

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

In re: ) Chapter 11  
)  
WASHINGTON MUTUAL, INC., *et al.*, ) Case No. 08-12229 (MFW)  
)  
Debtors. ) Jointly Administered  
)  
) **Objection Deadline: July 13, 2012 at 4:00 p.m.**  
) **Hearing Date: July 30, 2012 at 10:30 a.m.**  
)

**SUMMARY OF FINAL APPLICATION OF PETER J. SOLOMON COMPANY AS  
FINANCIAL ADVISOR AND CONSULTING EXPERT TO THE OFFICIAL  
COMMITTEE OF EQUITY SECURITY HOLDERS OF WASHINGTON MUTUAL,  
INC. ET AL., FOR ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED  
AND REIMBURSEMENT OF EXPENSES INCURRED  
FOR THE PERIOD OF FEBRUARY 12, 2010 THROUGH MARCH 19, 2012**

Name of Applicant: Peter J. Solomon Company

Authorized to Provide Professional Services to: Official Committee of Equity Security Holders  
of Washington Mutual, Inc., et al. as Financial  
Advisor and Consulting Expert

Date of Retention: April 6, 2010 effective as of February 12, 2010

Period for which compensation and  
reimbursement is sought: February 12, 2010 through March 19, 2012

Amount of compensation sought as actual,  
reasonable and necessary: \$4,396,572.58

Amount of expense reimbursement sought as  
actual, reasonable and necessary: \$21,973.68

This is a: Monthly \_\_\_\_\_ Interim \_\_\_\_\_ Final X Fee Application.



If this is not the first application filed, disclose the following for each prior application:

Requested				Approved	
Date Filed	Period Covered	Fees	Expenses	Fees	Expenses
7/1/10 #4839	2/12/10-2/28/10	\$106,250.00	\$0.00	\$106,250.00	\$0.00
7/1/10 #4840	3/1/10-3/31/10	\$175,000.00	\$0.00	\$175,000.00	\$0.00
7/1/10 #4841	4/1/10-4/30/10	\$175,000.00	\$0.00	\$175,000.00	\$0.00
7/15/10 #5051	5/1/10-5/31/10	\$175,000.00	\$2,351.94	\$175,000.00	\$2,351.94
7/15/10 #5056	2/12/10-5/31/10 (First Interim)	\$631,250.00	\$2,351.94	\$631,250.00	\$2,351.94
9/10/10 #5412	6/1/10-6/30/10	\$175,000.00	\$3,351.17	\$175,000.00	\$3,351.17
9/10/10 #5413	7/1/10-7/31/10	\$175,000.00	\$2,017.41	\$175,000.00	\$2,017.41
9/30/10 #5525	8/1/10-8/31/10	\$175,000.00	\$389.71	\$175,000.00	\$389.71
10/29/10 #5711	9/1/10-9/30/10	\$175,000.00	\$1,679.20	\$175,000.00	\$1,679.20
11/12/10 #5884	6/1/10-9/30/10 (Second Interim)	\$700,000.00	\$7,437.49	\$700,000.00	\$7,437.49
11/17/10 #5967	10/1/10-10/31/10	\$175,000.00	\$249.30	\$175,000.00	\$249.30
1/4/11 #6506	11/1/10-11/30/10	\$175,000.00	\$1,038.48	\$175,000.00	\$1,038.48
2/1/11 #6650	12/1/10-12/31/10	\$175,000.00	\$1,619.94	\$175,000.00	\$1,619.94
3/1/11 #6836	1/1/11-1/31/11	\$175,000.00	\$611.51	\$175,000.00	\$611.51
3/15/11 #6941	10/1/10-1/31/11 (Third Interim)	\$700,000.00	\$3,519.23	\$700,000.00	\$3,519.23
5/27/11 #7818	2/1/11-2/28/11	\$175,000.00	\$115.69	\$175,000.00	\$115.69
5/27/11 #7820	3/1/11-3/31/11	\$175,000.00	\$54.48	\$175,000.00	\$54.48
6/8/11 #7877	4/1/11-4/30/11	\$175,000.00	\$360.53	\$175,000.00	\$360.53
6/30/11 #8059	5/1/11-5/31/11	\$175,000.00	\$816.62	\$175,000.00	\$816.62
7/15/11 #8249	2/1/11-5/31/11 (Fourth Interim)	\$700,000.00	\$1,347.32	\$700,000.00	\$1,347.32

Requested				Approved	
Date Filed	Period Covered	Fees	Expenses	Fees	Expenses
8/5/11 #8390	6/1/11-6/30/11	\$175,000.00	\$1,732.08	\$175,000.00	\$1,732.08
9/27/11 #8666	7/1/11-7/31/11	\$175,000.00	\$783.93	\$175,000.00	\$783.93
10/7/11 #8764	8/1/11-8/31/11	\$175,000.00	\$543.18	\$175,000.00	\$543.18
11/3/11 #8950	9/1/11-9/30/11	\$175,000.00	\$455.58	\$175,000.00	\$455.58
11/14/11 #9012	6/1/11-9/30/11 (Fifth Interim)	\$700,000.00	\$3,514.77	\$700,000.00	\$3,514.77
11/16/11 #9038	10/1/11-10/31/11	\$175,000.00	\$130.14	\$175,000.00	\$130.14
12/28/11 #9285	11/1/11-11/30/11	\$175,000.00	\$920.76	\$175,000.00	\$920.76
1/20/12 #9468	12/1/11-12/31/11	\$175,000.00	\$1,258.16	\$175,000.00	\$1,258.16
2/17/12 #9714	1/1/12-1/31/12	\$175,000.00	\$361.85	\$175,000.00	\$361.85
3/16/12 #9927	10/1/11-1/31/12 (6 <sup>th</sup> Interim)	\$700,000.00	\$2,670.91	\$700,000.00	\$2,670.91
3/20/12 #9943	2/1/12-2/29/12	\$175,000.00	\$646.68	\$140,000.00	\$646.68
4/18/12 #10071	3/1/12-3/16/12	\$90,322.58	\$485.34	\$72,258.06	\$485.34

### SUMMARY OF PROFESSIONALS

<u>Name</u>	<u>Position</u>	<u>Hours</u>
Anders Maxwell	Managing Director (30+ years investment banking experience)	1,401.95
Ethan Buyon	Managing Director (25+ years investment banking experience)	1,060.10
Paul Croci	Associate Director (8 years investment banking experience)	329.90
Paul Guarino	Associate (4 years investment banking experience)	473.45
Benjamin Berg	Analyst (1 year investment banking experience)	373.75
Andrew Colvin	Analyst (1 year investment banking experience)	818.75
Dan Conn	Director (10+ years investment banking experience)	589.25
Charles Brody	Analyst (1+ years investment banking experience)	27.00
Eric Handsman	Associate (6 years investment banking experience)	59.00
Michael Sunshine	Analyst (1+ years investment banking experience)	267.50
<b>TOTAL HOURS:</b>		<b><u>5,400.65</u></b>

**SCHEDULE OF COMPENSATION BY PROJECT CATEGORY**

<b><u>TASK</u></b>	<b><u>HOURS</u></b>
Asset Analysis and Recovery	1,654.26
Asset Disposition	2.00
Business Operations	150.00
Case Administration	184.85
Claims Administration and Objections	85.00
Employee Benefits	2.50
Fee/Employment Applications	7.50
Fee/Employment Objections	2.10
Litigation	559.44
Plan and Disclosure Statement	270.00
Tax Issues	116.15
Valuation	658.85
Committee Administration	1,708.00
<b>GRAND TOTAL:</b>	<b><u>5,400.65</u></b>

**SCHEDULE OF EXPENSES**

<b>Category of Expenses</b>	<b>Amount</b>
Travel – Transportation	\$2,795.52
Travel – Misc. Expenses	\$1,618.66
Travel – Lodging	\$974.70
Working Meals	\$7,197.61
Photocopying (\$0.10 per page)	\$3,103.10
Research (Capital IQ, Lexis-Nexis, Pacer)	\$3,958.84
Long Distance Telephone/Conferencing	\$1,746.17
FedEx	\$102.08
CourtCall	\$477.00
<b>Total:</b>	<b>\$21,973.68</b>

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

In re:	)	Chapter 11
	)	
WASHINGTON MUTUAL, INC., <i>et al.</i> ,	)	Case No. 08-12229 (MFW)
	)	
Debtors.	)	Jointly Administered
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	)	Objection Deadline: July 13, 2012 at 4:00 p.m.
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**FINAL APPLICATION OF PETER J. SOLOMON COMPANY AS FINANCIAL  
ADVISOR AND CONSULTING EXPERT TO THE OFFICIAL COMMITTEE OF  
EQUITY SECURITY HOLDERS OF WASHINGTON MUTUAL, INC. ET AL., FOR  
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND  
REIMBURSEMENT OF EXPENSES INCURRED  
FOR THE PERIOD OF FEBRUARY 12, 2010 THROUGH MARCH 19, 2012**

Pursuant to sections 330 and 331 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the *Order Granting Motion of the Debtors and Debtors-In-Possession for an Administrative Order Pursuant to [11 U.S.C. §§ 105(a) and 331] Establishing Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals* [Docket No. 204] and the *Amended Administrative Order Establishing Procedure for Interim Compensation and Reimbursement of Expenses of Professionals* [Docket No. 302] (the “Administrative Order”), Peter J. Solomon Company (“PJSC”) hereby files this Final Application as Financial Advisor and Consulting Expert to the Official Committee of Equity Security Holders of Washington Mutual, Inc., *et al.*, for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses Incurred for the Period of February 12, 2010 through March 19, 2012 (the “Application”). By this Application, PJSC seeks a final allowance pursuant to the Administrative Order with respect to the sums of \$4,396,572.58 as compensation and \$21,973.68

for reimbursement of actual and necessary expenses for a total of \$4,418,546.26 for the period February 12, 2010 through and including March 19, 2012 (the “Compensation Period”). In support of this Application, PJSC respectfully represents as follows:

## **I. JURISDICTION**

1. This Court has jurisdiction over this matter pursuant to the provisions of 28 U.S.C. §§ 157 and 1334. Venue is proper in this District pursuant to 28 U.S.C. §§1408 and 1409. The statutory predicates for the relief sought herein are Section 328(a) of the Bankruptcy Code and Bankruptcy Rule 2014.

## **II. BACKGROUND**

2. On September 26, 2008 (the “Petition Date”), the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code. On October 3, 2008, the Court entered an order jointly administering these cases pursuant to Bankruptcy Rule 1015(b) for procedural purposes only.

3. On April 6, 2010, the Court entered an order authorizing the employment of PJSC as financial advisor and consulting expert to the Official Committee of Equity Security Holders (the “Equity Committee”), effective as February 12, 2010 [Docket No. 3073] (the “Retention Order”). The Retention Order authorized PJSC to record its time in .5 increments, to be compensated on a monthly fee basis and to be reimbursed for actual and necessary expenses.

4. On February 24, 2012, the Court entered an order [Docket No. 9759] (the “Confirmation Order”) confirming the *Seventh Amended Joint Plan of Affiliated Debtors*, dated December 12, 2011 [Docket No. 9178] (the “Filed Plan”), as has been and may be further modified, including, without limitation, pursuant to that certain (1) Modification of Seventh



Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code, dated January 9, 2012 [Docket No. 9365] (the “First Plan Modification”), (2) Second Modification of Seventh Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code, dated January 12, 2012 [Docket No. 9400] (the “Second Plan Modification”), and (3) Third Modification of Seventh Amended Joint Plan of Affiliated Debtors Pursuant to Chapter 11 of the United States Bankruptcy Code, dated February 16, 2012 [Docket No. 9697] (the “Third Plan Modification”) and together with the First Plan Modification and the Second Plan Modification, the “Plan Modifications” and collectively with the Filed Plan, the “Plan”). On March 19, 2012, the Plan became effective (the “Effective Date”). Pursuant to the terms of the Confirmation Order and the Plan, all professionals retained in these cases must file final fee applications for all fees and expenses incurred through the Effective Date no later than June 17, 2012.

### **III. COMPENSATION PAID AND ITS SOURCE**

5. All services for which compensation is requested by PJSC were performed for or on behalf of the Equity Committee.

6. PJSC has received no payment and no promises for payment from any source for services rendered or to be rendered in any capacity whatsoever in connection with the matters covered by this Application. There is no agreement or understanding between PJSC and any other person other than the managers of PJSC for the sharing of compensation to be received for services rendered in these cases.

#### **IV. BILLING STATEMENTS**

7. The billing statements (“Billing Statements”) for the time period February 12, 2010 through and including March 19, 2012, have been attached as Exhibit A to each of the monthly fee applications previously filed in these cases, and are incorporated herein as though fully set forth herein.<sup>1</sup> The Billing Statements include the date that the services were rendered, a detailed, contemporaneous narrative description of the services provided, the amount of time spent for each service and the designation of the professional who performed the service. To the best of PJSC’s knowledge, this Application complies with sections 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Guidelines adopted by the Office of the United States Trustee, Del., Bankr. L.R. 2016-2, and the Administrative Order.

#### **V. ACTUAL AND NECESSARY EXPENSES**

8. Summaries of actual and necessary expenses incurred by PJSC for the period February 12, 2010 through and including March 19, 2012 are included in the Billing Statement attached as Exhibit B to each of the monthly fee applications previously filed in this case, and are incorporated herein as though fully set forth herein.

9. Set forth below are the rates for the expenses incurred by PJSC during the Compensation Period as well as the basis for such rates for the identified expense items:

- a. Copy charges: PJSC charges 10 cents per page for copies and such charge is based on an analysis of the cost to PJSC to make a copy;
- b. Computer research charges: PJSC passes through on an exact cost basis all computer-assisted research charges.

10. PJSC believes the foregoing rates are the market rates that the majority of firms

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<sup>1</sup> Docket numbers for each of the previously filed monthly fee applications are set forth on page 2 and 3 of the Summary section of this Application.

charges clients for such services. In addition, PJSC believes that such charges are in accordance with Local Rules and Orders of this Court.

## **VI. SUMMARY OF SERVICES RENDERED**

11. The professionals of PJSC who have rendered services in these cases are as follows: Anders Maxwell, Ethan Buyon, Paul Croci, Paul Guarino, Benjamin Berg, Andrew Colvin, Dan Conn, Charles Brody, Eric Handsman and Michael Sunshine. PJSC submits that the services it rendered were necessary to the administration of these cases, were necessary and beneficial to the Equity Committee and to the Debtors' estates at the time such services were rendered, and were performed without unnecessary duplication of effort or expenses.

12. The general areas in which PJSC has rendered professional services to the Equity Committee during the Compensation Period may be broadly characterized as follows:

- a. Advise and assist the Equity Committee in assessing the operating and financial performance of, and strategies for the Debtors, including reviewing and analyzing the business plans and financial projections prepared by the Debtors and testing assumptions and comparing those assumptions to historical company and industry trends;
- b. Advise and assist the Equity Committee in evaluating the Debtors and their assets and liabilities, including valuations proposed by any interested party;
- c. Advise and assist the Equity Committee in evaluating the claims made in the case, as well as evaluating tax assets and subsidiary or affiliate values;
- d. Advise and assist the Equity Committee in developing a solvency analysis of the Debtors;
- e. Advise and assist the Equity Committee in analyzing the Debtors' claims regarding seizure of the Debtors' banking affiliates;
- f. Advise and assist the Equity Committee, Susman Godfrey L.L.P and Ashby & Geddes, P.A. in the course of any negotiations with the Debtors and its creditors and constituencies, including participation in meetings and telephone or video conferences; and
- g. Provide testimony with respect to the financial advisory and consulting expert services, specifically including testimony with respect to valuation issues or in connection with the Equity Committee's prosecution of claims.

The generality of the foregoing description is amplified on a day-to-day basis by the Billing Statements which are attached as Exhibit A to each of the monthly fee applications previously filed in this case, and are incorporated herein as though fully set forth herein.

## **VII. VALUATION OF SERVICES**

13. The professionals of PJSC expended a total of 5,400.65 hours in connection with this matter during the Compensation Period. Included in the Summary section of the Application is a summary of each individual professional with their corresponding number of expended hours. The reasonable value of the services rendered by PJSC to the Equity Committee during the Compensation Period is \$4,396,572.58.

14. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, it is respectfully submitted that the amount requested by PJSC is fair and reasonable given (a) the complexity of these cases, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services, and (e) the costs of comparable services other than in a case under this title. Moreover, PJSC has reviewed the requirements of Del. Bankr. L.R. 2016-2 and believes that this Application complies with that Rule.

WHEREFORE, PJSC respectfully requests that the Court authorize that for the Compensation Period, as final allowance be made to PJSC pursuant to the terms of the Administrative Order, with respect to the sum of \$4,396,572.58 as compensation for necessary professional services rendered, and the sum of \$21,973.68 as reimbursement of actual necessary costs and expensed for the total of \$4,418,546.26 and that such sums be authorized for final payment, less what has been paid previously to PJSC pursuant to the Administrative Order, and for such other and further relief as this Court may deem just and proper.

Dated: June 15, 2012

*/s/ Anders J. Maxwell*

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Anders J. Maxwell  
Managing Director  
Peter J. Solomon Company  
520 Madison Avenue  
New York, NY 10022  
Telephone: (212) 508-1600

*Financial Advisor and Consulting Expert to the  
Official Committee of Equity Security Holders of  
Washington Mutual, Inc., et al.*

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

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

**CERTIFICATION**

Anders J. Maxwell, pursuant to 28 U.S.C. § 1746, states as follows:

- (a) I am a Managing Director of the applicant firm, Peter J. Solomon Company ("PJSC").
- (b) I have personally performed many of the services rendered by PJSC as financial advisor and consulting expert to the Official Committee of Equity Security Holders of Washington Mutual, Inc., et al. and am thoroughly familiar with all other work performed on behalf of the Equity Committee by the professionals in the firm.
- (c) I have reviewed the foregoing Application and the facts set forth therein are true and correct to the best of my knowledge, information and belief. Moreover, I have reviewed Del. Bankr. L.R. 2016-2, and submit that the Application substantially complies with such Rule.

Dated: June 15, 2012

*/s/ Anders J. Maxwell*

\_\_\_\_\_  
Anders J. Maxwell

**IN THE UNITED STATES BANKRUPTCY COURT  
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	) <b>Objection Deadline: July 13, 2012 at 4:00 p.m.</b>
	) <b>Hearing Date: July 30, 2012 at 10:30 a.m.</b>
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**NOTICE FINAL APPLICATION OF PETER J. SOLOMON COMPANY AS FINANCIAL  
ADVISOR AND CONSULTING EXPERT TO THE OFFICIAL COMMITTEE OF  
EQUITY SECURITY HOLDERS OF WASHINGTON MUTUAL, INC. ET AL., FOR  
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND  
REIMBURSEMENT OF EXPENSES INCURRED FOR THE PERIOD  
OF FEBRUARY 12, 2010 THROUGH MARCH 19, 2012**

TO: Fee Application Notice Parties All Parties Pursuant to Bankruptcy Rule 2002

**PLEASE TAKE NOTICE** that on June 15, 2012, the Official Committee of Equity Security Holders of Washington Mutual, Inc., et al., (the "Equity Committee"), filed the *Final Application of Peter J. Solomon Company, as Financial Advisor and Consulting Expert to the Official Committee of Equity Security Holders of Washington Mutual, Inc., et al., for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred for the Period of February 12, 2012 through March 19, 2012* (the "Application") with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3<sup>rd</sup> Floor, Wilmington, Delaware 19801 (the "Bankruptcy Court") and was served in accordance with the *Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals*, dated October 30, 2008 [Docket No. 204] (the "Original Administrative Order") and the *Revised Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals*, dated November 14, 2008 [Docket No. 302] (the "Revised Administrative Order") and together with the Original Administrative Order, the "Administrative Order").

**PLEASE TAKE FURTHER NOTICE** that the Application requests final approval and allowance of fees in the amount of \$4,396,572.58 and expenses in the amount of \$21,973.68 for the period of February 12, 2010 through March 19, 2012.

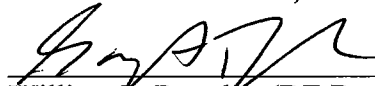
**PLEASE TAKE FURTHER NOTICE** that any objection to the Application must be made in accordance with the Administrative Order, filed with the Clerk of the Bankruptcy Court, and served upon the following parties (i) Washington Mutual Liquidating Trust, 1201 Third Avenue, Suite 3000, Seattle, WA 98101 (Attn: John Maciel, Esq.); (ii) counsel to the

Debtors, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, NY 10153 (Attn: Marcia L. Goldstein, Esq. and Brian S. Rosen, Esq.) and Richards Layton & Finger, P.A., One Rodney Square, Wilmington, DE 19899 (Attn: Mark D. Collins, Esq.); (iii) the Office of the United States Trustee, J. Caleb Boggs Federal Building, 844 King Street, Room 2207, Lockbox 35, Wilmington, Delaware 19801; (iv) counsel to the Official Committee of Unsecured Creditors, Akin, Gump, Strauss, Hauer & Feld LLP, One Bryant Park, New York, NY 10036 (Attn: Fred S. Hodora, Esq.), Akin, Gump, Strauss, Hauer & Feld LLP, 1333 New Hampshire Avenue, N.W., Washington, DC 20036-1564 (Attn: Scott L. Alberino, Esq.), Akin, Gump, Strauss, Hauer & Feld LLP, 2029 Century Park East, Suite 2400, Los Angeles, CA 90067-3012 (Attn: Peter J. Gurfein, Esq. and David P. Simonds, Esq.) and Pepper Hamilton LLP, Hercules Plaza, Suite 5100, 1313 N. Market Street, Wilmington, DE 19899 (Attn: David B. Stratton, Esq. and Evelyn J. Meltzer, Esq.); (v) counsel to the Official Committee of Equity Security Holders, Susman Godfrey LLP, 1000 Louisiana, Suite 5100, Houston, Texas 77002-5096 (Attn: Stephen D. Susman, Esq.), and Ashby & Geddes, P.A., 500 Delaware Avenue, 8<sup>th</sup> Floor, P.O. Box 1150, Wilmington, Delaware 19899 (Attn: William P. Bowden, Esq. and Gregory A. Taylor, Esq.); and (vi) Office of the United States Trustee, 844 King Street, Suite 2207, Wilmington, Delaware 19801 (Attn: Jane M. Leamy, Esq.), **so as to be received by July 13, 2012 at 4:00 p.m. (ET).**

**PLEASE TAKE FURTHER NOTICE** that a hearing to consider the Application is scheduled for **July 30, 2012 at 10:30 a.m.** before The Honorable Mary F. Walrath, United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5<sup>th</sup> Floor, Courtroom #4, Wilmington, Delaware 19801.

Dated: June 15, 2012

**ASHBY & GEDDES, P.A.**



William P. Bowden (DE Bar No. 2553)

Gregory A. Taylor (DE Bar No. 4008)

Stacy L. Newman (DE Bar No. 5044)

500 Delaware Avenue, 8<sup>th</sup> Floor

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Wilmington, DE 19899

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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-



**SUSMAN GODFREY, L.L.P.**

Stephen D. Susman (NY Bar No. 3041712)  
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*Co-Counsel to the Official Committee of Equity  
Security Holders of Washington Mutual, Inc. et al.*

-and-

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Wilmington, DE 19801  
Telephone: (302) 428-8191  
Facsimile: (302) 428-8195

*Conflicts Co-Counsel for the Official Committee of  
Equity Security Holders of Washington Mutual,  
Inc., et al., as to Aurelius Capital Management,  
L.P.*