

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

In re: Chapter 11:

Washington Mutual Inc.

Case Number: 08-12229 (MFW)

re: Docket: 5548, 5659, 5714, 5964

**PHILIPP SCHNABEL'S RESPONSE TO STATEMENT OF KCCLLC
MADE AT THE HEARING ON 12/03/10**

FILED
U.S. BANKRUPTCY COURT
DISTRICT OF DELAWARE
DEC 9 2010
Wilmington, Delaware

The solicitation of Claim Holder votes on a plan is a crucial part of the Chapter 11 process.

The Statement at the hearing on 12/03/10 did not lift the burden of the Debtor under the Law.

If the Debtor cannot ensure that every Claim Holder gets the material, they cannot use this method.
The Law is clear on this point – the Debtor has the burden to get the material to every Claim Holder.

This burden is not lifted if the Debtor chose the wrong way to get the documents to every Claim Holder, even if this way was in the past the normal standard.

If something is wrong, it does not change just because in the past it was done every time (normal standard). Wrong does not turn right and proper.

Under the statement of KCCLLC, we – the foreign Claim Holders – have to accept the fact: We cannot take part in a vote. There is simply not enough time. That was the statement of KCCLLC.

It looks like the law does not account for foreign Claim Holders. The voting process was not proper for a chance to foreign Claim Holders to get the vote done.

The statement of KCCLLC was clear: They cannot guarantee that every Claim Holder will get the voting material. Because of this, the Debtor did not meet the burden of law!

The Debtor cannot pass the responsibility to a third party. If the Debtor transfers that duty to the Brokers, then the Debtor still must ensure the documents arrive.

Respectfully submitted,

/s/ Philipp Schnabel

Pro Se

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