HarborviewMBSSettlement.com). Be sure to attach the required documentation.

<u>Trade Date (List Chronologically) (Month/Day/Year)</u>	<u>CUSIP</u>	<u>Face Value</u>	<u>Price</u>	<u>Purchased From RBS or Broker?</u>	<u>Total Cost (excluding accrued interest, commissions, taxes &amp; fees)</u>

**B. Sales and dispositions:** List all sales and dispositions of the Certificates listed on [www.HarborviewMBSSettlement.com](http://www.HarborviewMBSSettlement.com). Be sure to attach the required documentation.

<u>Trade Date (List Chronologically) (Month/Day/Year)</u>	<u>CUSIP</u>	<u>Face Value</u>	<u>Price</u>	<u>Total Proceeds (excluding accrued interest, commissions, taxes &amp; fees)</u>

**C. Certificates Held:** List all Certificates Held on the “Date of First Suit.” Include documentation if available.

<u>CUSIP</u>	<u>Face Value</u>	<u>Date of First Suit</u>

<b>Offering</b>	<b>Date of First Suit</b>	<b>Offering</b>	<b>Date of First Suit</b>
Harborview Series 2006-4	May 14, 2008	Harborview Series 2006-11	May 19, 2009
Harborview Series 2006-5	May 14, 2008	Harborview Series 2006-12	May 19, 2009
Harborview Series 2006-6	May 19, 2009	Harborview Series 2006-14	May 19, 2009
Harborview Series 2006-7	May 19, 2009	Harborview Series 2007-1	May 19, 2009
Harborview Series 2006-8	May 19, 2009	Harborview Series 2007-2	May 19, 2009
Harborview Series 2006-9	May 14, 2008	Harborview Series 2007-5	May 19, 2009
Harborview Series 2006-10	May 19, 2009	Harborview Series 2007-7	May 19, 2009

For a listing of “Date of First Suit” by CUSIP, please visit [www.HarborviewMBSSettlement.com](http://www.HarborviewMBSSettlement.com)

If you require additional space to list your transactions, use photocopies of this page and check this box.

YOU MUST READ THE RELEASE. YOUR SIGNATURE ON PAGE 6  
WILL CONSTITUTE YOUR ACKNOWLEDGMENT OF THE RELEASE.

### **PART III: SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS**

I (WE) SUBMIT THIS PROOF OF CLAIM FORM UNDER THE TERMS OF THE SETTLEMENT AGREEMENT DESCRIBED IN THE NOTICE. I (WE) ALSO SUBMIT TO THE JURISDICTION OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK WITH RESPECT TO MY (OUR) CLAIM AS A CLASS MEMBER AND FOR PURPOSES OF ENFORCING THE RELEASE SET FORTH HEREIN. I (WE) FURTHER ACKNOWLEDGE THAT I AM (WE ARE) BOUND BY AND SUBJECT TO THE TERMS OF ANY JUDGMENT THAT MAY BE ENTERED IN THE ACTION. I (WE) AGREE TO FURNISH ADDITIONAL INFORMATION TO THE CLAIMS ADMINISTRATOR TO SUPPORT THIS CLAIM IF REQUESTED TO DO SO. I (WE) HAVE NOT SUBMITTED ANY OTHER CLAIM COVERING THE SAME PURCHASES OR SALES OF THE CERTIFICATES AND KNOW OF NO OTHER PERSON HAVING DONE SO ON MY (OUR) BEHALF.

### **PART IV: RELEASE**

1. I (WE) HEREBY ACKNOWLEDGE FULL AND COMPLETE SATISFACTION OF, AND DO HEREBY FULLY, FINALLY, AND FOREVER SETTLE, RELEASE, AND DISCHARGE FROM THE RELEASED CLAIMS EACH AND ALL OF THE "RELEASED PARTIES," DEFINED AS EACH AND ALL OF DEFENDANTS AND EACH AND ALL OF THEIR RESPECTIVE PRESENT OR FORMER PARENTS, SUBSIDIARIES, AFFILIATES (AS DEFINED IN 17 C.F.R. §210.1-02(B)), INSURERS, CO-INSURERS, REINSURERS, SUCCESSORS AND ASSIGNS, PREDECESSORS, AND EACH AND ALL OF THE RESPECTIVE PRESENT OR FORMER OFFICERS, DIRECTORS, EMPLOYEES, EMPLOYERS, MEMBERS, SHAREHOLDERS, ATTORNEYS, ACCOUNTANTS, FINANCIAL ADVISORS, AUDITORS, COMMERCIAL BANK LENDERS, INVESTMENT BANKERS, REPRESENTATIVES, AGENTS, GENERAL AND LIMITED PARTNERS AND PARTNERSHIPS, JOINT VENTURES, DIVISIONS, ANY PERSON, FIRM, TRUST, CORPORATION, OFFICER, DIRECTOR, OR OTHER INDIVIDUAL OR ENTITY IN WHICH THEY HAVE A CONTROLLING INTEREST AND ANY TRUST OF WHICH ANY DEFENDANT IS A SETTLOR, TRUSTEE OR BENEFICIARY, SPOUSE, HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS, AFFILIATES, AND ASSIGNS OF EACH OF THEM.
2. "RELEASED CLAIMS" MEANS ANY AND ALL CLAIMS (INCLUDING "UNKNOWN CLAIMS," AS DEFINED BELOW), DEMANDS, RIGHTS, LIABILITIES, AND CAUSES OF ACTION OF EVERY NATURE AND DESCRIPTION, KNOWN OR UNKNOWN, SUSPECTED OR UNSUSPECTED, CONTINGENT OR NON-CONTINGENT, MATURED OR UNMATURED, WHETHER OR NOT CONCEALED OR HIDDEN, WHICH NOW EXIST, OR HERETOFORE HAVE EXISTED, OR CAN, SHALL OR MAY EXIST, WHETHER ARISING UNDER FEDERAL, STATE, COMMON OR FOREIGN LAW OR AT EQUITY, THAT PLAINTIFFS OR ANY SETTLEMENT CLASS MEMBER (A) ASSERTED IN THIS ACTION, OR (B) COULD HAVE ASSERTED IN THE ACTION OR IN ANY OTHER PROCEEDING OR FORUM ARISING FROM OR RELATED IN ANY WAY TO THE ACTS, FAILURES TO ACT, TRANSACTIONS, FACTS, EVENTS, MATTERS, DISCLOSURES, STATEMENTS, OCCURRENCES, REPRESENTATIONS, OR OMISSIONS ASSERTED OR THAT COULD HAVE BEEN ASSERTED IN THE ACTION AGAINST ANY RELEASED PARTY; PROVIDED, HOWEVER, THAT "RELEASED CLAIMS" SHALL NOT INCLUDE A CLAIM, IF ANY, FILED PRIOR TO FEBRUARY 14, 2014, SOLELY AND EXCLUSIVELY TO THE EXTENT SUCH CLAIM ASSERTED CONTRACTUAL REPURCHASE RIGHTS WITH RESPECT TO ANY RESIDENTIAL MORTGAGE LOAN INCLUDING IN ANY OF THE FOLLOWING HARBORVIEW TRUSTS: HARBORVIEW 2006-4, HARBORVIEW 2006-5, HARBORVIEW 2006-6, HARBORVIEW 2006-7, HARBORVIEW 2006-8, HARBORVIEW 2006-9, HARBORVIEW 2006-10, HARBORVIEW 2006-11, HARBORVIEW 2006-12, HARBORVIEW 2006-14, HARBORVIEW 2007-1, HARBORVIEW 2007-2, HARBORVIEW 2007-5, AND HARBORVIEW 2007-7.
3. "UNKNOWN CLAIMS" MEANS ANY AND ALL RELEASED CLAIMS WHICH PLAINTIFFS OR ANY SETTLEMENT CLASS MEMBER DOES NOT KNOW OR SUSPECT, OR SHOULD HAVE KNOWN OR SUSPECTED, TO EXIST IN HIS, HER OR ITS FAVOR AT THE TIME OF THE RELEASE OF THE RELEASED PERSONS WHICH, IF KNOWN BY HIM, HER OR IT, MIGHT HAVE AFFECTED HIS, HER OR ITS SETTLEMENT WITH AND RELEASE OF THE RELEASED PARTIES, OR MIGHT HAVE AFFECTED HIS, HER OR ITS DECISION NOT TO OBJECT TO THIS SETTLEMENT. WITH RESPECT TO ANY AND ALL RELEASED CLAIMS, THE SETTLING PARTIES STIPULATE AND AGREE THAT, UPON THE EFFECTIVE DATE, PLAINTIFFS SHALL EXPRESSLY WAIVE, AND EACH OF THE SETTLEMENT CLASS MEMBERS SHALL BE DEEMED TO HAVE WAIVED, AND BY OPERATION OF THE JUDGMENT SHALL HAVE EXPRESSLY WAIVED, TO THE FULLEST EXTENT PERMITTED BY LAW THE PROVISIONS, RIGHTS, AND BENEFITS OF CALIFORNIA CIVIL CODE §1542, WHICH PROVIDES:

**A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.**

**PLAINTIFFS SHALL EXPRESSLY, AND EACH SETTLEMENT CLASS MEMBER SHALL BE DEEMED TO HAVE, AND BY OPERATION OF THE JUDGMENT SHALL HAVE, EXPRESSLY WAIVED ANY AND ALL PROVISIONS, RIGHTS, AND BENEFITS CONFERRED BY ANY LAW OF ANY STATE OR TERRITORY OF THE UNITED STATES, OR PRINCIPLE OF COMMON LAW, WHICH IS SIMILAR, COMPARABLE, OR EQUIVALENT TO CALIFORNIA CIVIL CODE §1542. PLAINTIFFS AND SETTLEMENT CLASS MEMBERS MAY HEREAFTER DISCOVER FACTS IN ADDITION TO OR DIFFERENT FROM THOSE WHICH HE, SHE OR IT NOW KNOWS OR BELIEVES TO BE TRUE WITH RESPECT TO THE SUBJECT MATTER OF THE RELEASED CLAIMS, BUT LEAD PLAINTIFF SHALL EXPRESSLY, AND EACH CLASS MEMBER, UPON THE EFFECTIVE DATE, SHALL BE DEEMED TO HAVE, AND BY OPERATION OF THE JUDGMENT SHALL HAVE, FULLY, FINALLY, AND FOREVER SETTLED AND RELEASED ANY AND ALL RELEASED CLAIMS, KNOWN OR UNKNOWN, SUSPECTED OR UNSUSPECTED, CONTINGENT OR NON-CONTINGENT, WHETHER OR NOT CONCEALED OR HIDDEN, WHICH NOW EXIST, OR HERETOFORE HAVE EXISTED, UPON ANY THEORY OF LAW OR EQUITY NOW EXISTING OR COMING INTO EXISTENCE IN THE FUTURE, INCLUDING, BUT NOT LIMITED TO, CONDUCT THAT IS NEGLIGENT, RECKLESS, INTENTIONAL, WITH OR WITHOUT MALICE, OR A BREACH OF ANY DUTY, LAW, OR RULE, WITHOUT REGARD TO THE SUBSEQUENT DISCOVERY OR EXISTENCE OF SUCH DIFFERENT OR ADDITIONAL FACTS. PLAINTIFFS ACKNOWLEDGE, AND THE SETTLEMENT CLASS MEMBERS SHALL BE DEEMED BY LAW AND OPERATION OF THE JUDGMENT TO HAVE ACKNOWLEDGED, THAT THE FOREGOING WAIVER AND INCLUSION OF "UNKNOWN CLAIMS" WAS SEPARATELY BARGAINED FOR AND A MATERIAL ELEMENT OF THE SETTLEMENT OF WHICH THIS RELEASE IS A PART.**

- 4. THIS RELEASE SHALL BE OF NO FORCE OR EFFECT UNLESS AND UNTIL THE COURT APPROVES THE SETTLEMENT AGREEMENT AND THE SETTLEMENT AGREEMENT BECOMES EFFECTIVE ON THE EFFECTIVE DATE (AS DEFINED IN THE SETTLEMENT AGREEMENT).**
- 5. I (WE) HEREBY WARRANT AND REPRESENT THAT I (WE) HAVE NOT ASSIGNED OR TRANSFERRED OR PURPORTED TO ASSIGN OR TRANSFER, VOLUNTARILY OR INVOLUNTARILY, ANY MATTER RELEASED PURSUANT TO THIS RELEASE OR ANY OTHER PART OR PORTION THEREOF.**
- 6. I (WE) HEREBY WARRANT AND REPRESENT THAT I (WE) HAVE INCLUDED INFORMATION ABOUT ALL OF MY (OUR) PURCHASES AND SALES OF THE CERTIFICATES.**
- 7. I (WE) HEREBY WARRANT AND REPRESENT THAT I AM (WE ARE) NOT EXCLUDED FROM THE CLASS AS DEFINED HEREIN AND IN THE NOTICE.**
- 8. I (WE) CERTIFY THAT I AM (WE ARE) NOT SUBJECT TO BACKUP WITHHOLDING UNDER THE PROVISIONS OF SECTION 3406(A)(1)(C) OF THE INTERNAL REVENUE CODE.**

**NOTE: IF YOU HAVE BEEN NOTIFIED BY THE INTERNAL REVENUE SERVICE THAT YOU ARE SUBJECT TO BACKUP WITHHOLDING, PLEASE STRIKE OUT THE LANGUAGE THAT YOU ARE NOT SUBJECT TO BACKUP WITHHOLDING IN THE CERTIFICATION ABOVE.**

**I (WE) DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING INFORMATION SUPPLIED BY THE UNDERSIGNED IS TRUE AND CORRECT.**

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_  
(Month/Year) (City) (State/Country)

Signature of Claimant

Signature of Joint Claimant, if any

Print Name of Claimant

Print Name of Joint Claimant, if any

Date

Date

*If Claimant is other than an individual, or is not the person completing this form, the following also must be provided:*

Signature of Person Completing Form

Date

Print Name of Person Completing Form

Capacity of Person(s) Signing, (e.g., Beneficial Purchaser, Executor or Administrator)

#### REMINDER CHECKLIST

- 1. Please be sure to sign this Proof of Claim Form.
- 2. Remember to attach supporting documentation, if available.
- 3. **DO NOT SEND ORIGINALS OF ANY SUPPORTING DOCUMENTS.**
- 4. Keep a copy of your Proof of Claim Form for your records.
- 5. The Claims Administrator will acknowledge the receipt of your Proof of Claim Form by postcard within 60 days of receipt. If you do not receive such acknowledgment within 60 days, please contact the Claims Administrator. **Your claim is not deemed filed unless a postcard is received.**
- 6. If you move, please send your new address to the Claims Administrator at the address below:

**Harborview MBS Claims Administrator**  
P.O. Box 43253  
Providence, RI 02940-3253

- 7. **Do not use highlighter on the Proof of Claim Form or supporting documentation.**