



ALAN WILSON  
ATTORNEY GENERAL

January 20, 2011

Via Hand Delivery and Ordinary Mail

The Honorable Curtis M. Loftis, Jr.  
Treasurer-State of South Carolina  
P. O. Box 11778  
Columbia, SC 29211

RE: Claims Against the Bank of New York (Now Known as The Bank of New York Mellon) for Violations of the March 24, 2000 Securities Lending Agreement With the State Treasurer and All Statutory and Common Law Claims Connected Therewith.

Dear Treasurer Loftis:

I have received your letter of January 20, 2011 requesting that you and Special Counsel Mitch Willoughby be allowed to add Michael H. Montgomery as Special Counsel to the above-captioned matter. I recognize the importance and the complexity of this litigation and hereby approve the addition of Michael H. Montgomery, as evidenced by the attached Addendum to Litigation Retention Agreement for Special Counsel Appointed by the South Carolina State Treasurer.

Should any need arise to make any additional revisions, additions or changes to the Litigation Retention Agreement, please notify me for my consideration and approval.

By copy of this letter, I am asking Special Counsel to keep my office informed of developments in this litigation.

Sincerely,

Signature Redacted

Alan Wilson

CC: John W. McIntosh, Chief Deputy Attorney General  
Michael H. Montgomery, Esq.  
Mitchell Willoughby, Esq.

Enclosure  
AW/jwm