

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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:
In re : **Chapter 11**
:
WASHINGTON MUTUAL, INC., et al.,¹ : **Case No. 08-12229 (MFW)**
:
: **(Jointly Administered)**
:
Debtors. :
: **Re: Docket No. 857**
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NOTICE OF FILING OF STIPULATION TO EXTEND TIME

PLEASE TAKE NOTICE that, on April 2, 2009, Denise Cassese, George Rush, and Richard Schroer (the "Movants") filed the **Notice of Motion of Denise Cassese, George Rush and Richard Schrorer for Relief from Automatic Stay to Continue Pre-Petition Class Action Against Washington Mutual, Inc.** [Docket No. 875] (the "Motion") and memorandum of law attached thereto with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801 (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE that, the Movants and Washington Mutual, Inc., as debtor and debtor in possession ("WMI" and, together with WMI Investment Corp., the "Debtors"), have entered into a **Stipulation Between Washington Mutual, Inc. and Denise Cassese, George Rush, and Richard Schroer for Extension of Hearing Date and Objection Deadline** (the "Stipulation") extending the hearing date for the Motion to **August 24, 2009 at 11:30 a.m. (prevailing Eastern Time)** (the "Extended Hearing Date") and extending time by which all parties in interest must file an objection to the Motion until **seven (7) days prior to the Extended Hearing Date.**

¹ The Debtors in these chapter 11 cases along with the last four digits of each Debtor's federal tax identification number are: (i) Washington Mutual, Inc. (3725); and (ii) WMI Investment Corp. (5395). The Debtors' principal offices are located at 1301 Second Avenue, Seattle, Washington 98101.



PLEASE TAKE FURTHER NOTICE that, attached hereto as Exhibit A is a true and correct copy of the Stipulation.

Dated: May 12, 2009
Wilmington, Delaware

Respectfully submitted,



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EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

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In re : **Chapter 11**
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WASHINGTON MUTUAL, INC., et al.,¹ : **Case No. 08-12229 (MFW)**
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**STIPULATION BETWEEN WASHINGTON MUTUAL, INC.
AND DENISE CASSESE, GEORGE RUSH, AND RICHARD SCHROER
FOR EXTENSION OF HEARING DATE AND OBJECTION DEADLINE**

Washington Mutual, Inc., as debtor and debtor in possession (“WMI” and, together with WMI Investment Corp., the “Debtors”), and Denise Cassese, George Rush, and Richard Schroer (collectively, the “Movants” and, together with WMI, the “Parties”), by and through their counsel, do hereby stipulate as follows:

RECITALS

A. On September 26, 2008, the Debtors each commenced cases under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

B. On October 3, 2008, the Bankruptcy Court entered an order pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure authorizing the joint administration of the Debtors’ chapter 11 cases.

¹ The Debtors in these chapter 11 cases along with the last four digits of each Debtor’s federal tax identification number are: (i) Washington Mutual, Inc. (3725); and (ii) WMI Investment Corp. (5395). The Debtors’ principal offices are located at 1301 Second Avenue, Seattle, Washington 98101.

C. WMI is party to a civil suit styled *Cassese, et al. v. Washington Mutual, Inc., et al.*, Case No. 05-cv-2724, pending in the United States District Court for the Eastern District of New York (the “Prepetition Class Action”).

D. On April 2, 2009, Movants filed a motion in the Debtors’ chapter 11 cases seeking relief from the automatic stay to continue the Prepetition Class Action as to WMI [D.I. 857] (the “Motion”).

E. WMI and the Movants have reached agreement to extend the hearing date and objection deadline with respect to the Motion.

NOW, THEREFORE, IT IS HEREBY AGREED by and among WMI and the Movants as follows:

AGREEMENT

1. The hearing date for the Motion shall be extended to August 24, 2009 (the “Extended Hearing Date”).²

2. The objection deadline for WMI and all other interested parties to respond to the Motion shall be the date that is seven days prior to the Extended Hearing Date.

3. Notwithstanding the provisions of section 362(e) of the Bankruptcy Code, the automatic stay will continue in effect pending an initial hearing on the Motion. Nothing in this Stipulation, however, shall limit the Court’s authority, pursuant to section 362(e) of the Bankruptcy Code, to further extend the automatic stay pending the conclusion of, or as a result of, a final hearing and determination on the Motion.


² In the event the Bankruptcy Court, for any reason, adjourns or extends the date for the omnibus hearing currently scheduled on August 24, 2009, the Motion shall be heard on such later date, as long as it occurs on or before September 11, 2009. If the Bankruptcy Court extends the hearing date beyond September 11, 2009, then the Parties will contact the assigned judge’s scheduling clerk to set a hearing date on the Motion, which hearing shall occur on or before September 11, 2009.

4. Each person who executes this Stipulation represents that he or she is duly authorized to execute this Stipulation on behalf of the respective parties hereto and that each such party has full knowledge of and has consented to this Stipulation.

5. This Stipulation may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument and it shall constitute sufficient proof of this Stipulation to present any copy, copies or facsimiles signed by the parties hereto to be charged.

6. This Stipulation, and the terms and conditions contained herein shall inure to the benefit of the Parties and their successors and assigns, including, without limitation, any trustee appointed in WMI's chapter 11 case.

Dated: May 12, 2009
Wilmington, Delaware



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