

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

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: **Chapter 11**  
: **Case No. 08-12229 (MFW)**  
: **(Jointly Administered)**  
: **Re Docket Nos. 4869, 5441, 5447**  
: **Docket #5544 Date Filed: 10/5/2010**  
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*In re*  
WASHINGTON MUTUAL, INC., et al.,<sup>1</sup>  
Debtors.

**ORDER REGARDING THE TEXAS GROUP'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS FROM DEBTORS AND TO EXERCISE ITS RIGHT  
TO PARTICIPATE IN GENERAL DISCOVERY AVAILABLE TO ALL PARTIES**

WHEREAS, on July 2, 2010, American National Insurance Company, American National Property and Casualty Company, Farm Family Life Insurance Company, Farm Family Casualty Insurance Company, and National Western Life Insurance Company (collectively, the "Texas Group") filed their *Motion to Compel Production of Documents from Debtors and to Exercise Its Right to Participate in General Discovery Available to all Parties* (D.I. 4869) (the "Motion"); and

WHEREAS, on September 17, 2010, the Debtors filed *Debtors' Objection to Texas Group's Motion to Compel Production of Documents from Debtors and to Exercise Its Right to Participate in General Discovery Available to all Parties* (D.I. 5441) (the "Response"); and

WHEREAS, on September 21, 2010, the Texas Group filed their *Reply to Debtors' Objection to Texas Group's Motion to Compel Production of Documents from Debtors and to Exercise Its Right to Participate in General Discovery Available to all Parties* (D.I. 5447) (the "Reply"); and

<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 (ii) WMI Investment Corp. (5395). The Debtors' principal offices are located at 925 Fourth Avenue, Seattle, Washington 98104.



**WHEREAS**, the Court having jurisdiction to consider the Motion and the relief requested therein, a hearing on the Motion was held on September 24, 2010, during which the Court heard argument relating to the Motion, the Response, and the Reply;

**WHEREAS**, after due deliberation and sufficient cause appearing therefore, and the Court having ruled on the Motion from the bench and thereby determined that the relief requested in the Motion is appropriate;

**NOW, THEREFORE**, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. The Motion is GRANTED as modified herein;
2. The Texas Group shall have the right to participate in discovery conducted in connection with confirmation of the Fifth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code.
3. Within 14 days of entry of this Order, the Debtors shall respond to requests 2, 3, 9, 34, 36 and 37 of the Texas Group's First Requests for Production of Documents, as supplemented by paragraph 7 of the Reply.
4. Nothing in the Order requires the Debtors to produce any documents subject to the attorney-client privilege, the work product doctrine, or any other applicable privilege.

Dated: Wilmington, Delaware  
October 5, 2010

  
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THE HONORABLE MARY F. WALRATH  
UNITED STATES BANKRUPTCY JUDGE