

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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<i>In re:</i>	:	<b>Chapter 11</b>
	:	
WASHINGTON MUTUAL, INC., <u>et al.</u> , <sup>1</sup>	:	<b>Case No. 08-12229 (MFW)</b>
	:	
<b>Debtors.</b>	:	<b>(Jointly Administered)</b>
	:	
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	:	
WASHINGTON MUTUAL, INC., <u>et al.</u> ,	:	
	:	
<b>Appellants,</b>	:	<b>Civil Action No. 11-1004-GMS</b>
	:	
v.	:	
	:	
<b>OFFICIAL COMMITTEE OF EQUITY</b>	:	
<b>SECURITY HOLDERS,</b>	:	
	:	
<b>Appellee.</b>	:	
	:	
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	:	
<b>AURELIUS CAPITAL MANAGEMENT, LP,</b>	:	
<b><u>et al.</u>,</b>	:	
	:	
<b>Appellants,</b>	:	<b>Civil Action No. 11-971-GMS</b>
	:	
v.	:	
	:	
WASHINGTON MUTUAL, INC., <u>et al.</u> ,	:	
	:	
<b>Appellees.</b>	:	
	:	
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<sup>1</sup> The Debtors in these chapter 11 cases along with the last four digits of each Debtor’s federal tax identification number are: (i) Washington Mutual, Inc. (3725); and (ii) WMI Investment Corp. (5395). The Debtors’ principal offices are located at 1201 Third Avenue, Suite 3000, Seattle, Washington 98101.



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**APPALOOSA MANAGEMENT L.P., et al.,** :  
 :  
 : **Civil Action No. 11-979-GMS**  
 :  
**Appellants,** :  
 :  
**v.** :  
 :  
**OFFICIAL COMMITTEE OF EQUITY** :  
**SECURITY HOLDERS, et al.,** :  
 :  
**Appellees.** :  
 :  
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 :  
**OFFICIAL COMMITTEE OF** :  
**UNSECURED CREDITORS,** :  
 : **Civil Action No. 11-1001-GMS**  
 :  
**Appellant,** :  
 :  
**v.** :  
 :  
**OFFICIAL COMMITTEE OF EQUITY** :  
**SECURITY HOLDERS,** :  
 :  
**Appellee.** :  
 :  
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 :  
**OFFICIAL COMMITTEE OF EQUITY** :  
**SECURITY HOLDERS,** :  
 : **Civil Action No. 11-1032-GMS**  
 :  
**Appellant,** :  
 :  
**v.** :  
 :  
**AURELIUS CAPITAL MANAGEMENT, LP,** :  
**et al.,** :  
 :  
**Appellees.** :  
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**WELLS FARGO BANK, NATIONAL** :  
**ASSOCIATION,** :  
 :  
**Civil Action No. 11-1107-GMS** :  
 :  
**Appellants,** :  
 v. :  
 :  
**BANK OF NEW YORK MELLON TRUST** :  
**COMPANY N.A., et al.,** :  
 :  
**Appellees.** :  
 :  
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**NORMANDY HILL CAPITAL LP,** :  
 :  
**Civil Action No. 11-1027-GMS** :  
 :  
**Appellants,** :  
 v. :  
 :  
**LAW DEBENTURE TRUST COMPANY** :  
**OF NEW YORK, et al.,** :  
 :  
**Appellees.** :  
 :  
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**WMB NOTEHOLDERS, et al.,** :  
 :  
**Civil Action No. 11-1028-GMS** :  
 :  
**Appellants,** :  
 v. :  
 :  
**WASHINGTON MUTUAL, INC., et al.,** :  
 :  
**Appellees.** :  
 :  
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<b>BLACK HORSE LP, <u>et al.</u>,</b>	:	
	:	
<b>Appellants,</b>	:	<b>Civil Action No. 11-124-GMS</b>
v.	:	
	:	
<b>JPMORGAN CHASE BANK, N.A., <u>et al.</u>,</b>	:	
	:	
<b>Appellees.</b>	:	
	:	
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<b>OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS,</b>	:	
	:	
<b>Appellant,</b>	:	<b>Civil Action No. 11-158-GMS</b>
v.	:	
	:	
<b>WASHINGTON MUTUAL, INC., <u>et al.</u>,</b>	:	
	:	
<b>Appellees.</b>	:	
	:	
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**STIPULATION OF VOLUNTARY  
DISMISSAL OF APPEALS WITH PREJUDICE**

Pursuant to Federal Rule of Bankruptcy Procedure 8001(c), all of the parties to the above captioned appeals, by and through their respective undersigned attorneys, hereby stipulate that the above-captioned appeals shall be voluntarily dismissed with prejudice pursuant to (i) the *Seventh Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code* [Bankr. D.I. 9178] (the “Seventh Amended Plan”), which the Bankruptcy Court confirmed by order, dated February 23, 2012 [Bankr. D.I. 9759] (the “Confirmation Order”) (attached hereto, without exhibits, as Exhibit A), and (ii) a February 17, 2012 stipulation agreed to by Washington Mutual, Inc. (“WMI”) and WMI Investment Corp., as debtors and debtors in possession (the “Debtors”), JPMorgan Chase Bank, N.A., the Official Committee of

Equity Security Holders (the “Equity Committee”), the Official Committee of Unsecured Creditors (the “Creditors’ Committee”), and the Black Horse LP, et al., Appellants (the “TPS Funds”) in Civil Action No. 11-124-GMS [Bankr. D.I. 9705] (the “Stipulation”) (attached hereto as Exhibit B).

The Confirmation Order provides that, as soon as is practicable after the effective date of the Seventh Amended Plan, which occurred on March 19, 2012 (the “Plan Effective Date”), the appellants in the following, above-captioned appeals would voluntarily withdraw their appeals, with prejudice:

- *Official Committee of Equity Security Holders v. Washington Mutual, Inc., et al.*, No. 11-158-GMS
- *Aurelius Capital Management, LP, et al. v. Washington Mutual, Inc., et al.*, No. 11-971-GMS
- *Appaloosa Management L.P., et al. v. Official Committee of Equity Security Holders, et al.*, No. 11-979
- *Official Committee of Unsecured Creditors v. Official Committee of Equity Security Holders*, No. 11-1001
- *Washington Mutual, Inc., et al. v. Official Committee of Equity Security Holders*, No. 11-1004-GMS
- *Normandy Hill Capital LP v. Law Debenture Trust Company of New York, et al.*, No. 11-1027-GMS
- *WMB Noteholders, et al. v. Washington Mutual, Inc., et al.*, No. 11-1028-GMS
- *Official Committee of Equity Security Holders v. Aurelius Capital Management, LP, et al.*, No. 11-1032-GMS
- *Wells Fargo Bank, National Assoc. v. Bank of New York Mellon Trust Co. N.A., et al.*, No. 11-1107-GMS

See Confirmation Order at 55-56 (¶¶ 6-7).

Similarly, the Stipulation provides that, upon the Plan Effective Date, the TPS Funds would stipulate to the voluntary dismissal, with prejudice, of their above-captioned appeal:

- *Black Horse LP. et al. v. JPMorgan Chase Bank. N.A., et al.*, No. 11-124-GMS.

See Stipulation at 10 (¶ 11).

Each of the parties to all of the above-captioned appeals shall bear its own costs.

Dated: March 20, 2012  
Wilmington, Delaware

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