

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

In re:)	Chapter 11
WASHINGTON MUTUAL, INC., <u>et al.</u> , ¹)	Case No. 08-12229 (MFW)
Debtors.)	(Jointly Administered)
)	Related Docket No. <u>6148 & 6127</u>

**ORDER GRANTING THE MOTION TO STRIKE DECLARATIONS AND ARGUMENTS
RELYING ON EXAMINER'S REPORT OR, IN THE ALTERNATIVE, TO COMPEL
PRODUCTION OF ALL DEBTORS' WORK PRODUCT AND COMMUNICATIONS
RELATED TO THE EXAMINER'S REPORT**

Upon consideration of the *Motion to Strike Declarations and Arguments Relying on Examiner's Report, or in the Alternative, to Compel Production of all Debtors' Work Product and Communications Related to the Examiner's Report* (the "Motion")² filed by the Official Committee of Equity Security Holders (the "Equity Committee"), the Court finds that it has jurisdiction over this matter pursuant to 28 U.S.C. § 157 and 1334; this is a core proceeding pursuant to 28 U.S.C. § 157(b); venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; the relief requested in the Motion is in the best interests of the Debtors, their estates and creditors; proper and adequate notice has been given and no other or further notice is necessary; after due deliberation and sufficient cause appearing thereof, it is hereby:

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is **GRANTED**.
2. Any and all references to the Examiner's Report in support of confirmation are

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 Corp. (5396). The Debtors' principal offices are located at 1301 Second Avenue, Seattle, Washington 98101.

² All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.



hereby stricken.

3. This Court will not rely on the Examiner's Report in determining whether to confirm or deny the Plan.

4. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: Wilmington, Delaware

Dec 10, 2010



THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY COURT