

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

)	
In re:)	Chapter 11 Cases
)	Case No. 08-12229 (MFW)
WASHINGTON MUTUAL, INC., <i>et al.</i> , ¹)	Jointly Administered
)	
Debtors.)	
)	Related Docket Nos. 2250, 2255, 2363

**STATEMENT OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF
WASHINGTON MUTUAL, INC., *ET AL.* RESERVING ITS RIGHTS AND IN SUPPORT
OF THE DEBTORS’ RESERVATION OF RIGHTS WITH RESPECT TO THE
APPLICATIONS OF THE OFFICIAL COMMITTEE OF EQUITY
SECURITY HOLDERS FOR AN ORDER AUTHORIZING
THE EMPLOYMENT AND RETENTION OF VENABLE LLP
AND BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP**

The Official Committee of Unsecured Creditors (the “Creditors’ Committee”) of Washington Mutual, Inc. (“WMI”), *et al.* (collectively, the “Debtors”), by and through its undersigned co-counsel, submits this statement (the “Statement”) reserving its rights and in support of the Debtors’ reservation of rights (the “Reservation of Rights”) [Docket No. 2363] with respect to the applications of the Official Committee of Equity Security Holders (the “Equity Committee”) for orders authorizing the retention of Venable LLP as its counsel [Docket No. 2250] and Benesch, Friedlander, Coplan & Aronoff LLP as its local counsel [Docket No. 2255], each *nunc pro tunc* to January 11, 2010. (the “Applications”), on the grounds set forth herein.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Washington Mutual, Inc. (3725) and WMI Investment Corporation (5395). The Debtors’ principal offices are located at 925 Fourth Avenue, Suite 2500, Seattle, Washington 98101.



1. The Creditors' Committee concurs with the Debtors' Reservation of Rights with respect to any requests for compensation by Venable LLP and Benesch, Friedlander, Coplan & Aronoff LLP in their representation of the Equity Committee.

2. The Creditors' Committee reserves its rights to object to any requests for compensation by Venable LLP and Benesch, Friedlander, Coplan & Aronoff LLP in their representation of the Equity Committee. In its Application, Venable stated that it "intends to apply to this Court for periodic allowances of compensation and reimbursement of costs." Application at ¶ 12. As a party in interest, the Creditors' Committee reserves its rights under Bankruptcy Code sections 330, 331, or other applicable law to object to requests by Venable LLP and Benesch, Friedlander, Coplan & Aronoff LLP for compensation on any appropriate grounds, including, without limitation, if the requested compensation is (i) excessive, (ii) on account of duplicative services, (iii) on account of services performed that are beyond the scope of that which is reasonably necessary to provide adequate representation to the Equity Committee, or (iv) otherwise unreasonable, inequitable, or contrary to applicable law. 11 U.S.C. § 330.

Dated: February 16, 2010

Respectfully Submitted,

PEPPER HAMILTON LLP

By: /s/ David B. Stratton

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Attorneys for the Official Committee of Unsecured
Creditors of Washington Mutual, Inc., *et al.*

CERTIFICATE OF SERVICE

I, David B. Stratton, do hereby certify that on the 16th day of February, 2010, I did serve the foregoing **Statement of the Official Committee of Unsecured Creditors of Washington Mutual, Inc., et al. Reserving Its Rights and in Support of the Debtors' Reservation of Rights With Respect to the Applications of the Official Committee of Equity Security Holders for an Order Authorizing the Employment and Retention of Venable LLP and Benesch, Friedlander, Coplan & Aronoff LLP** by causing a true and correct copy thereof to be served in the manner indicated upon those parties listed on the attached service list.

/s/ David B. Stratton
David B. Stratton (DE No. 960)

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