

**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>8073</u>
)	

**THE MOTION OF THE OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS
FOR LEAVE TO EXCEED PAGE LIMIT FOR ITS OBJECTION TO CONFIRMATION
OF THE MODIFIED SIXTH AMENDED PLAN OF REORGANIZATION**

The Official Committee of Equity Security Holders (the “Equity Committee”), by and through its undersigned counsel, hereby moves this Court (the “Motion”) for entry of an order, substantially in the form attached hereto as Exhibit A, pursuant to Rule 7007-2 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”) and the United States Bankruptcy Court for the District of Delaware dated April 3, 2006 (the “General Chambers Procedures”), authorizing the Equity Committee to exceed the page limitation with respect to its *Objection to Confirmation of the Modified Sixth Amended Plan of Reorganization* (the “Objection”), which is being filed contemporaneously herewith. In support therefore, the Equity Committee respectfully represents as follows:

1. Contemporaneous with the filing of this Motion, the Debtors filed their Objection. By this Motion, the Equity Committee seeks entry of an order, substantially in the form attached hereto as Exhibit A, authorizing the Equity Committee to exceed the page limitation with respect to its Objection.

{00531770;v1}



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2. Pursuant to Local Rule 7007-2 and the General Chambers Procedures, objections to confirmation shall not exceed 40 pages. General Chambers Procedure at 2, ¶ 2(a)(vi); Del. Bankr. L.R. 7007-2. Local Rule 7007-2, applicable to these cases pursuant to the General Chambers Procedures, provides that the page limitation may be exceeded with leave of the Court. Del. Bankr. L.R. 7007-2(a)(iv).

3. The Equity Committee respectfully submits that allowing the Objection to exceed the 40-page limit is both reasonable and appropriate under the circumstances. The as-filed Objection only exceeds the page limit by 8 pages. Notwithstanding, the Objection addresses numerous, complex legal issues, some of which have not been fully addressed in prior pleadings. Despite the Equity Committee's best efforts to stay within the proscribed page limitation, the Equity Committee requires additional space to fully set forth its arguments regarding its opposition to confirmation of the Modified Sixth Amended Plan. The Equity Committee submits that the as-filed Objection is as succinct as practicable under the circumstances, and is not so long as to place an undue burden on either the Court or any party in interest.

WHEREFORE, the Equity Committee respectfully requests the entry of an Order, substantially in the form attached hereto as Exhibit A, granting the Equity Committee authority to exceed the 40-page limit and file its Objection (which is being filed contemporaneously herewith), and for such additional relief as the Court deems appropriate.

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. {00531770;v1}

Dated: July 1, 2011
Wilmington, Delaware

ASHBY & GEDDES, P.A.

/s/ Gregory A. Taylor

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*Delaware Counsel to the Official Committee of
Equity Security Holders of Washington Mutual,
Inc., et al., and with respect to the Settlement Note
Holders, only as to Centerbridge Partners, L.P.,
Appaloosa Management L.P., and Owl Creek Asset
Management, L.P.*

-and-

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*Conflicts Co-Counsel for the Official Committee of
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Inc., et al., as to Aurelius Capital Management,
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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 the motion (the “Motion”) of the Equity Committee of Unsecured Creditors (the “Equity Committee”) for authority to exceed the 40-page limit for confirmation objections as set forth in the General Chambers Procedures with respect to its *Objection to Confirmation of the Modified Sixth Amended Plan of Reorganization* (the “Objection”); and having found that sufficient cause exists to grant the relief sought in the Motion;

1. The Motion is GRANTED; and
2. The Equity Committee is granted leave to exceed the 40-page limitation prescribed by Local Rule 7007-2 and the General Chamber Procedure.

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