

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

*In re*

WASHINGTON MUTUAL, INC., et al.<sup>1</sup>

Debtors.

Chapter 11

CASE NO. 08-12229 (MJW)

(Jointly Administered)

Objection Deadline: 9/8/09 at 4:00 p.m.

**SUMMARY OF EIGHT MONTHLY APPLICATION OF  
JOHN W. WOLFE, P.S. FOR ALLOWANCE OF COMPENSATION FOR  
SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES  
AS SPECIAL COUNSEL TO THE DEBTORS AND DEBTORS IN POSSESSION  
FOR THE PERIOD FROM JULY 01, 2009 THROUGH JULY 31, 2009**

Name of Applicant	<u>John W. Wolfe, P.S.</u>
Authorized to Provide Professional Services to:	<u>Washington Mutual Inc.</u>
Date of Retention	<u>December 16, 2008, 2008 <i>nunc pro tunc</i> to October 25, 2008</u>
Period for which compensation and reimbursement is sought:	<u>July 01, 2009 to July 31, 2009</u>
Amount of Compensation sought as Actual, reasonable and necessary	<u>\$72,453.20 (80%) of \$90,566.50</u>
Amount of Expense Reimbursement sought as Actual, reasonable and necessary	<u>\$185.69</u>
This is a(n):	<u> X </u> monthly <u>      </u> interim <u>      </u> final application

<sup>1</sup> 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 WMI Investment Corp. (5395). The Debtor's principal offices are located at 1301 Second Avenue, Seattle, Washington 98101



Prior Applications Filed:

Date Filed	Period Covered	Fees	Expenses
02/10/09	10/27/08 through 11/30/08	\$23,708.40	\$0.00
03/30/09	12/01/08 through 01/26/09	\$56,502.80	\$0.00
04/08/09	02/01/09 through 02/28/09	\$10,536.00	\$0.00
04/21/09	03/02/2009 through 03/31/2009	\$25,467.60	\$75.72
5/18/09	04/01/2009 through 04/30/2009	\$59,191.20	\$57.00
6/17/09	05/01/2009 through 05/30/2009	\$62,979.60	\$109.78
7/16/09	06/01/2009 through 06/30/2009	\$47,723.20	\$314.50

Summary of Fee Application for Compensation Period:

Date Filed	Period Covered	Requested		Approved	
		Fees	Expenses	Fees	Expenses
	07/01/2009 through 07/31/2009	\$72,453.20 (80% of \$90,566.50)	\$185.69	\$	\$

Summary of Any Objections to Fee Application:

Date of Fee Application	Date of Objection	Total Fees Subject to Objection	Total Expenses Subject to Objection

**COMPENSATION BY PROFESSIONAL**

<b>Name of Professional Individual</b>	<b>Position, year assumed position, prior relevant experience, year of obtaining relevant license to practice</b>	<b>Hourly Billing Rate</b>	<b>Total Hours Billed</b>	<b>Total Compensation</b>
John W. Wolfe	Owner, since 1978; Member of WA State Bar since 1978	\$450.00	50.47	\$22,711.50
Daniel A. Zariski	Firm Member since 2007, Member of WA State Bar since 1991	\$350.00	71.70	\$25,095.00
Michael R. Wrenn	Firm Member since 2008, Member of WA State Bar since 1980	\$400.00	109.90	\$42,760.00
<b>TOTAL</b>			<b>229.07</b>	<b>\$90,566.50</b>

**COMPENSATION BY PROJECT CATEGORY**

<b>Project Category</b>	<b>Total Hours</b>	<b>Total Fees</b>
General Communications	0.00	\$ 0.00
General Litigation/Investigation Issues	229.07	\$90,566.56
Information Access	0.00	\$ 0.00
Corporate Governance and Board-Related Issues	0.00	\$ 0.00
Other	0.00	\$ 0.00
<b>TOTAL</b>	<b>229.07</b>	<b>\$90,566.50</b>

**EXPENSE SUMMARY**  
**JULY 01, 2009 THROUGH JULY 31, 2009**

<b>Expense Category</b>	<b>Service Provider (if applicable)</b>	<b>Total Expenses</b>
Outside Courier	ABC Legal Services, Inc.	\$41.25
PACER	Online Access to Court Records	\$11.12
Reimbursement (Purchase of office supplies for use of R. Half Legal Attorneys re: document reviews	Michael R. Wrenn	\$133.32
<b>TOTAL</b>		<b>\$185.69</b>

Dated: August 13, 2009  
Wilmington, Delaware

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

*In re*

WASHINGTON MUTUAL, INC., et al.<sup>1</sup>

Debtors.

**Chapter 11**

**CASE NO. 08-12229 (MJW)**

**(Jointly Administered)**

**Objection Deadline: 9/8/09 at 4:00 p.m.**

**EIGHT MONTHLY APPLICATION OF JOHN W. WOLFE, P.S., AS SPECIAL  
COUNSEL FOR THE DEBTORS, FOR ALLOWANCE OF COMPENSATION  
FOR SERVICES RENDERED AND FOR REIMBURSEMENT OF EXPENSES  
FROM JULY 01, 2009 THROUGH JULY 31, 2009**

1. Pursuant to sections 330 and 331 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Rule 2016-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court of the District of Delaware (the “Local Rules”), the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330 issued by the Executive Office for United States Trustees (the “Guidelines”), the Court’s *Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals* (the “Administrative Order”) [Docket No. 204], and the *Amended Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals*”) [Docket No. 302], (the “Administrative Order”), John W. Wolfe, P.S. (the “Wolfe Firm”), local counsel for Washington Mutual, Inc. (“WMI”), as debtors and debtors in possession (the “Debtors”),

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<sup>1</sup> 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 WMI Investment Corp. (5395). The Debtor’s principal offices are located at 1301 Second Avenue, Seattle, Washington 98101

hereby files this Eight Monthly Application for Allowance of Compensation for Professional Services Rendered and for Reimbursement of Expenses for the period July 01, 2009 through July 31, 2009 (the "Application"). By this Application, the Wolfe Firm requests allowance of \$72,453.20 (80%) of \$90,566.50 as compensation and \$185.69 for reimbursement of actual and necessary expenses for a total of \$72,638.89 for the period July 01, 2009 through and including July 31, 2009 (the "Compensation Period"). In support of this Application, the Wolfe Firm respectfully represents as follows:

### **Background**

2. On September 26, 2008 (the "Petition Date"), the Debtors commenced with this Court a voluntary case under the Bankruptcy Code. As of the date hereof, the Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

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

4. The Wolfe Firm was retained effective October 25, 2008 by this Court's Order dated December 16, 2008 [Docket No. 454] (the "Retention Order"). The Retention Order authorized the Wolfe Firm to be compensated on an hourly basis and to be reimbursed for actual and necessary out-of-pocket expenses.

### **Compensation Paid and Its Source**

5. All services for which compensation is requested by the Wolfe Firm were performed for on behalf of the Debtors.

6. The Wolfe Firm has received no payment and no promises of payment from any source for services rendered or to be rendered in any capacity whatsoever in connection with the matters covered during the Compensation Period and addressed by this Application. There is no agreement or understanding between The Wolfe Firm and

any other person, other than members of the Wolfe Firm, for sharing of compensation to be received for services rendered in these cases.

#### **Fee Statements**

7. The fee statement for the Compensation Period is attached hereto as Exhibit A. This statement contains daily time logs describing the time spent by each attorney and paraprofessional for this period. To the best of the Wolfe Firm's knowledge, this Application complies with sections 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Guidelines adopted by the Office of the United States Trustee, Del. Bank. L.R. 2016-2 and the Administrative Order.

8. The fees charged by the Wolfe Firm in these cases are billed in accordance with its existing billing rates and procedures in effect during Compensation Period. The rates the Wolfe Firm charges for the services rendered by its professionals in these chapter 11 cases are the same rates the Wolfe Firm charges for professional and paraprofessional services rendered in comparable non-bankruptcy related matters. Such fees are reasonably based on the customary compensation charged by comparably skilled practitioners in comparable non-bankruptcy cases in a competitive national legal market.

#### **Actual and Necessary Expenses**

9. A summary of actual and necessary expenses incurred by the Wolfe Firm during the Compensation Period is attached hereto as Exhibit B. The Wolfe Firm requests allowance of actual and necessary expenses incurred by the Wolfe Firm in the amount of \$185.69.

10. The Wolfe Firm's disbursement policies pass through all out of pocket expenses at actual cost.

#### **Summary of Services**

11. The following is a summary of the significant professional services rendered by the Wolfe Firm during the Compensation Period.

a. General Litigation/Investigation Issues

Fees: \$90,566.50

Total Hours: 229.07

This category relates to criminal or governmental investigations involving the Debtors.

**Valuation of Services**

12. The Wolfe Firm expended a total of 229.07 hours in connection with this matter during the Compensation Period. The nature of the work performed by the Wolfe Firm is fully set forth in Exhibit A attached hereto. These are the Wolfe Firm's normal hourly rates for work of this character. The reasonable value of the services rendered by the Wolfe Firm to the Debtors during the Compensation period is \$72,453.20 (80%) of \$90,566.50

13. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, it is respectfully submitted that the amount requested by the Wolfe Firm is fair and reasonable given (a) the complexity of these cases, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services, and (e) the costs of comparable services other than in a case under this title. Moreover, the Wolfe Firm has reviewed the requirements of Del. Bank. L.R. 2016-2 and believes that this Application complies with that Rule.

14. WHEREFORE, the Wolfe Firm respectfully requests that (i) the Court authorize that an allowance of compensation be made to the Wolfe Firm pursuant to the terms of the Administrative Order, in the amount of \$72,453.20 (80%) of \$90,566.50 as compensation for necessary professional services rendered, and the sum of \$185.69 as actual necessary costs and expenses, for a total of \$72,638.89 for the period July 01, 2009 through July 31, 2009, (ii) the Court direct the Debtors to pay the Wolfe Firm \$72,453.20, representing 80% of the total amount of fees allowed, and \$185.69 representing 100% reimbursement of the expenses allowed, (iii) the allowance of such compensation for professional services rendered and reimbursement of actual and



necessary expenses incurred be without prejudice to the Wolfe Firm's right to seek such further compensation for the full value of services performed and expenses incurred, (iv) the Court grant the Wolfe Firm such other and further relief as is deemed just and proper.

Dated: August 13, 2009  
Wilmington, Delaware.

/s/ John W. Wolfe  
John W. Wolfe, WSBA #08028  
THE LAW OFFICE OF JOHN W. WOLFE, P.S.  
601 Union Street, Suite 5110  
Seattle, WA 98101  
Telephone: (206) 467-9088  
Facsimile: (206) 447-9374

**VERIFICATION**

STATE OF WASHINGTON        )  
  ) S.S.  
COUNTY OF KING            )

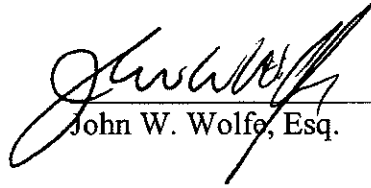
John W. Wolfe, after being duly sworn according to law, deposes and says as follows:

(a) I am a partner in the applicant firm, John W. Wolfe, P.S., and have been admitted to appear before this Court.

(b) I have personally performed the bulk of the legal services rendered by John W. Wolfe, P.S. as special counsel to the Debtors and I have personal knowledge that the remaining legal services performed by other members of the Wolfe Firm were rendered for the benefit of the Debtors.

(c) I have reviewed the foregoing Eight Monthly Application, and the facts set forth therein are true and correct to the best of my knowledge, information and belief.

Moreover, I have reviewed Local Rule 2016-2 and submit that the application substantially complies with such rule.

  
\_\_\_\_\_  
John W. Wolfe, Esq.

SWORN TO AND SUBSCRIBED before  
me this 14<sup>th</sup> day of August , 2009.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

-----X  
: **Chapter 11**  
: **Case No. 08-12229 (MFW)**  
: **(Jointly Administered)**  
: **Objection Deadline: 9/8/09 at 4:00 p.m. (EDT)**  
-----X

*In re*  
WASHINGTON MUTUAL, INC., et al.,  
  
Debtors.

**NOTICE OF EIGHTH MONTHLY FEE  
APPLICATION OF JOHN W. WOLFE, P.S.**

PLEASE TAKE NOTICE that the above-captioned debtors and debtors in possession (the “Debtors”) have today filed the attached *Eighth Monthly Application of John W. Wolfe, P.S. as Special Counsel for the Debtors, for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses from July 1, 2009 through July 31, 2009* (the “Application”) 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 objections, if any, to the Application must be made in accordance with the *Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals*, dated October 30, 2008 [Docket No. 204] (the “Original Administrative Order”) and the *Revised Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals*, dated November 14, 2008 [Docket No. 302] (“Revised Administrative Order” and together with the Original Administrative Order, the “Administrative Order”), must be filed with the Clerk of the Bankruptcy Court for the District of Delaware, 824 North Market Street,

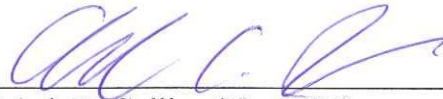
Wilmington, Delaware 19801, and be served upon and received by: (i) the Debtors, Washington Mutual, Inc., c/o Alvarez and Marsal, 1301 Second Avenue, WMC3301, Seattle, WA 98101, (Attn: John Maciel, Esq.); (ii) counsel to the Debtors Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153 (Attn: Marcia L. Goldstein, Esq. and Brian S. Rosen, Esq.); (iii) co-counsel to the Debtors, Richards, Layton & Finger, P.A., One Rodney Square, P.O. Box 551, Wilmington, Delaware 19899 (Attn: Mark D. Collins, Esq.); (iv) Office of the U.S. Trustee, District of Delaware, J. Caleb Boggs Federal Building, 844 King Street, Suite 2313, Lockbox 35, Wilmington, Delaware 19801 (Attn: Joseph J. McMahon, Jr., Esq.); (v) the Official Committee of Unsecured Creditors, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036, (Attn: Fred S. Hodara, Esq.); Akin Gump Strauss Hauer & Feld LLP, 1333 New Hampshire Avenue, N.W. (Attn: Scott L. Alberino, Esq.); Akin Grump Strauss Hauer & Feld LLP, 2029 Century Park East, Suite 2400, Los Angeles, California 90067-3012 (Attn: Peter J. Gurfein, Esq. and David P. Simonds, Esq.); and Pepper Hamilton LLP, Hercules Plaza, Suite 5100, 1313 N. Market Street, Wilmington, Delaware 19801 (David B. Stratton, Esq. and Evelyn J. Meltzer, Esq.) (collectively, the “Notice Parties”) so as to be received no later than **September 8, 2009 at 4:00 p.m. (EDT)** (the “Objection Deadline”). Only those objections that are timely filed, served and received will be considered by the Court.

PLEASE TAKE FURTHER NOTICE that if no objections are received by the Notice Parties prior to the Objection Deadline, in accordance with the Administrative Order the Applicant may be paid an amount equal to the lesser of (i) 80 percent of the fees and 100 percent of expenses requested in the Application or (ii) 80 percent of the fees and 100 percent of the expenses not subject to an objection without the need for further order of the Bankruptcy Court. If an objection is properly filed and served and such objection is not otherwise resolved, or the

Court determines that a hearing should be held in respect of the Application, a hearing will be held at a time convenient to the Court. Only those objections made in writing and timely filed, served and received in accordance with the Administrative Order will be considered by the Court at the hearing.

Dated: August 18, 2009  
Wilmington, Delaware

Respectfully submitted,



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Mark D. Collins (No. 2981)  
Chun I. Jang (No. 4790)  
Lee E. Kaufman (No. 4877)  
Andrew I. Irgens (No. 5193)  
RICHARDS, LAYTON & FINGER, P.A.  
One Rodney Square  
920 North King Street  
Wilmington, DE 19801  
Telephone: (302) 651-7700  
Facsimile: (302) 651-7701

– and –

Marcia L. Goldstein, Esq.  
Brian S. Rosen, Esq.  
Michael F. Walsh, Esq.  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

*Attorneys for the Debtors and Debtors in Possession*

**EXHIBIT A**

JOHN W. WOLFE, P.S.  
 Two Union Square  
 601 Union Street, Suite 5110  
 Seattle, WA 98101  
 Federal Tax ID # 91-1252013  
 August 04, 2009

Invoice submitted to:

Washington Mutual, Inc.  
 c/o Jim Truong  
 Alvarez & Marsal North America LLC  
 1301 Second Avenue  
 Seattle WA 98101

In Reference To: Bankruptcy Case #08-12229

Invoice # 16945

Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
7/1/2009	MW Conference regarding privilege review issues and contract for Robert Half Legal & Associates (.3); Review and revise redline from Ms. Domeyer (.5); Conference regarding same (.1); Prepare for and attend telephone conference with Ms. Domeyer (.4).	1.50 400.00/hr	600.00
	DAZ Draft and review email regarding Robert Half Legal contract and review changes to same (1.7); Draft and review email regarding inquiry into Financial Reporting Advisors (.1).	1.80 350.00/hr	630.00
	JW Review multiple email regarding document production and privilege review (.5); Review/respond and evaluate email from C. Smith regarding Financial Reporting Advisors (.33); Continue work on material for possible presentation to board (.5).	1.33 450.00/hr	598.50
7/2/2009	JW Telephone call to AUSA Friedman regarding Financial Reporting Advisors issues/telephone call to C. Smith and B. Feldman regarding same (.75); Consider and evaluate issues to be discussed during meeting with co-counsel (.5).	1.25 450.00/hr	562.50
	MW Review amendments to agreement with Robert Half Legal (.4); Conference regarding same (.1); Prepare for telephone conference call (.2); Telephone conference with Robert Half Legal associates and Mr. Carl regarding redlines and insurance issues (.6); Review and revise protocol (.6).	1.90 400.00/hr	760.00
	DAZ Prepare and attend telephone conference call with Mr. Carl and Robert Half Legal regarding contract issues (1.1); Draft and review email regarding Robert Half Legal contract and review revisions to	2.40 350.00/hr	840.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	same (1.3); Conference with M. R. Wrenn regarding privilege review (.1).		
7/6/2009	DAZ Draft and review email regarding Robert Half Legal contract and telephone conference with P. Suiter regarding same (.5); Prepare for meeting with project leads regarding privilege review project (.7); Review and revise privilege review protocols (.7); Draft and review emails regarding Merrill Lextranet training and privilege review project start-up and organize same (.4).	2.30 350.00/hr	805.00
7/7/2009	JW Email to and from B. Feldman regarding schedule (.25); Review electronic file and response to Grand Jury subpoena (1.75); Telephone call from C. Smith (n/c); Telephone call to T. Langekamp (.25); Telephone call to S. Gasner (n/c).	2.25 450.00/hr	1,012.50
	DAZ Prepare for and attend meeting with privilege project leads (3.5); Prepare for and attend telephone conference with Merrill, Alvarez & Marsal and privilege project leads (2.4); Draft and review email regarding privilege project design and start-up (1.1).	7.00 350.00/hr	2,450.00
7/8/2009	DAZ Prepare for and attend telephone conference with Alvarez & Marsal regarding supplemental D. Schneider productions and clean-up redaction in prior D. Schneider production (.5); Draft and review email regarding redaction issues for D. Schneider production and review D. Schneider privilege log regarding same (.5); Prepare for and attend telephone conference with Merrill, Alvarez & Marsal and privilege project leads regarding Lextranet system project start-up and design and training (3.5); Prepare for and attend meeting with privilege review project leads regarding Lextranet system project start-up and design and training (1.3); Draft and review email regarding privilege review project start-up and training (.3).	6.10 350.00/hr	2,135.00
	JW Conference with D. A. Zariski regarding privilege review (.25); Continue review files regarding agenda items (.5); Email to and from B. Feldman (n/c).	0.75 450.00/hr	337.50
	MW Review retention check list from Mr. Rodden (.3); Review emails regarding project start-up training protocols (.6); Lextranet training session with project leads (2.0); Meeting with project leads (2.0); Meeting with project leads regarding case background and issues (1.7); Conference with D. A. Zariski regarding start-up issues and training (.3); Review documents count and data from Ms. Antalik (.5); Review near final case and protocol (.4).	5.80 400.00/hr	2,320.00



		<u>Hrs/Rate</u>	<u>Amount</u>
7/9/2009	DAZ Review email and proposed agenda for litigation status and strategy meeting (.1); Review and revise attorney-client privilege and work product training primer for privilege review project staff (.6); Draft/review training for privilege review project staff (.1); Review and revise privilege protocol document (.5); Draft and review email regarding privilege review project start-up (.4); Conference with M. R. Wrenn and J. Wolfe regarding OTS privilege issues (.3); Conference with M. R. Wrenn regarding privilege review project training start-up and protocols (.4).	2.40 350.00/hr	840.00
	MW Review privilege protocol (.3); Conference regarding OTS issues with D. A. Zariski (.4); Prepare for telephone conference call (.2); Telephone conference with Webex for lead training (1.4); Meeting with project leads for USAO (.8); Review and revise privilege protocol and finalize for privilege outline memorandum (.7); Attend and make presentation at orientation review team (2.5); Meeting with project leads on document populations and issues with document assignments (.5); Telephone conference with Ms. Antalik regarding report population of reviewers folders (.4); Continue meeting with project leads (.7); Revise for final review protocol (.6); Email to project leads regarding same (.5); Telephone conference with Ms. Antalik regarding password protection and review (.2).	9.20 400.00/hr	3,680.00
	JW Continue work on agenda for team meeting/review and edit proposed agenda and email to criminal defense team (1.25); Telephone call to T. Langekamp and deliver documents to T. Langekamp (.75); Telephone call to AUSA (.25); Telephone call from C. Smith (.1); Continue work on privilege issues memorandum (.75); Continue review "Hot Documents" (.75).	3.85 450.00/hr	1,732.50
7/10/2009	JW Telephone call to AUSA (.1); Telephone call to S. Gasner/discuss issues related to Government investigation (.75); Telephone call from AUSA/discuss subpoena/review email from USAO (.75); Continue work on issues related to team meeting (.5).	2.00 450.00/hr	900.00
	MW Review email from Ms. Antalik regarding document counts and OTS document/telephone conference with project leads regarding OTS documents and reviewer files (.2); Follow-up regarding same (.5); Email to Mr. Salamone regarding documents (.3); Review OTS sample documents (1.4); Email regarding review screen and set-up (.6).	3.00 400.00/hr	1,200.00
	DAZ Draft and review email regarding privilege review project (.5).	0.50 350.00/hr	175.00

		<u>Hrs/Rate</u>	<u>Amount</u>	
7/13/2009	MW	Review emails regarding privilege review and database (.3); Respond to same (.4); Meeting with project leads regarding additional case background and outside counsel (1.0); Review and respond to emails regarding database and reviewer screens (.6); Email regarding sweep from reviewer files and follow-up (.5); Review and respond to request for acronyms and subsidiaries (.6); Meeting with project leads regarding coding issues (.7); Continue review of OTS documents (1.6); Email to D. A. Zariski regarding review project update (.3); Review documents on large distribution list (.7); Review and approve timesheets from document team (.5).	7.20 400.00/hr	2,880.00
	DAZ	Draft and review email regarding privilege review project (1.3).	1.30 350.00/hr	455.00
	JW	Review email from C. Smith regarding F.R.A. and review F.R.A. Agreement/telephone call to C. Smith/telephone call to S. Taub (.75); Review OTS sample documents from Alvarez & Marsal (1.75).	2.50 450.00/hr	1,125.00
7/14/2009	JW	Telephone call to S. Taub and finalize reporting adjustment/letter to S. Taub (.5); Continue work on memorandum regarding privilege issues (1.75); Respond to email from T. Langekamp regarding USAO meeting/telephone call to AUSA/email to T. Langekamp (.25).	2.50 450.00/hr	1,125.00
	MW	Meeting with project leads regarding privileged review project and issues (.7); Multiple telephone calls regarding acronyms listing and outside counsel list (.6); Meeting with Mr. Falling regarding OTS documents and designations (.7); Email regarding database leads reviewers and sweeps (.4); Review and respond to email regarding coding screen and redaction (.6); Email to Mr. Falling regarding project leads meeting/issues for Merrill (.9); Meeting with project leads regarding production history and issues for group 2 documents (1.1); Review selected documents from review and email regarding same (1.2).	6.20 400.00/hr	2,480.00
7/15/2009	JW	Email to S. Taub regarding F.R.A./email to C. Smith (.1); Continue work on issues regarding privilege memorandum and legal research regarding same (1.75); Review new Grand Jury subpoena (.25).	2.10 450.00/hr	945.00
	MW	Review email and respond regarding legacy documents (.4); Conference with Mr. Falling regarding same (.2); Review OTS documents (2.8); Track shipment of production and email to Mr. Kamran regarding same (.4); Review and respond to email regarding regarding technical issues and review/respond to email	7.60 400.00/hr	3,040.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	regarding work product privilege (.2); Review prior document calls for response (.3); Email to Ms. Antalik regarding technical problems and follow-up reviewers (.5); Email to Mr. Falling regarding CD form and outside counsel (.2); Review regarding same (.2); Meeting with Mr. Falling and Mr. Reed regarding issues during review (.7); Notes and follow-up for same (.5); Review multiple emails regarding redactions and protocol for segregation and respond to same (.8); Conference with production leads regarding sweeps (.4).		
7/16/2009	JW Exchange email with S. Taub regarding F.R.A. (.1); Further Review new subpoena and email to criminal defense team (.4); Revise/edit/finalized memorandum to C. Smith regarding conference with M. R. Wrenn and review privilege issues (2.25); Conference with M. R. Wrenn regarding OTS privilege issues (.25); Telephone call to T. Langekamp (.1).	2.85 450.00/hr	1,282.50
MW	Conference with J. Wolfe regarding OTS issues and follow-up regarding same (.6); Review CFR's related to OTS privilege (.7); Additional legal research regarding OTS issues (.8); Telephone conference regarding production/review issues (.4); Email to Mr. Kamran regarding production telephone conference call (.2); Conference with Mr. Falling and Mr. Reed regarding OTS privilege and production issues (.4); Review emails regarding same and meeting with Mr. Falling and Mr. Reed regarding additional screen designs for OTS privilege review (1.0); Review/conference with J. Wolfe regarding memorandum open privilege issues (.5); Conference with project leads on sweeps and protocol for new additions for reviewers (.3); Review report regarding same (.2); Review culled OTS documents (2.2); Email regarding training for near duplicate and OTS (.6).	6.90 400.00/hr	2,760.00
DAZ	Draft and review email regarding privilege review project (.4); Draft and review email regarding OTS privilege issues (.2); Review email regarding Grand Jury subpoena (.1); Review email regarding attorney-client privilege issues and legal research into same (.2).	0.80 350.00/hr	280.00
7/17/2009	DAZ Draft and review email regarding privilege review project (.3).	0.30 350.00/hr	105.00
MW	Attend WebEx of near duplicate training (.6); Prepare for presentation on OTS privilege and issues (.8); Presentation to privilege review team regarding same (.6); Email regarding Lextranet issues and ActiveX install (.4); Respond to same and follow-up leads (.7); Email regarding WebEx issues and near duplicate training/respond (.6); Conference with Mr. Solamone on	6.90 400.00/hr	2,760.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	additions to coding screen regarding OTS and redaction edtis (.6); Follow-up regarding same (.3); Conference with review team leads regarding added documents issue and screen issues for sweeps (.5); Continue review of OTS documents from Weil Gotshal review (1.8).		
7/17/2009	JW Review/respond to T. Langekamp email (.1); Review new motions in civil case (.5); Review email from J. Klein (.1); Telephone call to AUSA (.1).	0.80 450.00/hr	360.00
7/20/2009	MW Emails/respond regarding document sweeps (.3); Review and approve reviewers time sheets (.2); Email regarding same and credit issues for training (.5); Meeting with D. A. Zariski regarding review update and issues going forward (.6); Review emails regarding privilege descriptions and respond to same (.2); Review and respond to emails regarding family members and issues with coding (.5); Review notes for meeting with D. A. Zariski and review project leads (.2); Meeting with review project leads team and follow-up regarding OTS issues (.8); Telephone conference with Mr. Falling regarding Lextranet shutdown related issues (.4); Email regarding training on near duplicate technology and updates to reviewed computers (.4); Conference with review project leads regarding family members on review and decision on coding screens (.4); Continued review of tough call and OTS documents (2.3).	6.80 400.00/hr	2,720.00
	JW Email and telephone call to J. Messaro regarding FRA (.25); Conference with T. Langekamp regarding status of Grand Jury production (1.0); Review status chart for USAO production (.5); Telephone conference with J. Klein/S. Gasner (.5); Multiple emails to and from C. Smith regarding FRA (.25).	2.50 450.00/hr	1,125.00
	DAZ Draft and review time sheets and invoice for privilege review project/draft and review email regarding same and conference with M. R. Wrenn regarding same (.2); Conference with M. R. Wrenn regarding privilege review project status training and management (.5); Draft and review email regarding privilege project status training and management (1.2); Telephone conference with Ms. Antalik regarding Lextranet (.1); Prepare for and attend meeting with privilege review team project leads (1.6); Telephone conference with Mr. Scheffran regarding D. Schneider non-privileged attachments to privileged emails and review CD containing same (.4).	4.00 350.00/hr	1,400.00
7/21/2009	MW Telephone conference with Merrill project leads regarding document "sweeps" and issues for production (.6); Review emails regarding Lextranet issues and profile views of reviewers (.2); Review and	4.80 400.00/hr	1,920.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	respond to email regarding production status (.4); Review and respond to emails regarding four hour credit and invoices to WMI (.3); Review invoices and email to T. Langekamp (.4); Review and respond to emails regarding hits on view screen (.3); Review emails regarding Merrill contact (.1); Meeting with project leads regarding review and tough call documents (.5); Review same (.2); Conference with D. A. Zariski regarding production issues (.3); Review emails regarding OTS documents and respond (.3); Meeting with Mr. Reed regarding equipment issues and WebEx presentation (.5); Outline issues for OTS production and protocol (.7).		
7/21/2009 JW	Further review USAO productions spreadsheet/continue work on Grand Jury issues (1.0); Telephone call from C. Smith/discuss various issues related to team meeting production issues scheduling (.1); Evaluate response to K. Killinger request for documents/telephone call to B. Feldman regarding K. Killinger request (.5); Multiple emails regarding documents (.33); Multiple emails to and from C. Smith/C. Brennan (.25).	2.18 450.00/hr	981.00
DAZ	Telephone conference with P. Suiter regarding privilege review project status and staffing/conference with M. R. Wrenn regarding same (.4); Review spreadsheet regarding documents collected for USAO (.1); Conference with Mr. Falling regarding tough call privilege document/conduct internet research regarding provenance of same/draft email regarding same (.6); Prepare for and attend telephone conference call with Merrill regarding privilege review project issues (1.5); Draft and review email regarding privilege review project (.9); Conference with M. R. Wrenn/Mr. Falling/Mr. Reed regarding privilege review project (.2); Prepare for and attend Lextranet training session with Merrill and Robert Half Legal project team and conference with M. R. Wrenn regarding same (1.6); Prepare for and attend telephone conference call with Mr. Kamran regarding D.Schneider documents and privilege review project issues (.4); Draft/review email regarding unprivileged D. Schneider attachments for production to USAO (.5).	6.20 350.00/hr	2,170.00
7/22/2009 JW	Telephone conference with C. Smith/C. Brennan (.5); Telephone call to AUSA Friedman (.25); Review materials from J. Messaro (.33); Further review materials regarding document production (.5).	1.58 450.00/hr	711.00
DAZ	Draft and review email regarding privilege review project (1.6); Conference with M. R. Wrenn regarding privilege review project (.2); Review D. Schneider non-privileged attachments/draft and	2.40 350.00/hr	840.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	review email regarding meeting with Alvarez & Marsal personnel regarding production of same (.6).		
7/22/2009 MW	Email regarding Lextranet issues (.7); Email and respond to equipment issues regarding WebEx (.3); Review and respond to email regarding key term list (.2); Respond to email regarding sweeps (.1); Conference with Mr. Falling regarding calendar documents (.2); Email and response regarding WebEx test (.1); Review email regarding redaction issues and respond to same (.3); Follow-up regarding WebEx issues (.2); Database review of OTS documents for contract (2.0); Meeting with Mr. Falling regarding same (.3); Review email from Mr. Kamran regarding USAO production (.1); Conference with Mr. Falling regarding review issues (.2); Follow-up regarding same (.3); Continue review of OTS documents (1.2).	5.60 400.00/hr	2,240.00
7/23/2009 JW	Prepare for conference with AUSA Friedman (.5); Conference with AUSA Friedman (.75); Respond to email from J. Klein regarding scheduling (.1); Review notes regarding meeting with AUSA Friedman/email to C. Smith (.25); Review/respond to email from C. Smith (.1).	1.70 450.00/hr	765.00
MW	Review update on reviewer performance (.2); Review email/response to project sweeps schedule (.3); Multiple emails and responses regarding WebEx issues and training (.4); Meeting with privilege review project leads (1.2); Telephone conference with Mr. Kamran (.2); Review emails regarding project sweeps and protocol/respond (.5); Conference regarding reviewer replacement and safeguards (.3); Review emails regarding same (.2); Review email to Ms. Antalik regarding log-ins on account (.2); Conference regarding replacement of additional reviewers (.2); Review/respond to key terms email (.3); Review OTS documents and issues with coding (.8); Conference regarding database screen and coding for privilege/OTS (.4).	5.20 400.00/hr	2,080.00
DAZ	Prepare for and attend telephone conference with Mr. Kamran regarding D. Schneider attachments/review regarding same (1.1); Prepare for and attend telephone conference with Mr. Kamran regarding OTS searches of production set of documents (.3); Prepare for and attend meeting with Mr. Kamran, Mr. Falling and M. R. Wrenn regarding privilege review project and supervision of same (1.5); Draft and review email regarding privilege review project (.9); Telephone conference with Ms. Antalik regarding database security issue/draft and review email regarding same (.4); Meeting with Mr. Falling regarding "tough call" documents (.2);	5.50 350.00/hr	1,925.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	Draft/review email regarding acronyms found in privilege documents and research meaning of same (.9); Conference with M. R. Wrenn regarding privilege review project (.2).		
7/24/2009	DAZ Conference with M. R. Wrenn and Mr. Falling regarding privilege logs (.4); Draft/review email and production reports regarding privilege review project (.5); Review email regarding meeting with AUSA (.1).	1.00 350.00/hr	350.00
	JW Draft email to C. Smith and co-counsel summarizing entry to AUSA (.33); Review notes/materials related to USAO investigation (.5); Conference with D. A. Zariski regarding legal research and conference with AUSA (.5).	1.33 450.00/hr	598.50
	MW Conference regarding redaction issues (.4); Review email from Ms. Antalik regarding parent/child documents (.2); Conference with Mr. Falling regarding same (.1); Review email regarding sweeps (.2); Review/revise proposed protocol (.4); Conference regarding same (.1); Review email from Ms. Antalik regarding sub-folder issues and options (.2); Conference with Mr. Reed regarding same (.5); Conference regarding production issues (.2); Conference regarding issues for OTS identification and tagging with project leads (.6); Review database regarding same (.6); Review emails regarding "Tech & Native" review sweeps (.3); Review emails regarding legacy documents and OTS in sweeps (.2); Telephone conference with Mr. Falling regarding project updates and issues (.5); Email regarding sweeps and schedule (.2); Meeting with Mr. Falling regarding common interest doctrine and Lehman documents (.3); Review tough call documents (.5).	5.80 400.00/hr	2,320.00
7/25/2009	JW Preliminary review/evaluate C. Smith edits to proposed team meeting agenda (.75).	0.75 450.00/hr	337.50
7/26/2009	DAZ Review/revise agenda for defense counsel team meeting/draft and revise email regarding same (.4); Draft/review email regarding privilege review project issues (1.1); Prepare for and attend meeting with privilege review project leads regarding privilege review project issues (1.1); Review legal research regarding privilege waiver and Government cooperation issues/telephone conference with J. Wolfe regarding same (1.8); Conference with M. R. Wrenn regarding privilege review project (.2).	4.60 350.00/hr	1,610.00
7/27/2009	JW Further review/evaluate/edit proposed team meeting agenda/review file notes regarding information related to agenda/telephone conference with M. R. Wrenn and D. A. Zariski regarding	5.25 450.00/hr	2,362.50

		<u>Hrs/Rate</u>	<u>Amount</u>
	agenda/privilege log issues (3.5); Review Grand Jury subpoenas from USAO in Florida (.25); Review file regarding document production issues and attempt to contact T. Langekamp regarding document issues/multiple telephone calls/emails regarding scheduling telephone conference with JP Morgan to discuss document issues (.75); Continue review/evaluate amended MDL complaint (.75).		
7/27/2009 MW	Review production records and reviewer statistics from Merrill (.4); Meeting with Mr. Falling regarding production statistics and log issues (.5); Telephone conference with J. Wolfe regarding production status and legal research issues for criminal defense team meeting (.4); Review agenda/notes regarding same (.3); Review email/respond regarding log creation and issues (.4); Telephone conference with Merrill/Alvarez & Marsal project leads (.7); Telephone conference with Mr. Kamran and project leads (.8); Review emails regarding rolling production and edits (.2); Conference regarding production issues/issues with near duplicate reviews (.5); Review multiple emails regarding same (.3); Review/approve reviewers timesheets and emails regarding credit (.3); Conference regarding work product protections and trigger issues (.3); Review legal research regarding same (.5); Email/response regarding same (.2).	5.90 400.00/hr	2,360.00
DAZ	Conference with J. Wolfe regarding privilege review project (.3); Meeting with Mr. Falling regarding privilege logs and privilege review project (1.5); Review/revise privilege logs and descriptions of privilege documents (.3); Draft and review email regarding privilege review project (.7); Legal research/review legal research regarding privilege issues (4.3).	7.10 350.00/hr	2,485.00
7/28/2009 JW	Continue to revise/edit proposed team meeting agenda/discuss proposed agenda with D. A. Zariski (2.5); Telephone call to T. Langekamp regarding document production issues/review file notes regarding document issues (1.0); Telephone call to AUSA (n/c); Email/telephone conference with D. A. Zariski and M. R. Wrenn regarding privilege review process/log (.25); Multiple emails to/from JP Morgan counsel (n/c).	3.75 450.00/hr	1,687.50
MW	Conference regarding presentation for WMI meeting and related issues (.3); Telephone conference with Mr. Falling regarding privilege close call documents and review same (.4); Review emails and conference regarding POF file issues (.2); Review additional privilege tough call documents and family (.5); Conference regarding Lehman/Walker relationship (.1); Review emails regarding Board listing and work product issues (.7); Email regarding OTS protocol	4.00 400.00/hr	1,600.00



		<u>Hrs/Rate</u>	<u>Amount</u>
	and process (.2); Review/respond to email regarding team meeting (.3); Review files regarding recent OTS document tagged and conference regarding same (.7); Conference with D. A. Zariski regarding review issues (.4); Review research materials regarding employee documents and access issues (.8).		
7/28/2009	DAZ Telephone conference with Mr. Falling regarding privilege review project (.1); Prepare for and attend meeting with Mr. Falling/Mr. Reed regarding privilege review project (.1); Conference with M. R. Wrenn regarding privilege review project (.4); Review Merrill production report/draft/review email regarding same (.4); Draft/review email regarding privilege review project issues (.6); Draft/review email regarding telephone conference with JP Morgan counsel on the status of document production and review efforts (.4); Prepare for and attend telephone conference with J. Wolfe/T. Langekamp regarding telephone conference with JP Morgan counsel regarding status of document production and review efforts (.9); Draft memorandum regarding subject matter waiver of privilege and work product and selective waiver issues/review legal research regarding same (2.9); Legal research regarding selection of documents as opinion work product issues/draft email regarding same (1.1).	7.90 350.00/hr	2,765.00
7/29/2009	JW Continue work on document production issues.	0.75 450.00/hr	337.50
	MW Review subpoenas and document request to WMI (.3); Notes regarding same (.2); Review multiple emails regarding near duplicate population review set (.4); Conference regarding same and fix issues needed (.2); Review emails regarding distribution and related issues for review population (.2); Review email regarding privilege log creation (.1); Meeting with Mr. Falling regarding same (.5); Review emails from Merrill regarding Lextranet screens for log reviews (.1); Conference regarding same (.2); Conference regarding new reviewer training (.2); Email regarding privilege log screen/issues (.2); Meeting with Mr. Falling and Lextranet review of description field and work around for viewers (1.0); Conference regarding OTS protocol and population (.3); Email to J. Wolfe regarding OTS status and privilege review (.2).	4.10 400.00/hr	1,640.00
7/30/2009	JW Continue review of amended complaint (1.5); Telephone conference with J. Klein and S. Gasner regarding document production issues/evaluate issues raised and needed follow-up (1.75); Email to D. A. Zariski and T. Langekamp regarding telephone conference with J. Klein and S. Gasner/prepare for	5.50 450.00/hr	2,475.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	telephone conference with T. Langekamp and D. A. Zariski/participate in telephone conference with T. Langekamp and D. A. Zariski regarding July 30 telephone conference with J. Klein and S. Gasner/discuss July 31 telephone conference with same/telephone conference with D. A. Zariski regarding status of privilege review (2.0).		
7/30/2009 MW	Conference with D. A. Zariski regarding issues for production and conference call and review (.3); Review emails from Ms. Antalik and review status report on production (.4); Notes for meeting with project leads (.2); Review email from Mr. Scheffrahn/attached CVS report (.2); Review emails regarding Null values and applications (.2); Review emails and respond regarding documents distribution and new reviewers (.1); Conference regarding manual date entries(.1); Review emails regarding new reviewers/conference regarding training (.3); Conference with Mr. Falling regarding native review issues and OTS (.3); Meeting with project leads regarding production schedule and review reports (.9); Conference with D. A. Zariski regarding follow-up issues and meeting with reviewers (.4); Review emails regarding JP Morgan conference call and issues for report (.3); Conference regarding OTS procedure and review documents recently selected (.6); Review amended report on review status (.1).	4.40 400.00/hr	1,760.00
7/31/2009 JW	Continue review amended MDL complaint (.75); Prepare for telephone conference with JP Morgan, T. Langenkamp and D. A. Zariski (.50); Conference call with JP Morgan (1.25); Return B. Kaplan call (n/c); Conference call with AUSA and follow-up (.50); Telephone call from D. A. Zariski (n/c).	3.00 450.00/hr	1,350.00
DAZ	Review/revise draft R. Cathcart privilege log/prepare for meeting with Mr. Falling and M. R. Wrenn regarding same (2.6); Draft/revise email regarding privilege project issues (.3); Review email and JP Morgan spreadsheet regarding number of privilege documents (.4); Prepare for/attend telephone conference with J. Wolfe, T. Langekamp, J. Klein, and S. Gasner regarding status of document production and review efforts (1.6); Conference with M. R. Wrenn/Mr. Falling regarding privilege review project (.5); Draft memorandum regarding subject matter waiver of privilege and work product selection of documents as opinion work product and selective waiver issues/review legal research regarding same (2.7).	8.10 350.00/hr	2,835.00
MW	Conference regarding issues for meeting with reviewers (.2); Meeting with Mr. Falling regarding same (.2); Meeting with reviewers regarding native review issues production schedule and	4.10 400.00/hr	1,640.00

OTS schedule (.8); Review email regarding subject matter waiver for AC/W privileges and recent cases (.3); Review/revise draft log (1.2); Review/respond to email regarding log view issues/documents and exports (.4); Meeting with Mr. Falling regarding log production issues and new reviewer (.5); Review emails regarding additional field for legacy documents and review issues (.3); Notes for meeting with project leads and training (.2).

Hrs/Rate      Amount

For professional services rendered

229.07      \$90,566.50

Balance due

\$90,566.50

Attorney/Para Summary

<u>Name</u>	<u>Hours</u>	<u>Amount</u>
Daniel A. Zariski	71.70	\$25,095.00
John W. Wolfe	50.47	\$22,711.50
Michael R. Wrenn	106.90	\$42,760.00

**EXHIBIT B**

JOHN W. WOLFE, P.S.  
Two Union Square  
601 Union Street, Suite 5110  
Seattle, WA 98101  
Federal Tax ID # 91-1252013  
August 04, 2009

Invoice submitted to:

Washington Mutual, Inc.  
c/o Jim Truong  
Alvarez & Marsal North America LLC  
1301 Second Avenue  
Seattle WA 98101

In Reference To: Bankruptcy Case #08-12229  
Invoice # 16946

Costs

	<u>Amount</u>
7/31/2009 IP ABC Legal Services, Inc. - messengerial service.	41.25
IP PACER - online access to court records.	11.12
IP Reimbursement to Michael R. Wrem regarding expenses advanced to R. Half Legal attorneys regarding document review: Office supplies, Office Depot = \$45.97 Coffee, Tully's = \$52.50 Coffee supplies, F. Meyer = \$34.75	133.32
Total costs	<u>\$185.69</u>
<u>Balance due</u>	<u><u>\$185.69</u></u>