

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

WASHINGTON MUTUAL, INC., et al.,
Debtors.

Chapter 11

Case No. 08-12229 (MFW)

Jointly Administered

BROADBILL INVESTMENT CORP.,
NANTAHALA CAPITAL PARTNERS, LP,
and BLACKWELL CAPITAL PARTNERS,
LLC,

Plaintiffs,

- against -

WASHINGTON MUTUAL, INC.,
Defendant.

Adv. Pro. No. 10-50911 (MFW)

Rel. Doc. 181

ORDER APPROVING APPOINTMENT OF ALAN W. KORNBERG AS MEDIATOR

In furtherance of this Court's Order Assigning Adversary Proceeding to Mediation and Appointing a Mediator [Docket No. 176] (the "Mediation Order"); and the parties to the above-captioned adversary proceeding having agreed upon the appointment of Alan W. Kornberg as mediator;

It is hereby ORDERED, AS FOLLOWS:

1. Alan W. Kornberg, Esq., is appointed as mediator.
2. The mediation shall be conducted in accordance with the Local Rules of the United States Bankruptcy Court for the District of Delaware.



3. The mediation shall be conducted in the timeframe set forth in the Mediation Order.

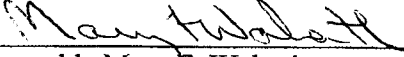
4. WMI and the Named Plaintiffs shall jointly and equally compensate Mr. Kornberg for his mediation services and reimburse him for expenses reasonably incurred, including those of his firm, Paul, Weiss, Rifkind, Wharton & Garrison LLP.

5. This Court grants approval for the portion of fees and expenses allocable to WMI to be charged to WMI's chapter 11 estate pursuant to Del. Bankr. L.R. 9019-2(f).

6. This Order shall be effective and enforceable immediately upon entry.

7. This Court retains jurisdiction to interpret, implement, and enforce the provisions of this Order.

Dated: April 11, 2011
Wilmington, Delaware



Honorable Mary F. Walrath
United States Bankruptcy Judge