Docket #8830 Date Filed: 10/18/2011

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

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In re : Chapter 11

WASHINGTON MUTUAL, INC., et al., 1 : Case No. 08-12229 (MFW)

:

Debtors. : Jointly Administered

Related Docket No. 8726

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THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON APPEAL

The Official Committee of Unsecured Creditors (the "Creditors' Committee") of Washington Mutual, Inc., *et al.* (the "Debtors"), by and through its undersigned counsel, hereby provides, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, its (i) statement of issues to be presented on appeal and (ii) designation of the items to be included in the record on appeal, in connection with its appeal to the United States District Court for the District of Delaware from the Order (D.I. 8613) and related Opinion (D.I. 8612)² of the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") dated September 13, 2011, that granted the motion of the Official Committee Of Equity Security Holders (the "Equity

² The Creditors' Committee has not appealed that portion of the Order and Opinion that denied confirmation. The Creditors' Committee's appeal is limited to the Bankruptcy Court's grant of derivative standing to the Equity Committee.



¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's federal tax identification numbers are: (i) Washington Mutual, Inc. (3725) and (ii) WMI Investment Corp. (5395).

<u>Committee</u>") to prosecute claims for equitable disallowance against certain holders of large amounts of Debtors' notes (the "Settlement Noteholders").³

I. Statement of Issues on Appeal

- 1. Whether the Bankruptcy Court erred in granting the Equity Committee standing to pursue claims where the estates were not harmed by any alleged conduct by any Settlement Noteholder and the Bankruptcy Court found that the Settlement Noteholders' involvement in the cases increased the Debtors' estates.
- 2. Whether the Bankruptcy Court erred in failing to balance the probability of success on the claims of insider trading against the burden on the estates that would result from prosecution of the claims identified in the Standing Motion, even though it explicitly recognized the necessity of undertaking such an analysis and acknowledged that its Order granting the Standing Motion could result in a "litigation morass" that would decrease the recoveries of all parties.
- 3. Whether the Bankruptcy Court erred in finding that equitable disallowance is a viable remedy under the Bankruptcy Code, even though (1) the Bankruptcy Code does not provide that equitable considerations are a basis for disallowance of a claim, (2) no court has ever imposed the remedy of equitable disallowance in a reported decision following enactment of the Bankruptcy Code in 1978, and (3) the facts adduced during the confirmation hearing would not warrant imposing the extreme remedy of equitable disallowance of the Settlement Noteholders' claims.

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³ The four Settlement Noteholders are Appaloosa Management, L.P. ("<u>Appaloosa</u>"), Aurelius Capital Management, L.P. ("<u>Aurelius</u>"), Centerbridge Partners, L.P. ("<u>Centerbridge</u>"), and Owl Creek Asset Management, L.P. ("<u>Owl Creek</u>").

4. Whether the Bankruptcy Court erred in creating and retroactively applying a new *per se* rule that creditors must permanently cease trading or erect an ethical screen as a condition to engaging in settlement discussions with the debtor and other creditors even though there is no statute, rule, regulation, or case governing insider trading that requires such action.

III. Designation of Record on Appeal⁴

The Creditors' Committee hereby designates to be included in the record on appeal all items previously designated by Aurelius Capital Management, LP, on behalf of certain of its managed entities (D.I. 8788, attached hereto as Exhibit A),⁵ as well as the following additional items, together with all exhibits, attachments and documents incorporated by reference therein:

In re Washington Mutual, Inc., et al., 08-12229 (MFW)

Tab No.	Docket No.	Document Description	Doc Date
1100	110.		
500.	5735	Final Report of the Examiner	11/01/2010
501.	8737	Response of the Official Committee of Equity Security Holders to Statement of Debtors with Respect to (A) Scope and Participation in Mediation and (B) Confirmation of Modified Plan	10/05/2011
502.	8739	TPS Consortium's Response to Statement of Debtors with Respect to (A) Scope and Participation in Mediation; and (B) Confirmation of Modified Plan	10/05/2011
503.	8771	Notice of Appeal (Filed by Wells Fargo Bank, National Association)	10/10/2011
504.	8773	Statement of Aurelius Capital Management, LP Regarding Proposed Mediation Order	10/10/2011

⁴ The Creditors' Committee reserves the right to supplement these designations.

⁵ The Creditors Committee incorporates herein by reference Aurelius's appellate designations, rather than repeating those designations here and submitting duplicative appendices of the same, in order to reduce the administrative burden on the Court.

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Tab No.	Docket No.	Document Description	Doc Date	
505.	8774	10/06/2011 Hearing Transcript	10/11/2011	
506.	8776	Clerk's Notice Regarding Filing of Appeal (By Wells Fargo Bank, National Association)	10/11/2011	
507.	8780	Order Appointing Mediator	10/11/2011	
508.	8781	Joinder of Debtors to the Official Committee of Unsecured Creditors' Motion for Leave to Appeal	10/11/2011	
509.	8782	Appellant Designation of Items to be Included in Record on Appeal and Statement of Issues (Filed by Normandy Hill Capital L.P.)	10/11/2011	
510.	8783	Debtors' Limited Opposition to Aurelius's Motion for Leave to Appeal with Respect to Determination of Appropriate Rate of Postpetition Interest	10/11/2011	
511.	8784	Designation of Record and Statement of Issues on Appeal (Filed by Appaloosa Management, L.P., Centerbridge Partners, L.P., Owl Creek Asset Management L.P.)	10/11/2011	
512.	8785	Notice of Appeal (Filed by Debtors)	10/11/2011	
513.	8788	Statement of Issues and Designation of Record on Appeal (Filed by Aurelius Capital Management, LP)	10/11/2011	
514.	8789	Designation of Record and Statement of Issues o Appeal (Filed by The WMB Noteholders)	10/11/2011	
515.	8790	Notice of Cross Appeal (Filed by the Official Committee of Equity Security Holders)	10/11/2011	
516.	8791	Motion for Leave to Cross Appeal (Filed by the Official Committee of Equity Security Holders)	10/11/2011	
517.	8792	Clerk's Notice Regarding Filing of Appeal (By Debtors)	10/12/2011	
518.	8793	Clerk's Notice Regarding Filing of Cross Appeal (By the Official Committee of Equity Security Holders)	10/12/2011	
519.	8801	Appeal Transmittal Sheet	10/13/2011	
520.	8809	Appeal Transmittal Sheet (re: Motion for Leave to Appeal Filed by Appaloosa Management, L.P., Centerbridge Partners, L.P., Owl Creek Asset Management L.P.)	10/14/2011	

In re Washington Mutual, Inc., et al., 08-12229 (MFW)

Tab No.	Docket No.	Document Description	Doc Date
521.	8811	The Official Committee of Equity Security Holders' Opposition to the Motions for Leave to Appeal Filed by Aurelius Capital Management, LP, the Official Committee of Unsecured Creditors, Appaloosa Management, L.P., Centerbridge Partners, L.P., Owl Creek Asset Management L.P., and the Joinder Filed by the Debtors	10/14/2011
522.	8812	The Official Committee of Equity Security Holders' Motion to Exceed Page Limitation for its Opposition to the Motions for Leave to Appeal Filed by Aurelius Capital Management, LP, the Official Committee of Unsecured Creditors, Appaloosa Management, L.P., Centerbridge Partners, L.P., Owl Creek Asset Management L.P., and the Joinder Filed by the Debtors	10/14/2011
523.	8815	Notice of Docketing of Record on Appeal to District Court, Civil Action Number: 11-971	10/14/2011

Dated: Wilmington, Delaware October 18, 2011

Respectfully submitted: **PEPPER HAMILTON LLP**

/s/ John H. Schanne, II

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EXHIBIT A

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

	Chantar 11
In re:	Chapter 11
	Case No. 08-12229 (MFW)
WASHINGTON MUTUAL, INC., et al.,	Case No. 08-12229 (MFW) Jointly Administered
Debtors.	

AURELIUS CAPITAL MANAGEMENT, LP'S STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON APPEAL

Aurelius Capital Management, LP, on behalf of and together with certain of its managed entities ("Aurelius"), hereby provide, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, their (i) statement of issues to be presented on appeal and (ii) designation of the items to be included in the record on appeal, in connection with their appeal to the United States District Court for the District of Delaware from the Opinion (the "Opinion") and Order (the "Order") of the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") dated September 13, 2011 (D.I. 8612 and 8613), denying confirmation of the Debtors' modified sixth amended plan (the "Modified Plan") and authorizing the Official Committee of Equity Security Holders of Washington Mutual, Inc. (the "Equity Committee") to commence and prosecute an action against Aurelius and certain other creditors on behalf of the Debtors' estates.¹

While entered as a single order, the Order actually is comprised of two separate orders that resolve two separate and distinct contested matters: (i) an order granting in part a motion filed by the Equity Committee for derivative standing (the "Standing Motion") to pursue certain causes of action on behalf of the Debtors' estates (the "Standing Order") and (ii) an order denying confirmation of the Debtors' Plan (the "Confirmation Order"). Aurelius is appealing both the Standing Order and the Confirmation Order.

I. <u>Statement of Issues on Appeal from the Standing Order</u>

- 1. Whether the Bankruptcy Court abused its discretion in granting standing to the Equity Committee to pursue a claim for equitable disallowance on behalf of the Debtors' estates against Aurelius where the court's holding that the proposed complaint (the "Complaint") stated a colorable claim was predicated on multiple legal errors, enumerated below.
- 2. Whether the Bankruptcy Court erred in holding that the Complaint stated a colorable claim for equitable disallowance of Aurelius's claims where the court found that Aurelius's conduct in these cases did not harm the Debtors' estates, but rather helped the Debtors' estates.
- 3. Whether the Bankruptcy Court erred in holding that a bankruptcy court ever has the authority to disallow a claim on equitable grounds.
- 4. Whether the Bankruptcy Court erred in holding that the Complaint stated a colorable claim for equitable disallowance where the facts alleged did not establish the necessity of the remedy in view of the well-developed non-bankruptcy law and procedures available to address claims of insider trading and the absence of any articulated harm to the estates.
- 5. Whether the Bankruptcy Court erred in holding that the Debtors would have a defense to the payment of Aurelius's debt claims if Aurelius violated securities laws in acquiring a portion of its debt holdings from third parties.
- 6. Whether the Bankruptcy Court erred in holding that the Equity Committee could seek equitable disallowance to remedy alleged securities law violations as to which the estates would not have standing to sue because they were not contemporaneous traders in their own securities.

- 7. Whether the Bankruptcy Court erred in holding that the Complaint adequately alleged a breach of duty and deception under the federal securities laws where (i) Aurelius received material nonpublic information only pursuant to arm's-length confidentiality agreements with the Debtors that Aurelius fully performed and did not breach and (ii) the confidentiality agreements themselves expressly obligated the Debtors to disclose all material nonpublic information shared with Aurelius thereunder, reflecting the parties' intention that Aurelius would be free to resume unrestricted trading following termination of the agreements.
- 8. Whether the Bankruptcy Court erred in holding that the Complaint adequately alleged facts establishing that Aurelius was a "temporary insider" of the Debtors based solely on receiving confidential information and participating in negotiations pursuant to an arm's-length agreement.
- 9. Whether the Bankruptcy Court erred in holding that the Complaint adequately alleged facts establishing that Aurelius had fiduciary duties to other creditors and was a "non-statutory insider" of the Debtors based solely on its participation in an informal creditor group that may have held more than one-third of a particular class of securities.
- 10. Whether the Bankruptcy Court erred in holding that the Complaint, which purports to assert claims derivatively on behalf of the Debtors, adequately alleged facts giving rise to a strong inference of scienter under the federal securities laws, where, among other things, the undisputed evidence demonstrated that (i) the Debtors themselves were contractually obligated to disclose material nonpublic information provided to Aurelius; (ii) after consulting with their securities counsel, the Debtors did in fact disclose all information provided to Aurelius that the Debtors considered to be material and nonpublic; and (iii) Aurelius's trading patterns

were unremarkable, corresponded to material information made available publicly, and in some cases affirmatively negated any inference of scienter.

- 11. Whether the Bankruptcy Court erred in holding that the Complaint adequately alleged facts establishing the materiality element of a securities law claim when the undisputed evidence showed that Aurelius possessed only stale information about unsuccessful settlement negotiations that the Debtors' own securities counsel determined was immaterial.
- 12. Whether the Bankruptcy Court erred in holding that the Complaint stated a colorable claim that Aurelius engaged in insider trading under the "classical theory" when, among other things, Aurelius was not an insider and had no fiduciary duties to any third party or the estates.
- 13. Whether the Bankruptcy Court erred in holding that the Complaint stated a colorable claim that Aurelius engaged in insider trading under the "misappropriation theory" when, among other things, Aurelius did not breach any contractual obligation to the Debtors; the confidentiality agreements with the Debtors expressly contemplated that Aurelius would resume trading after termination of the agreements in accordance with the terms thereof; and the Complaint contained no concrete allegation that Aurelius received and misappropriated material nonpublic information outside of the confidentiality periods.
- 14. Whether the Bankruptcy Court erred by authorizing the Equity Committee to pursue claims against Aurelius where any recovery on behalf of the Debtors estates' would be barred as a result of the Debtors' own breach of the confidentiality agreements, or alternatively offset by Aurelius's administrative claims against the Debtors' estates for breach of those agreements.

- 15. Whether the Bankruptcy Court erred in granting the Standing Motion without considering whether the Debtors have unjustifiably refused to pursue the claims for which standing was sought, even though the Bankruptcy Court acknowledged that the case would likely sink into a "litigation morass" that would threaten creditor recoveries.
- 16. Whether the Bankruptcy Court erred in granting the Standing Motion (i) without balancing the probability of success on the claims, the potential recoveries on the claims, and the burden on the Debtors' estates and (ii) without making any findings or determinations with respect thereto.

II. Statement of Issues on Appeal from the Confirmation Order

- 1. Whether the Bankruptcy Court erred in holding that the Modified Plan violates the "best interests of creditors test" set forth in 11 U.S.C. § 1129(a)(7) because the Modified Plan provided for the payment of postpetition interest to unsecured creditors at the applicable contract rate.
- 2. Whether the Bankruptcy Court erred in holding that the federal judgment rate is, as a matter of law, the appropriate rate at which postpetition interest can be paid to unsecured creditors in a chapter 11 case.
- 3. Whether the Bankruptcy Court abused its discretion in holding that the equities of these cases do not support the use of anything other than the federal judgment rate for calculating the rate at which postpetition interest must be paid to unsecured creditors.
- 4. Whether the Bankruptcy Court erred in ruling that creditors who failed to timely file proofs of claim must have their late-filed claims paid before postpetition interest can be paid on timely filed unsecured claims.

III. Designation of Record on Appeal from both the Standing Order and Confirmation Order²

Aurelius hereby designates the following items to be included in the record on appeal, together with all exhibits, attachments and documents incorporated by reference therein:

In re Washington Mutual, Inc., et al., 08-12229 (MFW)

	Docket No.	Document Description	Doc Date
1.	1	Chapter 11 Voluntary Petition	09/26/2008
2.	74	Withdrawn related docket # 611. Motion of Debtors Pursuant to Sections 105(a), 361, 362 and 542(b) of the Bankruptcy Code Seeking Approval of a Stipulation and Agreement Concerning Deposit Accounts at JPMorgan Chase Bank, National Association (Filed by Washington Mutual, Inc.)	10/14/2008
3.	102	Rule 2019 Statement (Verified) of White & Case LLP (Filed by Washington Mutual, Inc. Noteholders Group)	10/20/2008
4.	526	Rule 2019 Statement of Fried, Frank, Harris, Shriver & Jacobson LLP	1/2/2009
5.	632	Order Establishing Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof	01/30/2009
6.	888	Application of Debtors Pursuant to Sections 327(e) and 328(a) of the Bankruptcy Code and Bankruptcy Rule 2014 for Authorization to Employ and Retain Quinn Emanuel Urquhart Oliver & Hedges, LLP, as Special Litigation and Conflicts Counsel to the Debtors, Nunc Pro Tunc to April 3, 2009	04/08/2009
7.	1518	First Supplemental Verified Statement of White & Case LLP Pursuant to Bankruptcy Rule 2019 (Filed by Washington Mutual, Inc. Noteholders Group)	8/19/2009
8.	2130	Notice of Appointment of Committee of Equity Security Holders	1/11/2010
9.	2132	Motion of Washington Mutual, Inc. and WMI Investment Corp. for an Order (A) Disbanding the Official Committee of Equity Holders Appointed by the United States Trustee or (B) Limiting the Fees and Expenses Which May be Incurred by Such Committee	01/11/2010
10.	2185	Objection to Debtors' Motion for an Order (A) Disbanding the Official Committee of Equity Holders Appointed by the United States Trustee or (B) Limiting the Fees and Expenses Which May be Incurred by Such Committee (Filed by Official Committee of Equity Holders)	01/21/2010

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² Given the sheer size of the actual confirmation record and in an effort to minimize the burden on the parties and the Court in particular, Aurelius has undertaken a good faith effort to designate only those items most likely to be referred to in the briefing on the merits of the issues raised by this appeal. Aurelius reserves the right to supplement these designations.

	Docket No.	Document Description	Doc Date
11.	2223	Reply of Washington Mutual, Inc. and WMI Investment Corp. in Further Support of Motion for an Order (A) Disbanding the Official Committee of Equity Holders Appointed by the US Trustee or (B) Limiting the Fees and Expenses Which May Be Incurred by Such Committee	01/25/2010
12.	2503	Transcript of Proceedings on March 4, 2010	03/12/2010
13.	2518	Transcript of Proceedings on March 12, 2010	03/15/2010
14.	2622	Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	03/26/2010
15.	2623	Disclosure Statement for the Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	03/26/2010
16.	3635	Rule 2019 Statement (Verified Amended) of White & Case LLP (Filed by Washington Mutual, Inc. Noteholders Group)	5/4/2010
17.	3743	First Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	05/16/2010
18.	3745	Disclosure Statement for the First Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	05/17/2010
19.	3746	Notice of Filing of (I) First Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code and (II) Disclosure Statement for the First Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	05/17/2010
20.	3761	First Supplemental Verified Rule 2019 Statement of Fried, Frank, Harris, Shriver & Jacobson LLP	5/17/2010
21.	4108	Transcript of Proceedings on May 19, 2010	05/21/2010
22.	4241	Second Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	05/21/2010
23.	4242	Disclosure Statement for the Second Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	05/21/2010
24.	4456	Third Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	06/02/2010
25.	4470	Disclosure Statement for the Third Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	06/02/2010
26.	4688	Fourth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	06/14/2010
27.	4689	Disclosure Statement for the Fourth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	06/14/2010
28.	4850	Fifth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/01/2010

	Docket No.	Document Description	Doc Date
29.	4851	Disclosure Statement for the Fifth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/01/2010
30.	5548	Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	10/06/2010
31.	5549	Disclosure Statement for the Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	10/06/2010
32.	5714	Modification of Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	10/29/2010
33.	5724	Plan Supplement in Support of Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Washington Mutual, Inc.)	10/29/2010
34.	6012	Objection to Plan Confirmation [Redacted] (Filed by Official Committee of Equity Holders)	11/19/2010
35.	6020	Objection of the TPS Consortium to Confirmation of the Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code [Redacted]	11/19/2010
36.	6058	Objection to Confirmation of Plan of Reorganization (Filed by Nate Thoma.)	11/19/10
37.	6081	Second Modification of Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	11/24/2010
38.	6082	Debtors' Omnibus Response to Objections to Confirmation of the Debtors' Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	11/24/2010
39.	6099	Amended Plan Supplement in Support of Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	11/24/2010
40.	6114	Second Amendment to Plan Supplement in Support of Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	11/28/2010
41.	6144	Motion of the Official Committee of Equity Security Holders for Permission to File Supplemental Objection to Plan Confirmation	11/30/2010
42.	6214	Supplemental Objection of the Official Committee of Equity Security Holders to Plan Confirmation	12/02/2010
43.	6236	Transcript of Proceeding on December 1, 2010	12/06/2010
44.	6263	Chart Summarizing Objections to Confirmation of the Debtors' Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Washington Mutual, Inc.)	12/07/2010
45.	6265	Transcript of Proceeding on December 2, 2010	12/07/2010
46.	6266	Transcript of Proceeding on December 3, 2010	12/07/2010
47.	6269	Transcript of Proceeding on December 6, 2010	12/08/2010

	Docket No.	Document Description	Doc Date
48.	6293	Transcript of Proceeding on December 7, 2010	12/10/2010
49.	6381	Motion of the Official Committee of Equity Security Holders for Permission to File Second Supplemental Objection to Plan Confirmation	12/21/2010
50.	6446	Notice of Extension of Termination Date of Global Settlement Agreement (Filed by Washington Mutual, Inc.)	12/28/2010
51.	6528	Opinion Denying Confirmation of Sixth Amended Plan of Reorganization	01/07/2011
52.	6529	Order Denying Confirmation of Sixth Amended Plan of Reorganization	01/07/2011
53.	6567	Motion of the Official Committee of Equity Security Holders for an Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders	01/18/2011
54.	6568	Motion to Shorten Notice and Schedule Hearing on Motion of the Official Committee of Equity Security Holders for an Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders	01/18/2011
55.	6572	Objection of the Settlement Noteholders to the Motion to Shorten Notice and Schedule Hearing on Motion of the Official Committee of Equity Security Holders for an Order pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders Group	01/18/2011
56.	6607	Transcript of Proceeding on January 20, 2011	01/24/2011
57.	6617	Letter to Judge relating to Opinion regarding Plan of Reorganization (Filed by William Duke)	01/19/2011
58.	6645	Objection of Appaloosa Management, L.P. to the Motion of the Equity Committee for an Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders Group	01/31/2011
59.	6652	Objection of Aurelius Capital Management, LP to (I) the Motion of Official Committee of Equity Security Holders for an Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders Group and (II) Plan-Related Discovery Beyond the Scope of Plan Modifications	02/01/2011
60.	6655	Objection of Certain Funds Managed by Centerbridge Partners, L.P. to the Motion of the Official Committee of Equity Security Holders for an Order Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders Group	02/01/2011
61.	6660	Objection of Owl Creek Asset Management, L.P. to the Motion of the Official Committee of Equity Security Holders for an Order Pursuant to Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders Group	02/01/2011

	Docket No.	Document Description	Doc Date
62.	6683	Omnibus Reply in Support of Motion of the Official Committee of Equity Security Holders for an Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders Group (Filed by Official Committee of Equity Holders)	02/03/2011
63.	6696	Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	02/08/2011
64.	6697	Supplemental Disclosure Statement for the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	02/08/2011
65.	6705	Corrected Exhibit A to Supplemental Disclosure Statement for the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	02/08/2011
66.	6707	Transcript of Proceeding on February 8, 2011	02/09/2011
67.	6725	Order Granting, In Part, Motion of the Official Committee of Equity Security Holders for an Order Directing the Examination of the Washington Mutual, Inc. Settlement Noteholders Group	02/10/2011
68.	6769	Objection to the Modified Disclosure Statement (Filed by Bettina M. Haper)	02/22/2011
69.	6810	Rule 2019 Statement of Fried, Frank, Harris, Shriver & Jacobson LLP	02/28/2011
70.	6876	Objection to Supplemental Disclosure Statement for the Modified Sixth Amended Joint Plan (Filed by James Berg)	03/07/2011
71.	6886	Objection to the Supplemental Disclosure Statement for the Modified Sixth Amended Plan of Affiliated Debtors by Class Representatives of Dime Litigation Tracking Warrants	03/08/2011
72.	6902	Objection of the Official Committee of Equity Security Holders to Motion of Debtors for an Order (I) Approving the Proposed Supplemental Disclosure Statement and the Form and Manner of the Notice of the Proposed Supplemental Disclosure Statement Hearing, (II) Establishing Solicitation and Voting Procedures, (III) Scheduling a Confirmation Hearing, and (IV) Establishing Notice and Objection Procedures for Confirmation of the Debtors' Modified Plan	03/09/2011
73.	6903	Statement of the Washington Mutual Inc. Noteholders Group Regarding the Debtors' Supplemental Disclosure Statement for the Sixth Amended Joint Plan of Reorganization	03/09/2011
74.	6905	WMB Noteholders' Objection to Disclosure Statement	03/09/2011

	Docket No.	Document Description	Doc Date
75.	6906	Objection to (I) Supplemental Disclosure Statement for the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code and (II) Motion of Debtors for an Order, Pursuant to Sections 105, 502, 1125, 1126 and 1128 of the Bankruptcy Code and Bankruptcy Rules 2002, 3003, 3017, 3018 and 3020, (I) Approving the Proposed Supplemental Disclosure Statement and the Form and Manner of the Notice of the Proposed Supplemental Disclosure Statement Hearing, (II) Establishing Solicitation and Voting Procedures, (III) Scheduling a Confirmation Hearing, and (IV) Establishing Notice and Objection Procedures for Confirmation of the Debtors' Modified Plan (Filed by Black Horse Capital Management LLC.)	03/09/2011
76.	6908	Statement and Reservation of Rights by the Consortium of Trust Preferred Security Holders Regarding Debtors' Request for Approval of Supplemental Disclosure Statement for the Sixth Amended Joint Plan of Affiliated Debtors.	03/09/2011
77.	6915	Transcript of Proceedings on March 9, 2011	03/10/2011
78.	6927	Letter (Filed by Bettina M. Haper)	03/11/2011
79.	6957	Response of Aurelius Capital Management, LP To Certain Objections To Supplemental Disclosure Statement For The Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant To Chapter 11 of The United States Bankruptcy Code	03/16/2011
80.	6958	Response of Wells Fargo Bank, N.A. in its Capacity as Indenture Trustee and Guarantee Trustee, to Certain Objections to the Debtors' Supplemental Disclosure Statement	03/16/2011
81.	6963	Debtors' Omnibus Response to Objections to Motion of Debtors for an Order, Pursuant to Sections 105, 502, 1125, 1126, and 1128 of the Bankruptcy Code and Bankruptcy Rules 2002, 3003, 3017, 3018, and 3020, (I) Approving the Proposed Supplemental Disclosure Statement and the Form and Manner of the Notice of the Proposed Supplemental Disclosure Statement Hearing, (II) Establishing Solicitation and Voting Procedures, (III) Scheduling a Confirmation Hearing, and (IV) Establishing Notice and Objection Procedures for Confirmation of the Debtors' Modified Plan	03/16/2011
82.	6964	Modification of Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Washington Mutual, Inc.)	03/16/2011
83.	6965	Notice of Filing of Revised Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Washington Mutual, Inc.)	3/16/2011
84.	6966	Revised Supplemental Disclosure Statement for the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Washington Mutual, Inc.)	03/16/2011
85.	7017	Transcript of Proceeding on March 21, 2011	03/23/2011

	Docket No.	Document Description	Doc Date
86.	7038	Second Modification of Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11of the United States Bankruptcy Code (Filed by Washington Mutual, Inc.)	03/25/2011
87.	7040	Second Modification of Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code [Executed Version] (Filed by Washington Mutual, Inc.)	03/26/2011
88.	7081	Order (I) Approving the Proposed Supplemental Disclosure Statement and the Form and Manner of the Notice of the Proposed Supplemental Disclosure Statement Hearing, (II) Establishing Solicitation and Voting Procedures, (III) Scheduling a Confirmation Hearing, and (IV) Establishing Notice and Objection Procedures for Confirmation of the Debtors' Modified Plan.	03/30/2011
89.	7142	Transcript of Proceeding on April 13, 2011	04/14/2011
90.	7215	Objection to Modified Sixth Amended Joint Plan. (Filed by William Duke)	04/28/2011
91.	7217	Plan Supplement in Support of Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Washington Mutual, Inc.)	04/28/2011
92.	7281	Transcript of Proceeding on May 2, 2011	05/04/2011
93.	7475	Limited Objection of Normandy Hill Capital L.P. to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	05/13/2011
94.	7478	Objection of Securities Plaintiffs To Modified Sixth Amended Joint Plan Of Affiliated Debtors Pursuant To Chapter 11 Of The United States Bankruptcy Code (As May Be Amended) (Filed by Lead Plaintiffs and the Putative Class)	05/13/2011
95.	7479	Objection of Lead Plaintiffs To Modified Sixth Amended Joint Plan Of Affiliated Debtors Pursuant To Chapter 11 Of The United States Bankruptcy Code (As May Be Amended) (Filed by Metzler Investment GmbH, Walden Management Co. Pension Plan)	05/13/2011
96.	7480	Supplemental Objection of the Consortium of Trust Preferred Security Holders to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of The United States Bankruptcy Code Filed on February 7, 2011	05/13/2011
97.	7481	Corrected Exhibit Regarding Exhibit A to Objection of Normandy Hill Capital L.P. to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Normandy Hill Capital L.P.)	05/13/2011
98.	7482	Exhibits to Supplemental Objection of the Consortium of Trust Preferred Security Holders to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of The United States Bankruptcy Code, Filed on February 7, 2011 (Filed by Trust Preferred Holders)	05/13/2011
99.	7483	Objection to the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by WMB Noteholders)	05/13/2011

	Docket No.	Document Description	Doc Date
100.	7513	Objection to Modified Sixth Amended Joint Plan of Affiliated Debtors (Filed by Bettina M. Haper)	05/13/2011
101.	7516	Official Committee of Equity Security Holders' Fifth Amended First Deposition Notice to Owl Creek Asset Management, L.P.	05/17/2011
102.	7747	Notice of Filing of Further Corrected Exhibit Regarding Docket Nos. 7475 and 7481 (Filed by Normandy Hill Capital L.P.)	05/19/2011
103.	7807	Exhibit to Objection of Modified Sixth Amended Joint Plan (Filed by William Duke)	05/24/2011
104.	7815	Transcript of Proceeding on May 24, 2011	05/26/2011
105.	7906	Motion to File Under Seal: Motion for an Order Compelling Aurelius Capital Management, LP to Produce Documents (Filed by Official Committee of Equity Holders)	06/15/2011
106.	7911	Motion to Shorten Notice and Schedule Hearing on Motion for an Order Compelling Aurelius Capital Management, LP to Produce Documents (Filed by Official Committee Of Equity Security Holders)	06/16/2011
107.	7912	Objection to Confirmation of the Modified Sixth Amended Plan of Affiliated Debtors by Class Representatives of Dime Litigation Tracking Warrants	06/16/2011
108.	7919	Limited Objection of the Washington Mutual Inc. Noteholders Group to the Debtors' Modified Sixth Amended Joint Plan of Reorganization Pursuant to Chapter 11 of the United States Bankruptcy Code	06/17/2011
109.	7920	Supplemental Statement Of The Bank Of New York Mellon Trust Company, N.A. With Respect To Reorganized Common Stock	06/17/2011
110.	7921	Notice of Hearing to Consider Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	06/17/2011
111.	7925	Objection to Motion to Shorten Notice and Schedule Hearing On Motion of the Official Committee of Equity Security Holders for an Order Compelling Aurelius Capital Management, LP to Produce Documents	06/17/2011
112.	7930	Motion to Compel Owl Creek Asset Management, L.P., Appaloosa Management, L.P., Centerbridge Partners, L.P. and Aurelius Capital Management, LP To Produce Documents (Filed by Trust Preferred Holders.)	06/20/2011
113.	7931	Motion to Shorten Notice and Schedule a Hearing on Motion of the Trust Preferred Holders for an Order Compelling Owl Creek Asset Management, L.P., Appaloosa Management, L.P., Centerbridge Partners, L.P., and Aurelius Capital Management, LP to Produce Documents (Filed by Trust Preferred Holders)	06/20/2011
114.	7939	Response Statement of Wells Fargo Bank, N.A., in its Capacity as Indenture Trustee and Guarantee Trustee, in Connection With the Modified Sixth Amended Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	06/21/2011

	Docket No.	Document Description	Doc Date
115.	7940	Aurelius Capital Management, LP's Objection to Motion to Shorten Notice and Schedule Hearing on Motion of the Trust Preferred Holders for an Order Compelling Owl Creek Asset Management, L.P., Appaloosa Management, L.P., Centerbridge Partners, L.P., and Aurelius Capital Management, LP to Produce Documents	06/21/2011
116.	7951	Objection of Aurelius Capital Management, LP to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	06/22/2011
117.	7988	Emergency Motion to Compel Appaloosa, Centerbridge, and Owl Creek to Produce Documents (Filed by Official Committee of Equity Holders)	06/27/2011
118.	8001	Objection of Appaloosa Management L.P. to the Motion of the Trust Preferred Holders for an Order Compelling Owl Creek Asset Management, L.P., Appaloosa Management, L.P., Centerbridge Partners, L.P., and Aurelius Capital Management, LP to Produce Documents	06/28/2011
119.	8002	Objection of Certain Funds Managed by Centerbridge Partners, L.P. to the Motion of the Trust Preferred Securities Holders to Compel Production of Documents of the Washington Mutual, Inc. Settlement Noteholders	06/28/2011
120.	8004	Aurelius Capital Management, LP's Objection to Motion of the Official Committee of Equity Security Holders for an Order Compelling Production of Documents	06/28/2011
121.	8005	Aurelius Capital Management, LP's Objection to Motion of the Trust Preferred Holders for an Order Compelling Owl Creek Asset Management, L.P., Appaloosa Management, L.P., Centerbridge Partners, L.P., and Aurelius Capital Management, LP to Produce Documents	06/28/2011
122.	8006	Objection of Owl Creek Asset Management, L.P. to the Motion of Trust Preferred Holders for an Order Compelling Owl Creek Asset Management, L.P., Appaloosa Management, L.P., Centerbridge Partners, L.P. and Aurelius Capital Management, LP to Produce Documents	06/28/2011
123.	8011	Objection to the Emergency Motion of the Official Committee of Equity Security Holders for an Order Compelling Appaloosa, Centerbridge, and Owl Creek to Produce Documents (Filed by Appaloosa Management, L.P., Centerbridge Partners, L.P., and Owl Creek Asset Management L.P.)	06/28/2011
124.	8013	Statement of the Official Committee of Unsecured Creditors in Opposition to Motions to Compel Discovery Filed by the Official Committee of Equity Security Holders and the Trust Preferred Holders	06/28/2011
125.	8029	Notice of Filing of Motion to Compel without Exhibits (Filed by Official Committee of Equity Holders)	06/29/2011
126.	8030	Amended Motion to File Under Seal a Motion for an Order Compelling Aurelius Capital Management, LP to Produce Documents (Filed by Official Committee of Equity Holders)	06/29/2011
127.	8050	Order Approving Motion of Official Committee of Equity Security Holder to Seal Motion for an Order Compelling Aurelius Capital Management to Produce Documents	06/30/2011

	Docket No.	Document Description	Doc Date
128.	8051	Motion of the Official Committee of Equity Security Holders for an Order Compelling Aurelius Capital Management, LP to Produce Documents (Filed Under Seal)	06/30/2011
129.	8064	Transcript of Proceeding on June 29, 2011	07/01/2011
130.	8067	Reply by Class Representatives of Dime Litigation Tracking Warrant Holders to (I) Objection of Aurelius Capital Management, LP to Confirmation of the Debtors' Modified Sixth Amended Joint Plan, or, in the Alternative, (II) for the Court to Consider Whether Conversion of These Chapter 11 Cases to Chapter 7 of the Bankruptcy Code is Appropriate if, Assuming Arguendo, Aurelius' Position on Late-Filed Claims is Correct (which it is not), or for Other Appropriate Reasons Resulting from the Confirmation Hearing	07/01/2011
131.	8068	Objection to Confirmation of Plan (Filed by Charles S. McCurry)	07/01/2011
132.	8073	Objection of The Official Committee of Equity Security Holders to Confirmation of The Modified Sixth Amended Plan of Reorganization (Filed Under Seal)	07/01/2011
133.	8097	Consolidated Response Of The Bank of New York Mellon Trust Company, N.A. To Certain Objections To Confirmation of The Modified Sixth Amended Joint Plan Of Affiliated Debtors	07/07/2011
134.	8100	Second Supplemental Objection of the Consortium of Trust Preferred Security Holders to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/07/2011
135.	8101	Statement of Law Debenture Trust Company of New York in Support of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code and in Response to Certain Objections	07/08/2011
136.	8102	Notice of Service of the Consortium of Trust Preferred Security Holders' Pre- Confirmation Hearing Disclosures	07/08/2011
137.	8103	Response and Reservation of Rights of The Bank of New York Mellon Trust Company, N.A. With Respect to Objection of The Official Committee of Equity Security Holders to Confirmation Of The Modified Sixth Amended Joint Plan Of Affiliated Debtors	07/08/2011
138.	8105	Declaration of Jonathan Goulding in Support of Entry of an Order Confirming the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/08/2011
139.	8107	Statement of the Washington Mutual Inc. Noteholders Group in Support of Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code and Response to the Limited Objection Of Normandy Hill Capital L.P. and the Statement of Wells Fargo Bank, N.A.	07/08/2011
140.	8108	Declaration of David M. Sharp with Respect to the Tabulation of Votes On and Elections Pursuant to the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code with Respect to Securities Voting Classes	07/08/2011

	Docket No.	Document Description	Doc Date
141.	8109	Notice of Filing of Confirmation Hearing Exhibits of the Official Committee of Equity Security Holders	07/08/2011
142.	8110	Aurelius Capital Management, LP's Pre-Hearing Submissions in Connection with Confirmation	07/08/2011
143.	8112	Submission in Support of Confirmation of the Debtors' Modified Sixth Amended Joint Plan (Filed by JPMC)	07/08/2011
144.	8113	Corrected Declaration of Robert Q. Klamser with Respect to the Tabulation of Votes on and Elections Pursuant to the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/08/2011
145.	8114	Notice of Designation of Debtors' Witness List in Support of Confirmation	07/08/2011
146.	8115	Debtors' Pre-Hearing Submissions in Connection with Confirmation	07/08/2011
147.	8117	Motion to Compel Aurelius Capital Management, LP and Centerbridge Partners, L.P. to Produce Documents (Filed by Trust Preferred Holders)	07/08/2011
148.	8120	Debtors' Notice of Filing of Documents Related to Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/08/2011
149.	8121	Debtors' Memorandum of Law in Support of Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/08/2011
150.	8122	Debtors' Omnibus Response to Objections to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/08/2011
151.	8126	Response of Appaloosa Management L.P. to the Objection of the Official Committee of the Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/11/2011
152.	8127	Response of Appaloosa Management L.P. to the Objection of the Official Committee of the Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/11/2011
153.	8128	Response to Certain Objections Filed with Respect to the Modified Sixth Amended Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Wells Fargo Trustee)	07/11/2011
154.	8129	Response of Certain Funds Managed by Centerbridge Partners, L.P. to the Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Joint Plan of Reorganization	07/11/2011
155.	8131	Debtors' Supplemental Response to the Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization (Filed Under Seal)	07/11/2011
156.	8132	Owl Creek Asset Management, L.P.'s Response to the Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/11/2011

	Docket No.	Document Description	Doc Date
157.	8133	Joint Response of Appaloosa Management L.P., Centerbridge Partners, L.P. and Owl Creek Asset Management, L.P. to the Equity Committee's Objection and Certain Other Objections to the Confirmation of the Modified Sixth Amended Plan	07/11/2011
158.	8134	Omnibus Response of Aurelius Capital Management, LP to Certain Objections to Confirmation of Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/11/2011
159.	8140	Memorandum of Law of the Official Committee of Unsecured Creditors of Washington Mutual, Inc., et al., in Response to Certain Objections to Confirmation of the Debtors' Modified Sixth Amended Plan of Reorganization	07/11/2011
160.	8141	Aurelius Capital Management, LP's Objection to Motion of the Trust Preferred Holders for an Order Compelling Aurelius Capital Management, LP and Centerbridge Partners, LP to Produce Documents	07/11/2011
161.	8142	Reply of the Official Committee of Unsecured Creditors to Insider Trading and Equitable Conduct Arguments set forth in Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/11/2011
162.	8146	Rebuttal Designations of Appaloosa Management L.P., Centerbridge Partners, L.P. and Owl Creek Asset Management, L.P. in Connection with Confirmation	07/11/2011
163.	8147	Appaloosa Management L.P.'s, Centerbridge Partners, L.P.'s and Owl Creek Asset Management, L.P.'s Objections to the Equity Committee's Deposition Designations and Exhibit List	07/11/2011
164.	8148	Aurelius Capital Management, LP's Reservation of Rights and Joinder to Appaloosa Management L.P.'s, Centerbridge Partners, L.P.'s, and Owl Creek Asset Management, L.P.'s Objections to the Equity Committee's Deposition Designations and Exhibit List	07/11/2011
165.	8153	Joinder to the Objection of The Official Committee of Equity Security Holders to Confirmation of The Modified Sixth Amended Plan of Reorganization (Filed by Trust Preferred Holders)	07/11/2011
166.	8154	Joinder of the Trust Preferred Holders to the Confirmation Hearing Exhibits of the Official Committee of Equity Security Holders	07/11/2011
167.	8155	Joinder to Second Supplemental Objection of the Consortium of Trust Preferred Security Holders to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Filed by Official Committee of Equity Holders)	07/11/2011
168.	8157	Aurelius Capital Management, LP's Pre-Hearing Rebuttal Submissions in Connection with Confirmation	07/11/2011
169.	8158	Supplemental Rebuttal Designations of Centerbridge Partners, L.P. in Connection with Confirmation	07/11/2011
170.	8163	Debtors' Omnibus Objections to Pre-Hearing Submissions and Updated Exhibit List in Connection With Confirmation	07/12/2011

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171.	8171	Objection of Certain Funds Managed by Centerbridge Partners, L.P. to the Motion of the Trust Preferred Securities Holders to Compel Production of Documents	07/12/2011
172.	8172	Joinder to Debtors' Omnibus Objections to Pre-Hearing Submissions and Additional Objections to Proposed Confirmation Exhibits (Filed by JPMC)	07/12/2011
173.	8176	Debtors' Response to the First and Second Supplemental Objections of the Consortium of Trust Preferred Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/12/2011
174.	8179	Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of Debtors' Estates (Filed Under Seal)	07/12/2011
175.	8180	Equity Committee's Objections to Pre-Hearing Submissions and Updated Exhibit List in Connection with Confirmation	07/12/2011
176.	8181	Motion to Shorten Notice and Schedule Hearing on the Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of the Debtors' Estates (Filed Under Seal)	07/12/2011
177.	8184	Reply of the Official Committee of Unsecured Creditors to Insider Trading and Equitable Conduct Arguments Set Forth in Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization (Unredacted)	07/12/2011
178.	8185	Debtors' Memorandum of Law in Support of Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Unredacted)	07/12/2011
179.	8186	Debtors' Omnibus Response to Objections to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code (Unredacted)	07/12/2011
180.	8188	Debtors' Supplemental Response to the Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization (Unredacted)	07/12/2011
181.	8190	Response of Appaloosa Management L.P. to the Objection of the Official Committee of the Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/12/2011
182.	8191	Omnibus Response of Aurelius Capital Management, LP to Certain Objections to Confirmation of Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	07/12/2011
183.	8192	Objection of The Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/12/2011
184.	8193	Response of Certain Funds Managed by Centerbridge Partners, L.P. to the Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Joint Plan of Reorganization	07/12/2011

	Docket No.	Document Description	Doc Date
185.	8194	Owl Creek Asset Management, L.P.'s Response to the Objection of the Official Committee of Equity Security Holders to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/12/2011
186.	8196	Joint Response of Appaloosa Management L.P., Owl Creek Asset Management, L.P. and Centerbridge Partners, L.P. to the Objection of the Official Committee of Equity Security Holders and Certain Other Objectors to Confirmation of the Modified Sixth Amended Plan of Reorganization	07/12/2011
187.	8200	Debtors' Notice of Filing Additional Plan Supplement Documents	07/12/2011
188.	8202	Notice of Filing of Second Updated Confirmation Hearing Exhibit List of the Official Committee of Equity Security Holders	07/13/2011
189.	8203	Notice of Filing of Debtors' Confirmation Exhibit List	07/13/2011
190.	8219	Supplemental Rebuttal Designations of Appaloosa Management L.P., Centerbridge Partners, L.P. and Owl Creek Asset Management, L.P. in Connection with Confirmation	07/13/2011
191.	8222	Notice of Filing of Third Updated Confirmation Hearing Exhibit List of the Official Committee of Equity Security Holders	07/14/2011
192.	8262	Transcript of Proceeding on July 13, 2011	07/18/2011
193.	8269	Notice of Filing of Fourth Updated Confirmation Hearing Exhibit List of the Official Committee of Equity Security Holders	07/19/2011
194.	8270	Transcript of Proceeding on July 14, 2011	07/19/2011
195.	8288	Statement in Support of Second Supplemental Objection of the Consortium of Trust Preferred Security Holders to Confirmation of Plan (Filed by Philipp Schnabel)	07/21/2011
196.	8291	Reservation of Rights of the FDIC-Receiver in Response to Equity Committee Motion for Authority to Commence and Prosecute Claims	07/21/2011
197.	8295	Transcript of Proceeding on July 15, 2011	07/22/2011
198.	8296	Transcript of Proceeding on July 18, 2011	07/22/2011
199.	8297	Transcript of Proceeding on July 19, 2011	07/22/2011
200.	8303	Transcript of Proceeding on July 20, 2011	07/25/2011
201.	8304	Notice of Filing Final Confirmation Hearing Exhibit List of the Official Committee of Equity Security Holders	07/25/2011
202.	8309	Transcript of Proceeding on July 21, 2011	07/26/2011
203.	8359	Joint Submission of the Official Committee of Equity Security Holders and JPMorgan Chase Bank, N.A. Concerning the Equity Committee's Oral Motion to Admit Designations from the Deposition of Travis Epes	08/01/2011

	Docket No.	Document Description	Doc Date
204.	8389	Joinder of Appaloosa Management L.P., Centerbridge Partners, L.P. and Owl Creek Asset Management, L.P. to the Objection by JPMorgan Chase Bank, N.A. to the Equity Committee's Oral Motion for the Admission of Designated Portions of the Travis Epes Deposition	08/05/2011
205.	8401	Reply of the Official Committee of Equity Security Holders in Support of Its Motion to Admit Designations from the Deposition of Travis Epes	08/08/2011
206.	8406	Objection to Confirmation of Plan (Filed by Kermit R. Kubitz)	08/09/2011
207.	8407	Written Argument Regarding Objection of Modified Sixth Amended Joint Plan. (Filed by James Berg)	08/09/2011
208.	8408	Closing Argument to Objection to Modified Sixth Amended Joint Plan (Filed by William Duke)	08/09/2011
209.	8409	Closing Argument to Objection to Modified Sixth Amended Joint Plan (Filed by Philipp Schnabel)	08/09/2011
210.	8410	Post-Confirmation Hearing Submission of the Washington Mutual Inc. Noteholders Group In Support of Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	08/10/2011
211.	8412	Post-Confirmation Hearing Written Submission of Law Debenture Trust Company of New York in Support of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code	08/10/2011
212.	8414	Post-Hearing Brief in Support of Plan Confirmation (Filed by Wells Fargo)	08/10/2011
213.	8415	Post-Confirmation Hearing Brief of the Official Committee of Unsecured Creditors in Support of Confirmation (Issues Other Than Alleged Insider Trading)	08/10/2011
214.	8416	Sur-Reply to Limited Objection to Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors (Filed by Normandy Hill)	08/10/2011
215.	8417	Memorandum of Law/Brief By Class Representatives of Dime Litigation Tracking Warrant Holders in Opposition to Confirmation of The Debtors Modified Sixth Amended Joint Plan	08/10/2011
216.	8419	Post-Confirmation Hearing Brief Of The Official Committee Of Unsecured Creditors In Support Of Confirmation Of The Modified Sixth Amended Plan Of Reorganization With Respect To Insider Trading And Equitable Conduct Issues	08/10/2011
217.	8420	Objection of the Official Committee of Unsecured Creditors to Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of Debtors' Estates	08/10/2011
218.	8422	Post-Hearing Submission of JPMorgan Chase Bank, N.A. in Support of Confirmation of the Debtors' Modified Sixth Amended Joint Plan	08/10/2011
219.	8423	Third Modification of Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	08/10/2011

	Docket No.	Document Description	Doc Date
220.	8424	Debtors' Objection to Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of Debtors' Estates	08/10/2011
221.	8427	Joint Post Trial Brief of Appaloosa Management L.P., Centerbridge Partners, L.P. and Owl Creek Asset Management, L.P. in Connection with Confirmation of the Modified Sixth Amended Plan (Filed Under Seal)	08/10/2011
222.	8428	Appaloosa Management L.P.'s Post-Hearing Brief in Connection with Confirmation of the Modified Sixth Amended Joint Plan of Reorganization (Filed Under Seal)	08/10/2011
223.	8429	Owl Creek Asset Management, L.P.'s Post-Confirmation Hearing Memorandum Supporting Confirmation of the Modified Sixth Amended Plan of Reorganization (Filed Under Seal)	08/10/2011
224.	8430	Post-Confirmation Hearing Brief of Centerbridge Partners, L.P. in Support of the Modified Sixth Amended Plan of Reorganization (Filed Under Seal)	08/10/2011
225.	8431	Reply of The WMB Noteholders to the Responses of the Debtors, Official Committee of Unsecured Creditors and the PIERS Trustee to The WMB Noteholders' Objection to the Debtors' Modified Sixth Amended Joint Reorganization Plan (Filed Under Seal)	08/10/2011
226.	8432	Objection of Certain Funds Managed by Centerbridge Partners, L.P. to the Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of Debtors Estates (Filed Under Seal)	08/10/2011
227.	8433	Post-Hearing Memorandum of Aurelius Capital Management, LP (Redacted)	08/10/2011
228.	8434	Objection of Aurelius Capital Management, LP to Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of Debtors' Estates (Filed Under Seal)	08/10/2011
229.	8438	The TPS Consortium's Post-trial Brief in Further Opposition to the Debtors' Modified Sixth Amended Joint Plan	08/10/2011
230.	8439	Debtors' Post-Hearing Brief in Further Support of Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code	08/10/2011
231.	8440	Post-Hearing Brief of the Official Committee of Equity Holders in Opposition to Confirmation of the Debtors Modified Sixth Amended Plan of Reorganization (Filed Under Seal)	08/10/2011
232.	8443	Appendix to the TPS Consortium's Post-trial Brief in Further Opposition to the Debtors' Modified Sixth Amended Joint Plan	08/11/2011
233.	8445	Post-Trial Memorandum of Certain Trust Preferred Holders (Filed Under Seal)	08/11/2011
234.	8446	Closing Argument to Objection to Modified Sixth Amended Joint Plan of Affiliated Debtors (Filed by Bettina Haper)	08/11/2011

	Docket No.	Document Description	Doc Date
235.	8448	Closing Argument to Objection to Modified Sixth Amended Joint Plan of Affiliated Debtors (Filed by Charles McCurry)	08/10/2011
236.	8476	Post-Confirmation Hearing Brief of the Official Committee of Unsecured Creditors in Support of Confirmation of the Modified Sixth Amended Plan of Reorganization with Respect to Insider Trading and Equitable Conduct Issues	08/15/2011
237.	8482	Joint Post Trial Brief of Appaloosa Management L.P., Centerbridge Partners, L.P. and Owl Creek Asset Management, L.P. in Connection with Confirmation of the Modified Sixth Amended Plan	08/15/2011
238.	8483	Appaloosa Management L.P.'s Post-Hearing Brief in Connection with Confirmation of the Modified Sixth Amended Joint Plan of Reorganization	08/15/2011
239.	8484	Owl Creek Asset Management, L.P.'s Post-Confirmation Hearing Memorandum Supporting Confirmation of the Modified Sixth Amended Plan of Reorganization	08/15/2011
240.	8485	Post-Confirmation Hearing Brief of Centerbridge Partners, L.P. in Support of the Modified Sixth Amended Plan of Reorganization	08/15/2011
241.	8486	Joint Appendix of Appaloosa Management L.P., Owl Creek Asset Management, L.P. and Centerbridge Partners, L.P. in Connection with Post-Confirmation Hearing Submissions	08/15/2011
242.	8487	Post-Hearing Memorandum of Aurelius Capital Management, LP	08/15/2011
243.	8488	Redacted Post-Trial Memorandum of Certain Trust Preferred Holders	08/15/2011
244.	8489	Objection of Certain Funds Managed by Centerbridge Partners, L.P. to the Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of Debtors' Estates	08/15/2011
245.	8490	Objection of Aurelius Capital Management, LP to Motion for an Order Authorizing the Official Committee of Equity Security Holders to Commence and Prosecute Certain Claims of Debtors' Estates	08/15/2011
246.	8491	[Revised] Post-Hearing Brief of the Official Committee of Equity Security Holders in Opposition to Confirmation of the Debtors' Modified Sixth Amended Plan of Reorganization	08/15/2011
247.	8492	[Blackline] [Revised] Post-Hearing Brief of the Official Committee of Equity Security Holders in Opposition to Confirmation of the Debtors' Modified Sixth Amended Plan of Reorganization	08/15/2011
248.	8494	Amended Post-Trial Memorandum of Certain Trust Preferred Holders (Filed Under Seal)	08/16/2011
249.	8530	Response to Notice Regarding Arguments with Respect to (I) Confirmation of the Modified Sixth Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code, and (II) Motion of Equity Committee to Commence and Prosecute Certain Claims of Debtors' Estates (Filed by William Duke)	08/23/2011
250.	8553	Transcript of Proceedings on August 24, 2011	08/29/2011

	Docket No.	Document Description	Doc Date
251.	8559	August 29, 2011 Letter On Behalf of Centerbridge Partners, L.P. Addressing Simon Debartolo Group, L.P. v. Richard E. Jacobs Group, Inc.	08/29/2011
252.	8612	Opinion Denying Confirmation of Modified Plan, Granting Motion of Equity Committee for Standing to Prosecute Claim [Stayed Pending Mediation]	09/13/2011
253.	8613	Order Denying Confirmation of Modified Plan, Granting Motion of Equity Committee for Standing to Prosecute Claim [Stayed Pending Mediation]	09/13/2011
254.	8653	Notice of Status Hearing Regarding Mediation and Issues Related Thereto	9/22/11
255.	8670	Notice of Appeal (Filed by Aurelius Capital Management, LP)	9/27/11
256.	8671	Notice of Appeal (Filed by Normandy Hill Capital L.P.)	9/27/11
257.	8672	Motion for Leave to Appeal (Filed by Aurelius Capital Management, LP)	9/27/11
258.	8673	Notice of Appeal (Filed by Appaloosa Management, L.P., Centerbridge Partners, L.P., Owl Creek Asset Management L.P.)	9/27/11
259.	8674	Motion for Leave to Appeal (Filed by Appaloosa Management, L.P., Centerbridge Partners, L.P., Owl Creek Asset Management L.P.)	9/27/11
260.	8675	Memorandum of Law in Support of Motion for Leave to Appeal From the Decision of the Bankruptcy Court or, Alternatively, for Issuance of a Writ of Mandamus (Filed by Appaloosa Management, L.P., Centerbridge Partners, L.P., Owl Creek Asset Management L.P.)	9/27/11
261.	8679	Notice of Appeal (Filed by The WMB Noteholders)	9/27/11
262.	8726	Notice of Appeal (Filed by the Official Committee of Unsecured Creditors)	10/04/2011
263.	8727	Motion of the Official Committee of Unsecured Creditors for Leave to Appeal from the Portion of the September 13, 2011 Opinion and Order of the Bankruptcy Court Granting Standing to the Equity Committee to Prosecute Claims for Equitable Disallowance	10/04/2011

	Exhibit No.	Document Description	Doc Date
264.	AOC 014	Owl Creek Compliance Manual, dated January 2011 (Filed Under Seal)	01/2011
265.	AOC 015	Owl Creek Compliance Manual, dated September 2009 (Filed Under Seal)	09/2009
266.	AOC 016	Owl Creek Compliance Manual, dated April 2008 (Filed Under Seal)	04/2008
267.	AOC 018	Owl Creek Trading Records (Filed Under Seal)	
268.	AOC 019	Owl Creek Trading Records (Filed Under Seal)	
269.	AOC 054	Centerbridge Trading Records (Filed Under Seal)	

	Exhibit No.	Document Description	Doc Date
270.	AOC 058	Transcript of Proceeding on March 12, 2010	3/12/2010
271.	AOC 060	Underlying TRACE report data	
272.	AOC 062	Appaloosa Trade Printout (Filed Under Seal)	
273.	AOC 067	Centerbridge Partners' Positions in WMI PIERS Notes by Month (Filed Under Seal)	
274.	AU 008	Aurelius Trading Records from 10/8/2008-9/30/2010 (Filed Under Seal)	
275.	AU 012	WCI Communities Confidentiality Agreement	6/30/2008
276.	AU 016	Aurelius/WaMu Confidentiality Agreement	3/9/2009
277.	AU 017/ EC 03	Aurelius Ethical Wall Policy (Filed Under Seal)	3/9/2009
278.	AU 018	Debtors' Proposed Term Sheet and Email	3/11/2009
279.	AU 019/ EC 030	JPMC Proposed Term Sheet	3/18/2009
280.	AU 022	Dan Gropper Email to Bill Kosturos	4/29/2009
281.	AU 023	Letter from Brian Rosen to Gerard Uzzi in response to Gropper 4/29/2009 email	4/30/2009
282.	AU 024 [Dkt. 970]	Debtors' March 2009 Monthly Operating Report	4/30/2009
283.	AU 026	General Motors Confidentiality Agreement	5/28/2009
284.	AU 027	Aurelius/WaMu Confidentiality Agreement	11/16/2009
285.	AU 028	Debtors' November 2009 Term Sheet	11/23/2009
286.	AU 029	Email from Debtors & Counsel with JPMC Counter Proposal	11/30/2009
287.	AU 031	Email from Brian Rosen to Matthew Roose, forwarded to Aurelius	12/28/2009
288.	AU 032 [Dkt. 2077]	Debtors' November 2009 Monthly Operating Report	12/30/2009
289.	AU 038	Lehman Brothers Confidentiality Agreement	6/14/2011
290.	AU 039	Capmark Financial Group Confidentiality Agreement	10/12/2009
291.	CB 036	Centerbridge Partners' Month-End Positions in WMI Securities (All Classes) (Filed Under Seal)	
292.	CB 038	E-mail from Mr. Rosen to Brad Scheler	
293.	DX 402	Second Amendment to Second Amended and Restated Settlement Agreement	7/8/2011
294.	DX 408	Confidentiality Agreement with Fried, Frank, Harris Shriver & Jacobson LLP	11/11/2008
295.	DX 422	Amendment to Second Amended and Restated Settlement Agreement	2/8/2011
296.	DX 427	Form 8K filed by Washington Mutual with the SEC filing its March Monthly Operating Report	

	Exhibit No.	Document Description	Doc Date
297.	DX 428	November 2009 Monthly Operating Report filed by Debtors on December 30, 2009	12/30/2009
298.	EC 007	Email from G. Balasingam to B. Rosen re: term sheet sent to Appaloosa/Centerbridge	1/29/2009
299.	EC 008	Email from B. Rosen to B. Pfeiffer re: JPMC response to draft proposal	3/19/2009
300.	EC 009	WMI/JPMC Settlement Term Sheet Draft	3/18/2009
301.	EC 011	WMI/JPMC Settlement Position Overview Draft	4/24/2009
302.	EC 013	Email from D. McCree to J. Aronson, D. Tepper re: Wamu proposal	8/18/2009
303.	EC 014	JPMC Response to Settlement Proposal Draft	8/17/2009
304.	EC 019	Appaloosa Insider Trading Policies (Filed Under Seal)	
305.	EC 024	Washington Mutual Inc. Confidentiality Agreement with Appaloosa Management on behalf of certain funds for which it acts as investment advisor	3/9/2009
306.	EC 025 / AU 024	March 2009 Monthly Operating Report of Washington Mutual, Inc.	3/00/2009
307.	EC 026	Email from B. Pfeiffer to Appaloosa re: WMI Term sheet	3/9/2009
308.	EC 026A	WMI Term Sheet attached to email from B. Pfeiffer to Appaloosa re: WMI Term Sheet	3/9/2009
309.	EC 027	Email from B. Pfeiffer to J. Bolin re: WMI Term Sheet	3/13/2009
310.	EC 028	WMI Term sheet SGM draft	3/11/2009
311.	EC 029	Email from B. Pfeiffer to Appaloosa, Centerbridge re: JPMC Response to draft proposal	3/19/2009
312.	EC 030	WMI/JPMC Settlement Term Sheet	3/18/2009
313.	EC 031	Washington Mutual Inc. Litigation update prepared by Quinn Emanuel (public information version)	9/14/2009
314.	EC 033	WMB Bondholder's Proposal, dated October 18, 2009	10/18/2009
315.	EC 035	Email from B. Kosturos to B. Rosen re: JPM term sheet	10/28/2009
316.	EC 036	Email from B. Rosen to M. Roose re: WMI Confidentiality Agreement	11/10/2009
317.	EC 037	Appaloosa Management Confidentiality Agreement	11/16/2009
318.	EC 039	Monthly Operating Report of WMI for 11/1/2009- 11/30/2009	11/00/2009
319.	EC 041	Email from J. Buono to B. Rosen, B. Kosturos re: WMI term sheet	2/9/2010
320.	EC 042	Email from B. Scheler to Fried Frank re: Waterfall comparison	3/23/2010
321.	EC 043	Chart re: High Level Recovery — Proposed Waterfall Distribution	6/30/2010
322.	EC 044	WMI Inc. Bankruptcy Distributions (redacted)	
323.	EC 045	WMI Inc. Bankruptcy Distributions (redacted)	

	Exhibit No.	Document Description	Doc Date
324.	EC 103	Centerbridge Compliance Manual Relating to its Investment Activities Effective as of December 1, 2007 (Filed Under Seal)	12/1/2007
325.	EC 107	Email from B. Pfeiffer to V. Melwani re: WMI plan term sheet	1/22/2009
326.	EC 111	Confidentiality Agreement with Centerbridge Partners, Washington Mutual Inc. and WMI Investment Corp.	3/9/2009
327.	EC 115	Email from D. McCree to J. Aron re: JPMC response to settlement proposal	8/18/2009
328.	EC 117	Confidentiality Agreement with Centerbridge Partners, Washington Mutual Inc. and WMI Investment Corp.	11/16/2009
329.	EC 118	Email from J. Bolin to B. Kosturos re: tax split negotiations	11/20/2009
330.	EC 119	Email from B. Kosturos to V. Melwani re: WMI proposed term sheet	11/23/2009
331.	EC 120	Email from B. Kosturos to J. Bolin, V. Melwani re: JPM proposal	11/30/2009
332.	EC 122	Email from J. Hart to S. Fedorenko, V. Melwani, B. Bolin re: call	12/17/2009
333.	EC 125	Email from J. Buono to B. Rosen, B. Kosturos re: WMI plan term sheet	2/9/2010
334.	EC 126	Email from B. Rosen to M. Roose re: WMI 2/25/2010 meeting agenda	2/25/2010
335.	EC 132	Owl Creek redacted document WMMRC	
336.	EC 133	Owl Creek Privilege Log	
337.	EC 134	Owl Creek redacted document re: valuation	
338.	EC 135	Chart re: Wamu Waterfall (redacted)	3/2010
339.	EC 136	Chart re: Wamu Waterfall (redacted)	8/2010
340.	EC 138	Chart re: assets WMMRC (redacted)	
341.	EC 139	Owl Creek chart re: assumptions	
342.	EC 140	WMI Term Sheet (WGM draft)	3/5/2009
343.	EC 141	Washington Mutual Confidentiality Agreement (Limited) with Owl Creek Asset Management	3/9/2009
344.	EC 142	Email from M. Walsh to H. Feldstein re: WMI draft term sheet	3/12/2009
345.	EC 143	WMI Term Sheet (WGM draft)	3/11/2009
346.	EC 144	Email from H. Feldstein to M. Walsh re: JPMC response to draft proposal	3/19/2009
347.	EC 145	WMI/JPMC Settlement Term Sheet (S&C draft)	3/19/2009
348.	EC 146	Email from G. Uzzi to D. Krueger (redacted)	5/8/2009
349.	EC 148	Washington Mutual Inc. Confidentiality Agreement with Owl Creek Asset Management	11/16/2009
350.	EC 150	Owl Creek chart re: confidential settlement discussion	
351.	EC 201	Email from S. Friedman to M. Walsh re: WMI/JPMorgan/FDIC Team Updates	2/27/2009

	Exhibit No.	Document Description	Doc Date
352.	EC 203	Email from B. Rosen to Fried Frank, White & Case, Akin Gump re: FDIC Conference call	6/17/2009
353.	EC 211	Email from B. Kosturos to D. McCree re: summary of revised term sheet	3/3/2010
354.	EC 212	Email from B. Kosturos to B. Rosen re: JPMC term sheet	10/28/2009
355.	EC 215	Email from B. Pfeiffer to D. Tepper re: April 2009 terms sheets	7/1/2009
356.	EC 216	Email from B. Pfeiffer to B. Rosen, B. Kosturos re: final holdings of Centerbridge and Appaloosa	4/7/2009
357.	EC 219	Email from B. Kosturos to V Melwani and J. Bolin re: WMI proposed term sheet	11/20/2009
358.	EC 220	Email from B. Kosturos to J. Bolin and V. Melwani re: Revised Term Sheet — WMI Proposed Term Sheet	11/23/2009
359.	EC 221	Email from B. Pfeiffer to WaMu-Centerbridge & Matthew Roose re: WMI Term Sheet	3/13/2009
360.	EC 275	Email from M. Roose to B. Rosen, B. Kosturos re: WMI meeting	2/24/2010
361.	EC 276	Email from B. Rosen to M. Roose re: WMI meeting agenda	2/25/2010
362.	EC 277	Email from B. Scheler to B. Rosen, M. Roose, B. Kosturos re: WMI FDIC	2/28/2010
363.	EC 279	Email from J. Bolin to B. Kosturos re: meeting at JPMC	3/1/2010
364.	EC 280	Email from B. Rosen to B. Scheler re: JPM and FDIC	3/2/2010
365.	EC 281	Email from B. Scheler to B. Rosen re: JPM and FDIC	3/2/2010
366.	EC 282	Email from B. Scheler to B. Rosen, B. Kosturos re: Proposed Meeting	3/4/2010
367.	EC 283	Email from C. Wells to B. Scheler re: DCF Models	3/23/2010
368.	EC 285	Email from S. Nagle to J. Bolin re: Status of Amendment	9/29/2010
369.	EC 286	Email from E. Chan to M. Roose, J. Goulding re: PIERS Claim	5/18/2010
370.	EC 287	Email from E. Chan to M. Roose, T. Sapeika, D. Gropper, M. Brodsky re: WMI PIERS	5/17/2010
371.	EC 289	Email from B. Scheler to B. Rosen, M. Roose re: meeting	5/7/2010
372.	EC 297	Email from B. Rosen to C. Smith enclosing draft Settlement Agreement	2/28/2010
373.	EC 298	Email from B. Rosen to S. Friedman enclosing draft Settlement Agreement	3/5/2010
374.	EC 301	List of nominal weekly average 1-year constant maturity yield — the Federal Judgment Rate 9/26/2008-6/16/2011	9/26/2008
375.	EC 302	Graph re: list of nominal weekly average 1-year constant maturity yield — the Federal Judgment Rate 9/26/2008-6/16/2011	9/26/2008
376.	EC 304	Email from B. Rosen to C. Smith re: settlement communication	1/12/2010
377.	EC 305	Email from C. Smith to D. McCree re: term sheet	12/8/2005
378.	EC 306	Email from B. Kosturos to D. McCree	12/11/2009

	Exhibit No.	Document Description	Doc Date
379.	EC 308	Email from B. Scheler to B. Kosturos	5/16/2010
380.	EC 309	Email from B. Rosen to S. Nagle	5/14/2010
381.	W&C 001	WMI First Supplemental Indenture and Second Supplemental Indenture, dated as of August 1, 2002 and November 20, 2002, respectively	8/1/2002
382.	W&C 002	Washington Mutual Inc. Standard Multiple-Series Indenture	4/2002
383.	W&C 003	CCB Capital Trust IV Guarantee dated as of November 1, 2007	11/1/2007
384.	W&C 004	CCB Capital Trust IV Indenture dated as of September 25, 2003	9/25/2003
385.	W&C 005	CCB Capital Trust VI Guarantee dated as of November 1, 2007	11/1/2007
386.	W&C 006	CCB Capital Trust VI Indenture dated as of March 31, 2004	3/31/2004
387.	W&C 007	First Supplemental PIERS Indenture dated as of April 30, 2001	4/30/2001
388.	WMI-NG #1	First Supplemental Indenture Between Washington Mutual, Inc. and the Bank of New York, as Trustee	12/7/10
389.	WMI-NG #2	Indenture by and between Washington Mutual Inc. and The Bank of New York, as Trustee	12/7/10
390.	WMI-NG #3	First Supplemental Indenture dated April 30, 2001 between Washington Mutual Inc. and the Bank of New York, as Trustee	12/7/10
391.	WMI-NG #4	Washington Mutual Inc. Standard Multiple-Series Indenture Provisions	12/7/10

JPMorgan Chase Bank, N.A. v. Washington Mutual, Inc., et al.., Adv. Pro. No. 09-50551 (MFW)

	Docket No.	Document Description	Doc Date
392.	1	Adversary case 09-50551. Complaint by JPMorgan Chase Bank, National Association against Washington Mutual, Inc., WMI Investment Corp., Federal Deposit Insurance Corporation	4/27/2009
393.	23	WMI Investment Corp.'s Answer in Response to the Complaint of JPMorgan Chase Bank, N.A. Counterclaim by WMI Investment Corp., Washington Mutual, Inc. against JPMorgan Chase Bank, N.A. in Response to the Complaint of JPMorgan Chase Bank, N.A.	5/29/2009

JPMorgan Chase Bank, N.A. v. Washington Mutual, Inc., et al.., Adv. Pro. No. 09-50934 (MFW)

	Docket No.	Document Description	Doc Date
394.	1	Adversary case 09-50934. Complaint for Turnover of Estate Property by Washington Mutual, Inc., WMI Investment Corp. against JPMorgan Chase Bank, N.A.	4/27/2009
395.	14	Motion of Plaintiffs Washington Mutual, Inc. and WMI Investment Corp. for Summary Judgment	5/19/2009
396.	15	Brief in Support of the Motion of Plaintiffs for Summary Judgment (Filed by WMI Investment Corp., Washington Mutual, Inc.)	5/19/2009

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CERTIFICATE OF SERVICE

I, John H. Schanne, II, hereby certify that on the 18th day of October, 2011, I did serve the foregoing by causing a copy of the **OFFICIAL COMMITTEE OF UNSECURED**CREDITORS' STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON

APPEAL to be served via United States mail, first class, postage pre-paid, upon those parties listed on the attached service list.

/s/ John H. Schanne, II

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