

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
WASHINGTON MUTUAL, INC., <i>et al.</i> ,	)	Case No. 08-12229 (MFW)
Debtors	)	Jointly Administered
	)	Related Doc. No. 6132

~~ORDER APPROVING~~ <sup>DENYING</sup> PLAINTIFF'S  
**MOTION IN LIMINE TO STRIKE AND PRECLUDE  
EVIDENCE OF ANALYSIS THAT WAS WITHHELD FROM  
DISCOVERY ON THE BASIS OF THE ATTORNEY-CLIENT PRIVILEGE**

Upon consideration of the *Motion in Limine* to Strike and Preclude Evidence of Analysis that was Withheld from Discovery on the Basis of the Attorney-Client Privilege filed by the Consortium of Trust Preferred Security Holders (the "TPS Consortium") and any objections thereto, it is hereby ORDERED that the Motion is ~~Approved and that~~ <sup>DENIED.</sup>

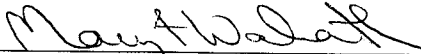
(i) Settlement Proponents are precluded from offering, by way of live testimony or declaration, the information contained in:

- Paragraphs 30-32, 43, 44, 46-50, 52-80, 83-90 of the Kosturos Declaration;
- Paragraphs 16-127 and 130 of the Goulding Declaration;
- Paragraphs 20 and 26-41 of the Smith Declaration; and
- Paragraphs 11-13, 18, 20, 22 and 23 of the Simms Declaration



~~It is further ORDERED that the Mastando Declaration is stricken in its entirety.~~

Dated: December 10, 2010  
Wilmington, Delaware

  
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The Honorable Mary F. Walrath  
UNITED STATES BANKRUPTCY JUDGE