

2011 at 2:00 p.m. (the “Hearing”), or as soon as the Court may be available thereafter; and (ii) allowing objections, if any, to the Certification Motion to be raised at the Hearing. In support thereof, the Equity Committee respectfully represents as follows:

JURISDICTION

1. This Court has jurisdiction over these matters 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.

2. The predicates for the relief requested herein are Bankruptcy Code Section 105, Bankruptcy Rules and 8001 and 9006 and Local Rule 9006-1(e).

BACKGROUND

3. The relevant background facts are set forth in the Certification Motion, filed contemporaneously herewith, and incorporated herein by reference.²

RELIEF REQUESTED

4. By this Motion to Shorten, the Equity Committee respectfully requests that the Court enter an order in the form attached hereto: (i) permitting the Certification Motion to be heard at the Hearing to be held on January 20, 2011 at 2:00 p.m., or as soon as the Court may be available thereafter; and (ii) shortening the response deadline provided by Bankruptcy Rule 8001(f)(3)(D) so that objections to the Certification Motion, if any, are to be raised at the Hearing.

5. Bankruptcy Rule 8001(f)(3)(D) provides that “[a] party may file a response to a request for certification or a cross request within 14 days after the notice of the request is served, or another time fixed by the court.” Fed. R. Bankr. P. 8001(f)(3)(D). Bankruptcy Rule

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

9006(c)(1) further provides that the Court may, in its discretion, shorten a time period provided in the Bankruptcy Rules for cause. Fed. R. Bankr. P. 9006(c)(1).

6. The Equity Committee respectfully submits that cause exists to shorten the fourteen-day deadline to respond to the Certification Motion, provided in Bankruptcy Rule 8001(f)(3)(D).

7. These cases are at a critical juncture, and are moving at an expedited pace. The Court denied confirmation of the Debtors' Plan pursuant to an Opinion and Order dated January 7, 2011. [Docket Nos. 6528 and 6529]. That same day, the Debtors issued a press release, stating that they "intend[] to modify the Plan consistent with the Court's suggestions and will seek confirmation as soon as practicable." Earlier this week, the Debtors filed a notice informing the parties that the Court will hold a status conference regarding the Opinion and the Debtors' suggested modifications to the Plan on January 20, 2011 at 2:00 p.m. [Docket No. 6564]. In that same notice, the Debtors reaffirmed their intention "to seek confirmation and consummation of the Plan, as amended, as expeditiously as possible."

8. Pursuant to the Certification Motion, and as set forth more fully therein, the Equity Committee requests the entry of an order certifying its appeal of the portion of the Opinion and Order holding the Global Settlement fair and reasonable for direct appeal to the Third Circuit. The Global Settlement is the foundation of the Plan. Accordingly, it is necessary for the Court to consider the Certification Motion as soon as practicable, especially given the Debtors' intention to proceed with confirmation "as expeditiously as possible." Along those same lines, it is imperative that the Court consider the Certification Motion immediately so that the appeal (if certified) can proceed in a timely manner. Otherwise, the Equity Committee risks

the possibility (and argument from the Plan Supporters) that the appeal will be equitably mooted by confirmation of a revised Plan.

9. Moreover, shortening the response deadline will not prejudice interested parties because the underlying issues presented in the Certification Motion – the fairness and reasonableness of the Global Settlement – are well-known to the parties in interest and have been at the center of these cases for some time.

10. Given the Debtors' accelerated schedule to move forward with confirmation of a revised Plan, the Equity Committee respectfully submits that expeditious review of the Certification Motion is necessary and appropriate.

NOTICE

11. Notice of this Motion to Shorten has been provided to (i) the United State Trustee; (ii) counsel to the Debtors; and (iii) those parties who have requested service pursuant to Bankruptcy Rule 2002, in accordance with Local Rule 2002-1(b). In light of the nature of the relief requested herein, the Equity Committee submits that no other or further notice need be provided.

NO PRIOR REQUEST

12. No prior request for the relief sought in the Motion to Shorten has been made to this Court or any other court.

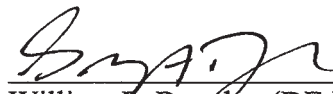
CONCLUSION

WHEREFORE, the Equity Committee respectfully requests entry of an order, substantially in the form attached hereto as Exhibit A, (i) permitting the Certification Motion to be heard at the Hearing to be held on January 20, 2011 at 2:00 p.m., or as soon as the Court may be available thereafter; and (ii) shortening the response deadline provided by Bankruptcy Rule

8001(f)(3)(D) so that objections to the Certification Motion, if any, are to be raised at the Hearing; and (iii) granting such other and further relief as the Court deems just and appropriate.

Dated: January 19, 2011
Wilmington, Delaware

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*Counsel to the Official Committee of Equity
Security Holders of Washington Mutual, Inc. et al.*

Exhibit A

[Proposed Order]

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

Upon consideration of the *Motion to Shorten Notice with Respect to the Official Committee of Equity Security Holders' Petition, Pursuant to 11 U.S.C. § 105(a), 28 U.S.C. § 158(d)(2) and Fed. R. Bankr. P. 8001(f), for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit of the Opinion and Order Denying Plan Confirmation* (the "Motion to Shorten"), pursuant to section and 105 of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (as amended, the "Bankruptcy Code"), Rule 9006 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Rule 9006-1(e) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), for the entry of an order shortening the time for notice with respect to the *Official Committee of Equity Security Holders' Petition, Pursuant to 11 U.S.C. § 105(a), 28 U.S.C. § 158(d)(2) and Fed. R. Bankr. P. 8001(f), for Certification of Direct Appeal*

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to the United States Court of Appeals for the Third Circuit of the Opinion and Order Denying Plan Confirmation (the “Certification Motion”); and the Court finding 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 to Shorten 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 therefore, it is hereby:

ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion to Shorten is GRANTED.
2. The Certification Motion shall be heard at the Hearing scheduled for January 20, 2011 at 2:00 p.m. (ET).
3. Any objections to the relief requested in the Certification Motion shall be raised at the Hearing.
4. This Court shall retain jurisdiction over any and all issues arising from or related to the implementation of this Order.

Dated: Wilmington, Delaware
January _____, 2011

THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY COURT