

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

	X	
In re :	:	Chapter 11 Cases
WASHINGTON MUTUAL, INC., et. al.,	:	Case No. 08-12229 (MFW)
DEBTORS	:	Jointly Administered
	:	<b>Re: Docket Nos. 8612 &amp; 8613</b>
	X	

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE THAT the WMB Noteholders<sup>1</sup> hereby appeal under 28 U.S.C. § 158(a) to the United States District Court for the District of Delaware from the Order Denying Confirmation of Modified Plan and Granting Motion of Equity Committee for Standing to Prosecute Claim, entered on September 13, 2011 [Docket No. 8613] and related Opinion [Docket No. 8612] entered by the United States Bankruptcy Court for the District of Delaware on September 13, 2011.

The parties to the Opinion and Order appealed from and the names, addresses and telephone numbers of their respective attorneys are as follows:

<u>Party</u>	<u>Attorneys</u>
Aurelius Capital Management, LP, on behalf of and together with its managed entities: Aurelius Capital Partners, LP, Aurelius	KRAMER LEVIN NAFTALIS & FRANKEL LLP Kenneth H. Eckstein

<sup>1</sup> The WMB Noteholders include Thrivent Financial for Lutherans, AEGON USA Investment Management, LLC (AEGON Life Insurance (Taiwan) and Transamerica Financial Life Insurance Company), PPM America, Inc. (The Prudential Assurance Company, Ltd., JNL VA High Yield Bond Fund, Jackson National Life Insurance Company of New York, and Jackson National Life Insurance Company), New York Life Investment Management LLC, Legal & General Investment Management (Legal & General Investment Management America), The Northwestern Mutual Life Insurance Co. (Northwestern Mutual Life Insurance Co., Northwestern Long Term Care Insurance Company, Northwestern Mutual Series Fund, Inc. and its Select Bond Portfolio, and Northwestern Mutual Series Fund, Inc. and its Balanced Portfolio), ING Direct NV, Sucursal en España, and their affiliates, who are the legal or beneficial holders of, or have control or discretionary investment authority with respect to, in excess of \$600 million in aggregate principal amount outstanding of Senior Notes and Subordinated Notes issued by Washington Mutual Bank.



<p>Capital Master, Ltd., Aurelius Convergence Master, Ltd., and Aurelius Investment, LLC</p>	<p>Alan R. Friedman  Jeffrey S. Trachtman  Daniel M. Eggerman  1177 Avenue of Americas  New York, NY 10036  212-715-9100</p> <p>And</p> <p>BLANK ROME LLP  Michael DeBaecke  Victoria Guilfoyle  1201 Market Street, Ste. 800  Wilmington, DE 19801  302-425-6400</p>
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<p>Banc of America Securities LLC; Citigroup Global Markets Inc.; Concordia Advisors LLC; Davidson Kempner Capital Management LLC; Deutsche Bank Securities Inc.; Gruss Asset Management; King Street Capital Management, L.P.; KS Capital Partners, L.P.; Latigo Partners, L.P.; One East Partners Master, L.P.; Silver Point Capital LLC; Stone Lion Portfolio L.P.; Taconic Capital Advisors LP; Talos Capital Limited; The Children's Investment Master Fund; Third Point LLC; and Valinor Capital Management, LLC</p> <p><i>As holders of WMI Senior Notes</i></p>	<p>FOX ROTHSCHILD LLP Jeffrey M. Schlerf Eric M. Sully L. John Bird Citizens Bank Center 919 North Market Street, Suite 1600 Wilmington, Delaware 19801</p> <p>And</p> <p>WHITE &amp; CASE LLP Thomas E. Lauria Wachovia Financial Center 200 South Biscayne Boulevard, Suite 4900 Miami, Florida 33131 305-371-2700</p> <p>And</p> <p>KASOWITZ BENSON TORRES &amp; FRIEDMAN LLP David S. Rosner Paul M. O'Connor III Adam L. Shiff Seth A. Moskovitz 1633 Broadway New York, New York 10019 212-506-1700</p>
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<p>Black Horse Capital Master Fund Ltd; Black Horse Capital LP; Greywolf Structured Products Master Fund, Ltd.; Greywolf Capital Overseas Fund II; Greywolf Capital Overseas Master Fund; Greywolf Capital Partners II LP; Paige Opportunity Partners Master Fund; Paige Opportunity Partners LP; Visium Global Master Fund, Ltd.; and VR Global Partners, L.P.</p> <p><i>As holders of Trust Preferred Securities</i></p>	<p>CAMPBELL &amp; LEVINE LLC  Marla Rosoff Eskin  Bernard G. Conaway  Kathleen Campbell Davis  800 North King Street, Suite 300  Wilmington, Delaware 19809  302-426-1900  And</p> <p>ARKIN KAPLAN RICE LLP  Howard J. Kaplan  Joseph A. Matteo  Deana Davidian  590 Madison Avenue, 35<sup>th</sup> Floor  New York, NY 10022  212-333-0200  And</p> <p>BROWN RUDNICK LLP  Robert J. Stark  Martin S. Siegel  Seven Times Square  New York, New York 10036  212-209-4800</p>

	<p>Jeremy B. Coffey Daniel J. Brown One Financial Center Boston, MA 02111</p>
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<p>Mutual Series Fund, Inc. and its Select Bond Portfolio, and Northwestern Mutual Series Fund, Inc. and its Balanced Portfolio); ING Direct NV; and Sucursal en Espana, and their affiliates</p> <p><i>As holders of certain WMB Securities</i></p>	
<p>The Policemen’s Annuity and Benefit Fund of the City of Chicago and Doral Bank Puerto Rico</p> <p><i>As lead plaintiffs in the Washington Mutual Mortgage Pass Through Certificate Litigation</i></p>	<p>CROSS &amp; SIMON LLC  Christopher P. Simon  David G. Holmes  913 Market Street, 11<sup>th</sup> Floor  Wilmington, Delaware 19899  302-777-4200</p> <p>And</p> <p>LOWENSTEIN SANDLER PC  Michael S. Etkin  Ira M. Levee  65 Livingston Avenue  Roseland, New Jersey 07068  973-597-2500</p>
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<p>Jeffrey S. Schultz Vice President / Trust Investment Officer American National Bank 2732 Midwestern Parkway Wichita Falls, Texas 76308</p>	<p><i>Pro Se</i></p>
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Dated: September 27, 2011

<p><u>/s/ Howard A. Cohen</u> Howard A. Cohen (DE 4082) DRINKER BIDDLE &amp; REATH LLP 1100 N. Market Street, Suite 1000 Wilmington, DE 19801-1254 302.467.4200 302.467.4201 (facsimile) howard.cohen@dbr.com</p>	<p>Jay W. Eisenhofer (DE Bar # 2864) Geoffrey C. Jarvis (DE Bar # 4064) Christine M. Mackintosh (DE Bar # 5585) GRANT &amp; EISENHOFER P.A. 1201 N. Market Street, Suite 2100 Wilmington, DE 19801 302.622.7000 302.622.7100 (facsimile) jeisenhofer@gelaw.com gjarvis@gelaw.com <a href="mailto:cmackintosh@gelaw.com">cmackintosh@gelaw.com</a></p>
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