

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA, ex rel.
DOUGLAS J. PETERSON,
ATTORNEY GENERAL,

Plaintiff,

v.

PEAKS TRUST 2009-1,
DEUTSCHE BANK NATIONAL
TRUST COMPANY, solely in its
capacity as lender trustee of
PEAKS, DEUTSCHE BANK
TRUST COMPANY DELAWARE,
solely in its capacity as owner
trustee of PEAKS, and
DEUTSCHE BANK TRUST
COMPANY AMERICAS, solely in
its capacity as indenture trustee
and collateral agent of PEAKS,

Defendants.

CI 20- 3340

ORDER APPROVING
ASSURANCE OF
VOLUNTARY COMPLIANCE

LANCASTER COUNTY
2020 SEP 22 AM 9:39
CLERK OF THE
DISTRICT COURT

NOW, this matter comes before the Court on the Application for Approval of Assurance of Voluntary Compliance ("Application") and the underlying, incorporated, and attached



002016247D02

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Assurance of Voluntary Compliance ("Assurance") executed by and between the State of Nebraska and PEAKS Trust 2009-1 ("PEAKS"), a Delaware statutory trust, Deutsche Bank National Trust Company ("DBNTC"), solely in its capacity as lender trustee of PEAKS, Deutsche Bank Trust Company Delaware ("DBTCD"), solely in its capacity as owner trustee of PEAKS, and Deutsche Bank Trust Company Americas ("DBTCA") solely in its capacity as indenture trustee and collateral agent of PEAKS, (collectively "Defendants").

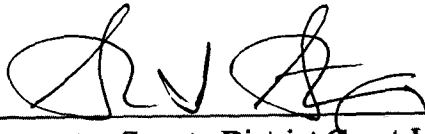
The Court, having considered the above-described Application and Assurance, executed pursuant to the Nebraska Consumer Protection Act, Neb. Rev. Stat. § 59-1601 et seq. ("Consumer Protection Act"), and the Uniform Deceptive Trade Practices Act, Neb. Rev. Stat. § 87-301 et seq. ("Uniform Deceptive Trade Practices Act"), and being duly advised finds as follows:

1. The aforesaid Assurance will adequately protect the public interest as expressed in the Consumer Protection Act and the Uniform Deceptive Trade Practices Act.
2. Defendants have voluntarily consented to the jurisdiction of the Court for the purpose of approving this Assurance and to the entry of this Order.
3. Defendants shall abide by the terms of the Assurance of Voluntary Compliance.
4. Defendants further waive their right to appear before the Court and agree that an Order approving the Assurance of Voluntary Compliance may be entered by the Court.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Assurance of Voluntary Compliance, including all of its terms, executed as of September 15, 2020 by and between Plaintiff and Defendants, is hereby approved.


DATED this 22nd day of September, 2020.

BY THE COURT:



Lancaster County District Court Judge

Prepared and Submitted By:

By: 
Meghan E. Stoppel, #26290
Assistant Attorney General
Consumer Protection Division
Nebraska Attorney General's Office
2115 State Capitol Building
Lincoln, NE 68509-8920
Phone: (402) 471-2811
meghan.stoppel@nebraska.gov

Counsel for the State of Nebraska

Approved as to Form and Content:

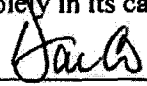
PEAKS Trust 2009-1, a Delaware statutory trust


By: **DEUTSCHE BANK TRUST COMPANY
DELAWARE**, not in its individual or
personal capacity but solely in its capacity
as Owner Trustee

By: _____
Name
Title

By: _____
Name
Title

**DEUTSCHE BANK NATIONAL TRUST
COMPANY**, not in its individual or personal
capacity but solely in its capacity as lender trustee

By:  _____
Name **David Co**
Title **Director**

By:  _____
Name **Ronaldo Reyes**
Title **Vice President**

**DEUTSCHE BANK TRUST COMPANY
DELAWARE**, not in its individual or personal
capacity but solely in its capacity as Owner Trustee

By: _____
Name
Title

Approved as to Form and Content:

PEAKS Trust 2009-1, a Delaware statutory trust

By: DEUTSCHE BANK TRUST COMPANY
DELAWARE, not in its individual or
personal capacity but solely in its capacity
as Owner Trustee

By: DocuSigned by:
Chad Jones
Name Chad Jones
Title Vice President

By: DocuSigned by:
Katie Hall
Name Katie Hall
Title Associate

DEUTSCHE BANK NATIONAL TRUST
COMPANY, not in its individual or personal
capacity but solely in its capacity as lender trustee

By: _____
Name _____
Title _____

By: _____
Name _____
Title _____

DEUTSCHE BANK TRUST COMPANY
DELAWARE, not in its individual or personal
capacity but solely in its capacity as Owner Trustee

By: DocuSigned by:
Chad Jones
Name Chad Jones
Title Vice President

DocuSigned by:
Katie Hall
By: _____
Name **Katie Hall**
Title **Associate**


**DEUTSCHE BANK TRUST COMPANY
AMERICAS, not in its individual or personal
capacity but solely in its capacity as indenture
trustee and collateral agent**

By: _____
Name
Title

By: _____
Name
Title

By: _____
Name
Title


DEUTSCHE BANK TRUST COMPANY
AMERICAS, not in its individual or personal
capacity but solely in its capacity as indenture
trustee and collateral agent

By:  _____
Name
Title **David Co**
Director

By:  _____
Name
Title **Ronald Reyes**
Vice President

Approved as to Form:

By:



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Counsel for Defendants