

ORIGINAL

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

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<i>In re</i>	:	Chapter 11
	:	
WASHINGTON MUTUAL, INC., <u>et al.</u>, ¹	:	Case No. 08-12229 (MFW)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----X	:	Re: D.I. 10826

ORDER DENYING CLAIMANT STEPHEN ROTELLA'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT OF WMILT'S BREACH OF CONTRACT CLAIMS ASSERTED IN WMILT'S EIGHTY-FOURTH OMNIBUS (SUBSTANTIVE) OBJECTION TO, AMONG OTHERS, CHANGE IN CONTROL CLAIMS

Upon the motion dated November 9, 2012 (the "Motion"),² of Stephen Rotella for dismissal or, in the alternative, for a more definite statement of WMILT's breach of contract claims asserted in WMILT's eighty-fourth omnibus (substantive) objection to, among others, change in control claims; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having held a hearing (the "Hearing") with respect to the Motion on December 11, 2012 at 1:30 p.m. (EST); and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that, for the reasons set forth on the record at the Hearing, the Motion is DENIED; and it is further;

¹ 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 principal offices of WMILT, as defined herein, are located at 1201 Third Avenue, Suite 3000, Seattle, Washington 98101.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed in the Motion.



ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: December 11, 2012
Wilmington, Delaware



THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE