Docket #11105 Date Filed: 3/11/2013

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re	:	**Chapter 11**
WASHINGTON MUTUAL, INC., et al.,[1]	:	**Case No. 08-12229 (MFW)**
Debtors.	:	**(Jointly Administered)**

WMI LIQUIDATING TRUST'S
OBJECTIONS AND RESPONSES TO THE
INTERROGATORIES OF JEFFREY R. JONES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure (the "Federal Rules"), applicable hereto pursuant to Rules 7026 and 7033 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Rule 7026 of the Local Rules for the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), WMI Liquidating Trust ("WMILT"), as successor in interest to Washington Mutual, Inc. ("WMI") and WMI Investment Corp., responds to the Interrogatories (the "Interrogatories") of Jeffrey R. Jones (the "Claimant"), as follows:

GENERAL OBJECTIONS

WMILT responds to the Interrogatories subject to the following general objections (the "General Objections") and without waiving, and expressly preserving, all other objections herein.

1. Inconsistency with Applicable Rules. WMILT objects to each Interrogatory to the extent that it seeks to impose requirements that are in addition to, different from, or broader

[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.

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than those set forth in, required or permitted by the Federal Rules, the Bankruptcy Rules, the Local Rules, and/or any rules, statutes, applicable case law, or court orders governing the proper scope, timing, and extent of all discovery in this litigation and these chapter 11 cases.

2. Relevance. WMILT objects to each Interrogatory to the extent it seeks information neither relevant to the subject matter of this proceeding nor reasonably calculated to lead to the discovery of admissible evidence or testimony.

3. Vagueness/Ambiguity/Compound. WMILT objects to each Interrogatory to the extent that it is vague, ambiguous, or compound.

4. Privilege. WMILT objects to each Interrogatory to the extent that it seeks information that is protected from discovery by the attorney-client privilege, work product doctrine, common interest privilege, joint-defense privilege, bank examiner privilege, or any other applicable common law or statutory privilege or doctrine. WMILT does not, and does not intend to, waive any privilege in responding to the Interrogatories. To the extent that any privileged information is provided in response to any Interrogatory, consistent with paragraph 21(k) of the *Agreed Order Establishing Procedures and Deadlines Concerning Hearing on Employee Claims and Discovery In Connection Therewith*, dated October 15, 2012 [D.I. 10777] (the "Scheduling Order"), WMILT reserves (a) its privileges with respect to such information; (b) its right to object to the use of such information; and (c) its right to object to the admissibility of such information.

5. Possession, Custody, or Control. WMILT objects to the Interrogatories to the extent they seek information not in WMILT's possession, custody and/or control.

6. Claimant's Possession/Equal or Superior Access to Documents. To the extent that any Interrogatory seeks information that is: (a) publicly available where the burden of

accessing such information is the same for all parties; or (b) within Claimant's possession, custody, or control, or to which Claimant has equal or superior access, WMILT objects on the grounds that the burden of deriving or ascertaining such information is substantially the same for Claimant as for WMILT and, therefore, any such Interrogatory is unduly burdensome, oppressive, harassing and vexatious, goes beyond any legitimate need for discovery, and exceeds the scope of discovery as set forth in the Federal Rules, the Bankruptcy Rules, and the Local Rules.

7. Legal Conclusions. WMILT objects to each Interrogatory to the extent that it requires WMILT to draw legal conclusions and/or to assume disputed facts. WMILT's response to any Interrogatory is not to be construed as an admission that any of the requested information exists or that any of the contentions or legal conclusions, whether implicitly or explicitly stated in the Interrogatory, are founded.

8. Duplicative Interrogatories. WMILT objects to each Interrogatory to the extent that it is duplicative of each other or of other discovery propounded in this litigation or these chapter 11 cases, or is unreasonably cumulative.

9. Overbreadth/Undue Burden/Harassment. WMILT objects to each Interrogatory to the extent that it is overly broad, unduly burdensome, and harassing.

10. Time Period. WMILT objects to the time period specified in the Interrogatories to the extent that it is overly broad, unduly burdensome, and harassing.

11. Definitions. WMILT objects to the Claimant's definitions to the extent that such definitions give meaning to words different from their ordinary English meaning or definitions set forth in applicable statutes or rules. When WMILT uses one of Claimant's capitalized terms in a response (as indicated by WMILT's own use of capital letters in its response), WMILT is

using that term as defined by Claimant, subject to any specific objections to those definitions set forth herein. WMILT does not otherwise adopt or accept Claimant's capitalized, defined terms.

12. WMILT objects to the definition of "Debtor" as vague and ambiguous. For purposes of responding to these Requests, WMILT will construe "Debtors" to mean (i) Washington Mutual, Inc. (3725); and (ii) WMI Investment Corp.

13. Excessive Number of Interrogatories. WMILT objects to each Interrogatory to the extent that it exceeds the numerical limit imposed by the Scheduling Order.

14. Wrong Party. WMILT objects to each Interrogatory to the extent that it seeks information concerning an entity separate and distinct from Washington Mutual, Inc. Any such Interrogatory is properly addressed to the separate and distinct entity inquired about. With respect to any such Interrogatory to which WMILT provides a response, such response is provided upon information and belief.

RESERVATION OF RIGHTS

By making the following responses to the Interrogatories, WMILT does not waive, and hereby expressly reserves, its objections to these Interrogatories. By making these responses and objections, WMILT does not concede that any information sought by any Interrogatory is discoverable. WMILT makes these responses and objections without waiving or intending to waive (a) the right to object on any ground to the use, introduction, or admissibility of the information provided in response to any Interrogatory on any and all grounds, including, but not limited to, competency, relevancy, materiality, and privilege; (b) the right to object to the use of the information provided in response to any Interrogatory in any subsequent proceeding in, or the resolution of, this or any other action; and (c) the right to object on any ground at any time to other Interrogatories, document requests, or other further discovery into any of the

subject matters addressed in any Interrogatory or the responses hereto. Furthermore, WMILT makes the responses herein without in any manner implying or admitting that any conclusions or characterizations contained in the Interrogatories are true and accurate. WMILT expressly reserves the right to supplement, clarify, revise, or correct the responses herein, and to assert additional general and/or specific objections to the Interrogatories, at any time. Subject to and without waiving the General Objections or the Reservation of Rights, WMILT responds to the individual interrogatories as follows:

RESPONSES AND OBJECTIONS TO INTERROGATORIES

INTERROGATORY NO. 1:

Please identify each person involved in or consulted with respect to answering each of these Interrogatories.

RESPONSE TO INTERROGATORY NO. 1:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory to the extent that it: (i) is vague and ambiguous; (ii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iii) to the extent that it calls for the production of material protected from discovery by the attorney-client privilege, work product doctrine, common interest privilege, joint-defense privilege, or any other applicable common law or statutory privilege or doctrine; and (iv) seeks information that is neither reasonably calculated to lead to the discovery of admissible evidence nor relevant to the claims or defenses of any party to this proceeding.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 1 as follows:

1. Mark Spittell
2. Douglas Friesen
3. John Maciel
4. Brian Cumberland
5. Doreen Logan
6. Charles E. Smith

INTERROGATORY NO. 2:

For Claimant, please state all facts that support or relate to your contention that the Employee Agreements are not obligations of WMI as stated in the Motions.

RESPONSE TO INTERROGATORY NO. 2:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is vague, ambiguous, and compound; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; (v) is premature to ask WMILT to identify all facts that support or relate to its contentions because discovery in these proceedings is ongoing; and (vi) is duplicative and/or unreasonably cumulative.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, including at any hearing on these issues, WMILT responds to Interrogatory No. 2 as follows: WMILT refers Claimant to *Debtors' Fifth Omnibus (Substantive) Objection to Claims* [D.I. 1223], *Debtors' Sixth Omnibus (Substantive) Objection to Claims* [D.I. 1234], *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504], *WMI Liquidating Trust's Eightieth Omnibus*

(Substantive) Objection to Claims [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive) Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive) Objection to Claims* [D.I. 10507], and *WMI Liquidating Trust's Eighty-Eighth Omnibus (Substantive) Objection to Disputed Equity Interests* [D.I. 10681], as applicable, to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, and to other discovery to be conducted in this matter.

INTERROGATORY NO. 3:

Please identify all persons who have knowledge of the facts stated in response to Interrogatory No. 2 above; and, provide a general description of the facts and/or subject matter known by each such person.

RESPONSE TO INTERROGATORY NO. 3:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iii) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; and (iv) is duplicative and/or unreasonably cumulative.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 3 as follows: Persons with knowledge of the facts stated in response to Interrogatory No. 2 include:

1. Mark Spittell
2. Douglas Friesen
3. John Maciel
4. Brian Cumberland
5. James Carreon
6. Doreen Logan
7. Daryl D. David

INTERROGATORY NO. 4:

Please identify all Documents that support or relate to the facts set forth in response to Interrogatory No. 2 above.

RESPONSE TO INTERROGATORY NO. 4:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iii) calls for the production of material protected from discovery by the attorney-client privilege, work product doctrine, common interest privilege, joint-defense privilege, or any other applicable common law or statutory privilege or doctrine; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; (v) is premature to ask WMILT to identify all documents that support or relate to its contentions because discovery in these proceedings is ongoing; (vi) is duplicative and/or unreasonably cumulative; and (vii) is vague, ambiguous, and compound.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to

Interrogatory No. 4 as follows: WMILT refers Claimant to *Debtors' Fifth Omnibus (Substantive) Objection to Claims* [D.I. 1223], *Debtors' Sixth Omnibus (Substantive) Objection to Claims* [D.I. 1234], *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504], *WMI Liquidating Trust's Eightieth Omnibus (Substantive) Objection to Claims* [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive) Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive) Objection to Claims* [D.I. 10507], and *WMI Liquidating Trust's Eighty-Eighth Omnibus (Substantive) Objection to Disputed Equity Interests* [D.I. 10681], as applicable, and to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, and to other discovery to be conducted in this matter.

INTERROGATORY NO. 5:

For Claimant, please state all facts that support or relate to your contention that a change-in-control as defined in each of the Employee Agreements did not occur in connection with the Office of Thrift Supervision's seizure of, and appointment of the FDIC as receiver for, WMB and the FDIC's sale of substantially all of WMB's assets to JPMorgan Chase Bank, National Association.

RESPONSE TO INTERROGATORY NO. 5:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is vague and ambiguous; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope

of discovery; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; (v) is premature to ask WMILT to identify all documents that support or relate to its contentions because discovery in these proceedings is ongoing; (vi) to the extent that it seeks information concerning Washington Mutual Bank, it is properly addressed to Washington Mutual Bank, which is a separate and distinct entity from WMILT; and (vii) is duplicative and/or unreasonably cumulative.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 5 as follows: WMILT refers Claimants to *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504], *WMI Liquidating Trust's Eightieth Omnibus (Substantive) Objection to Claims* [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive) Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive) Objection to Claims* [D.I. 10507], *WMI Liquidating Trust's Eighty-Fourth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10677], *WMI Liquidating Trust's Eighty-Fifth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10678], *Objection of WMI Liquidating Trust to Proof of Claim Filed by Claimant Medina & Thompson (Claim No. 1218)* [D.I. 10676], and *WMI Liquidating Trust's Eighty-Eighth Omnibus (Substantive) Objection to Disputed Equity Interests* [D.I. 10681], as applicable, to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, and other discovery to be conducted in this matter.

INTERROGATORY NO. 6:

Please identify all persons who have knowledge of the facts stated in response to Interrogatory No. 5 above; and, provide a general description of the facts and/or subject matter known by each such person.

RESPONSE TO INTERROGATORY NO. 6:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is vague, ambiguous, and compound; (ii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iii) is duplicative and/or unreasonably cumulative; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; (v) calls for information that is beyond WMILT's possession, custody or control; and (vi) is premature to ask WMILT to identify each person with knowledge of certain facts because discovery in these proceedings is ongoing.

Subject to and without waiving this objection and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 6 as follows:

1. Mark Spittell
2. Douglas Friesen
3. John Maciel
4. Jessica Temperly
5. Brian Cumberland

INTERROGATORY NO. 7:

Please identify all Documents that support or relate to the facts set forth in response to Interrogatory No. 5 above.

RESPONSE TO INTERROGATORY NO. 7:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is vague and ambiguous; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; (v) is premature to ask WMILT to identify all documents that support or relate to its contentions because discovery in these proceedings is ongoing; (vi) to the extent that it seeks information concerning Washington Mutual Bank, it is properly addressed to Washington Mutual Bank, which is a separate and distinct entity from WMILT; and (vii) is duplicative and/or unreasonably cumulative.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 7 as follows: WMILT refers Claimants to *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504], *WMI Liquidating Trust's Eightieth Omnibus (Substantive) Objection to Claims* [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive) Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive) Objection to Claims* [D.I. 10507], *WMI Liquidating Trust's Eighty-Fourth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10677], *WMI Liquidating Trust's Eighty-Fifth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10678], *Objection of WMI Liquidating Trust to Proof of Claim Filed by Claimant Medina & Thompson (Claim No. 1218)* [D.I. 10676], and *WMI Liquidating Trust's Eighty-Eighth Omnibus (Substantive) Objection to Disputed Equity Interests* [D.I. 10681], as

applicable, to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, and other discovery to be conducted in this matter.

INTERROGATORY NO. 8:

For Claimant, please state all facts that support or relate to your contention that the contractual predicates to payment in the Employee Agreements have not been met.

RESPONSE TO INTERROGATORY NO. 8:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is vague and ambiguous; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; (v) is premature to ask WMILT to identify all facts that support or relate to its contentions because discovery in these proceedings is ongoing; (vi) to the extent that it seeks information concerning Washington Mutual Bank, it is properly addressed to Washington Mutual Bank, which is a separate and distinct entity from WMILT; and (vii) is duplicative and/or unreasonably cumulative.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 8 as follows: WMILT refers Claimants to *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504], *WMI Liquidating Trust's*

Eightieth Omnibus (Substantive) Objection to Claims [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive) Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive) Objection to Claims* [D.I. 10507], *WMI Liquidating Trust's Eighty-Fourth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10677], *WMI Liquidating Trust's Eighty-Fifth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10678], *Objection of WMI Liquidating Trust to Proof of Claim Filed by Claimant Medina & Thompson (Claim No. 1218)* [D.I. 10676], and *WMI Liquidating Trust's Eighty-Eighth Omnibus (Substantive) Objection to Disputed Equity Interests* [D.I. 10681], as applicable, to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, and other discovery to be conducted in this matter.

INTERROGATORY NO. 9:

Please identify all persons who have knowledge of the facts stated in response to Interrogatory No. 8 above; and, provide a general description of the facts and/or subject matter known by each such person.

RESPONSE TO INTERROGATORY NO. 9:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is vague, ambiguous, and compound; (ii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iii) is duplicative and/or unreasonably cumulative; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access;

(v) calls for information that is beyond WMILT's possession, custody or control; and (vi) is premature to ask WMILT to identify each person with knowledge of certain facts because discovery in these proceedings is ongoing.

Subject to and without waiving this objection and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 9 as follows:

1. Mark Spittell
2. Douglas Friesen
3. John Maciel
4. Jessica Temperly
5. Brian Cumberland

INTERROGATORY NO. 10:

Please identify all Documents that support or relate to the facts set forth in response to Interrogatory No. 8 above.

RESPONSE TO INTERROGATORY NO. 10:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is vague and ambiguous; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) calls for information in Claimant's possession, custody or control, or to which Claimant has equal access; (v) is premature to ask WMILT to identify all documents that support or relate to its contentions because discovery in these proceedings is ongoing; (vi) to the extent that it seeks information concerning Washington Mutual Bank, it is properly addressed to

Washington Mutual Bank, which is a separate and distinct entity from WMILT; and (vii) is duplicative and/or unreasonably cumulative.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 10 as follows: WMILT refers Claimants to *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504], *WMI Liquidating Trust's Eightieth Omnibus (Substantive) Objection to Claims* [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive) Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive) Objection to Claims* [D.I. 10507], *WMI Liquidating Trust's Eighty-Fourth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10677], *WMI Liquidating Trust's Eighty-Fifth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10678], *Objection of WMI Liquidating Trust to Proof of Claim Filed by Claimant Medina & Thompson (Claim No. 1218)* [D.I. 10676], and *WMI Liquidating Trust's Eighty-Eighth Omnibus (Substantive) Objection to Disputed Equity Interests* [D.I. 10681], as applicable, to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, and other discovery to be conducted in this matter.

INTERROGATORY NO. 11:

For Claimant, please state all facts that support or relate to your contention that Movant is entitled to a credit for any severance payments or other relevant benefits actually

received by Claimant from JPMorgan Chase Bank, National Association on account of Claimant's employment with WMB.

RESPONSE TO INTERROGATORY NO. 11:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (ii) is vague and ambiguous; (iii) is premature to ask WMILT to identify all facts that support or relate to its contentions because discovery in these proceedings is ongoing; (iv) calls for information beyond WMILT's possession, custody or control; (v) to the extent it seeks information with respect to Washington Mutual Bank and JPMorgan Chase Bank, it is properly addressed to those entities, as applicable, which are entities separate and distinct from WMILT; and (vi) calls for a legal conclusion.

Subject to and without waiving this objection and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 11 as follows: WMILT refers Claimants to *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504]; *WMI Liquidating Trust's Eightieth Omnibus (Substantive) Objection to Claims* [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive Objection) to Claims* [D.I. 10507], and *WMI Liquidating Trust's Eighty-Fourth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10677], *WMI Liquidating Trust's Eighty-Fifth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10678], as applicable, to WMILT"s responses and objections to Claimants' request for production of documents that have been produced to date, and WMILT's forthcoming

responses and objections to Claimants' requests for production of documents, including the documents that WMILT has produced, and may produce, in response to those requests, and to other discovery to be conducted in this matter.

INTERROGATORY NO. 12:

Please identify all persons who have knowledge of the facts stated in response to Interrogatory No. 11 above; and, provide a general description of the facts and/or subject matter known by each such person.

RESPONSE TO INTERROGATORY NO. 12:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (ii) is vague and ambiguous; (iii) is premature to ask WMILT to identify all documents that support or relate to its contentions because discovery in these proceedings is ongoing; (iv) calls for information beyond WMILT's possession, custody or control; (v) to the extent it seeks information with respect to Washington Mutual Bank and JPMorgan Chase Bank, it is properly addressed to those entities, as applicable, which are entities separate and distinct from WMILT; and (vi) calls for a legal conclusion.

Subject to and without waiving this objection and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 12 as follows:

1. Mark Spittell
2. Douglas Friesen
3. John Maciel
4. Jessica Temperly

5. Brian Cumberland

INTERROGATORY NO. 13:

Please identify all Documents that support or relate to the facts set forth in response to Interrogatory No. 11 above.

RESPONSE TO INTERROGATORY NO. 13:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (ii) is vague and ambiguous; (iii) is premature to ask WMILT to identify all documents that support or relate to its contentions because discovery in these proceedings is ongoing; (iv) calls for information beyond WMILT's possession, custody or control; (v) to the extent it seeks information with respect to Washington Mutual Bank and JPMorgan Chase Bank, it is properly addressed to those entities, as applicable, which are entities separate and distinct from WMILT; and (vi) calls for a legal conclusion.

Subject to and without waiving this objection and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 11 as follows: WMILT refers Claimants to *WMI Liquidating Trust's Seventy-Ninth Omnibus (Substantive) Objection to Claims* [D.I. 10504]; *WMI Liquidating Trust's Eightieth Omnibus (Substantive) Objection to Claims* [D.I. 10505], *WMI Liquidating Trust's Eighty-First Omnibus (Substantive Objection to Claims* [D.I. 10506], *WMI Liquidating Trust's Eighty-Second Omnibus (Substantive Objection) to Claims* [D.I. 10507], and *WMI Liquidating Trust's Eighty-Fourth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10677], *WMI Liquidating Trust's Eighty-Fifth Omnibus (Substantive) Objection to Change in Control Claims* [D.I. 10678], as applicable, to WMILT"s responses and objections to Claimants'

request for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimants' requests for production of documents, including the documents that WMILT has produced, and may produce, in response to those requests, and to other discovery to be conducted in this matter.

INTERROGATORY NO. 14:

Please state Claimant's employment position and executive level designation (*e.g.* 1-8) within the Washington Mutual organization (including WMI and any of its subsidiaries or affiliates) during the period from the Employment Offer Date through September 26, 2008.

RESPONSE TO INTERROGATORY NO. 14:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is vague and ambiguous, including the phrase "Washington Mutual organization"; (ii) to the extent it seeks information with respect to "any of [WMI's] subsidiaries or affiliates," it is properly addressed to those entities, as applicable, which are entities separate and distinct from WMILT; and (iii) calls for information that is in Claimant's possession, or to which Claimant has equal access.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 14 as follows: WMILT refers Claimant to WMILT's responses and objections to Claimant's requests for production of documents that has been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, including PeopleSoft data.

INTERROGATORY NO. 15:

Please describe Claimant's job duties and reporting duties within the Washington Mutual organization (including WMI and any of its subsidiaries or affiliates) during the period from the Employment Offer Date through September 26, 2008.

RESPONSE TO INTERROGATORY NO. 15:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is vague and ambiguous, including the phrase "Washington Mutual organization"; (ii) to the extent it seeks information with respect to Washington Mutual Bank, FSB and Washington Mutual Bank, it is properly addressed to those entities, as applicable, which are entities separate and distinct from WMILT; and (iii) calls for information that is in Claimant's possession, or to which Claimant has equal access.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 14 as follows: WMILT refers Claimant to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests, including PeopleSoft data.

INTERROGATORY NO. 16:

Please state the authority of each of the Signatories to bind WMI in contract during the period from the Employment Offer Date through September 26, 2008.

RESPONSE TO INTERROGATORY NO. 16:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody, or control; (ii) is vague and ambiguous; (iii) is overbroad , unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) seeks information that is neither reasonably calculated to lead to the discovery of admissible evidence nor relevant to the claims or defenses of any party to this proceeding; and (v) calls for a legal conclusion.

INTERROGATORY NO. 17:

Please identify all Documents that support or relate to your response to Interrogatory No. 15 above.

RESPONSE TO INTERROGATORY NO. 17:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is vague and ambiguous; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) seeks information that is neither reasonably calculated to lead to the discovery of admissible evidence nor relevant to the claims or defenses of any party to this proceeding; and (v) calls for a legal conclusion.

INTERROGATORY NO. 18:

Please identify all persons with knowledge regarding the drafting, issuance or amendment of any of the Employee Agreements during the period from the Employment Offer Date through September 26, 2008.

RESPONSE TO INTERROGATORY NO. 18:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) calls for information that is beyond WMILT's possession, custody or control; (ii) is vague and ambiguous; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) to the extent that it calls for the production of material protected from discovery by the attorney-client privilege, work product doctrine, common interest privilege, joint-defense privilege, or any other applicable common law or statutory privilege or doctrine; and (v) to the extent that it seeks information concerning entities other than WMI, it is properly addressed to those entities, which are separate and distinct from WMILT.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 18 as follows: Persons with knowledge concerning these issues include:

1. Daryl David
2. Karen Crandall
3. Deveri Ray
4. Connie Pettit
5. Peter Prucnel
6. Renee Hairston
7. Craig Day
8. Deena Stone
9. Marie Waugh
10. Kim Cannon

11. Lynn DuBey

12. Charlie Sledd

13. Fay Chapman

14. Trish M. Johnson

15. Susan Taylor

16. Carey Brennan

17. Tracy Hannuksela

INTERROGATORY NO. 19:

Please identify all persons who recommended, or who have knowledge regarding the reasons for, offering Claimant a special bonus opportunity agreement.

RESPONSE TO INTERROGATORY NO. 19:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is vague and ambiguous; (ii) calls for information that is beyond WMILT's possession, custody or control; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) seeks information that is neither reasonably calculated to lead to the discovery of admissible evidence nor relevant to the claims or defenses of any party to this proceeding; (v) to the extent it seeks information with respect to Washington Mutual Bank, FSB and Washington Mutual Bank, it is properly addressed to those entities, as applicable, which are entities separate and distinct from WMILT; (vi) calls for information that is in Claimant's possession, or to which Claimant has equal access; and (vii) is premature to ask WMILT to identify each person with knowledge of certain facts because discovery in these proceedings is ongoing.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 19 as follows: Upon information and belief, persons who may have knowledge regarding the reasons for offering Claimant a special bonus opportunity include:

1. Certain members of the Board of Directors of WMI and the Human Resources Committee of the Board of Directors of WMI;

2. Certain members of the Board of Directors of Washington Mutual Bank and the Human Resources Committee of the Board of Directors of Washington Mutual Bank; and

3. Individuals who supervised Claimant at the time the special bonus opportunity was offered.

INTERROGATORY NO. 20:

Please identify all Documents relating to the evaluation of Claimant's job performance during the period January 1, 2005 through September 26, 2008.

RESPONSE TO INTERROGATORY NO. 20:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is vague and ambiguous; (ii) calls for information that is beyond WMILT's possession, custody or control; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (iv) seeks information that is neither reasonably calculated to lead to the discovery of admissible evidence nor relevant to the claims or defenses of any party to this proceeding; (v) to the extent it seeks information with respect to Washington Mutual Bank, FSB and Washington Mutual Bank, it is properly addressed to those entities, as applicable, which are entities separate and distinct from WMILT; (vi) calls for information that is in Claimant's possession, or to which Claimant

has equal access; and (vii) is premature to ask WMILT to identify all documents because discovery in these proceedings is ongoing.

Subject to and without waiving these objections and the General Objections, and without waiving WMILT's right to supplement or amend its answer, WMILT responds to Interrogatory No. 20 as follows: WMILT refers Claimant to WMILT's responses and objections to Claimant's requests for production of documents that have been produced to date, and WMILT's forthcoming responses and objections to Claimant's requests for production of documents, including the documents WMILT has produced, and may produce, in response to those requests.

INTERROGATORY NO. 21:

Please identify all witnesses to which you will or may use at the hearing on the Motions or any hearings or proceedings related thereto, and for each such witness state the subject matter on which the witness is expected to testify; the substance of the facts to which the witness is expected to testify, identifying all Documents upon which you and each witness will rely or otherwise utilize for purposes of the hearing.

RESPONSE TO INTERROGATORY NO. 21:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; (ii) is premature to request WMILT to identify witnesses it intends to call as witnesses at the Hearing (as defined in the Scheduling Order); (iii) is duplicative and/or unreasonably cumulative; and (iv) it is vague, ambiguous, and compound.

Subject to and without waiving these objections and the General Objections, WMILT will identify witnesses at the appropriate time and in accordance with the Scheduling Order and any applicable rules and/or orders.

INTERROGATORY NO. 22:

Please identify any experts that you intend to call to provide testimony on your behalf at the hearing on the Motions or any hearings or proceedings related thereto.

RESPONSE TO INTERROGATORY NO. 22:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is vague and ambiguous; (ii) is premature to seek expert disclosures at this stage of this contested matter; (iii) is overbroad, unduly burdensome, and otherwise exceeds the permissible scope of discovery; and (iv) is duplicative and/or unreasonably cumulative.

Subject to and without waiving these objections and the General Objections, WMILT will provide expert disclosures at the appropriate time and in accordance with the Scheduling Order and any applicable rules and/or orders.

INTERROGATORY NO. 23:

With respect to each person identified in response to Interrogatory No. 21 above, please state the subject matter, facts and opinions to which such witness is expected to testify.

RESPONSE TO INTERROGATORY NO. 23:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is premature to request WMILT to identify witnesses it intends to call as witnesses at the Hearing (as defined

in the Scheduling Order); and (ii) is duplicative and/or unreasonably cumulative of Interrogatory No. 21.

Subject to and without waiving these objections and the General Objections, WMILT will identify witnesses at the appropriate time and in accordance with the Scheduling Order and any applicable rules and/or orders.

INTERROGATORY NO. 24:

With respect to each person identified in response to Interrogatory No. 21 above, please identify all Documents, data or other information considered by each person identified.

RESPONSE TO INTERROGATORY NO. 24:

WMILT incorporates herein by reference each and every General Objection set forth above. WMILT further objects to this Interrogatory on the grounds that it: (i) is premature to request WMILT to identify witnesses it intends to call as witnesses at the Hearing (as defined in the Scheduling Order); and (ii) is duplicative and/or unreasonably cumulative of Interrogatory No. 21.

Subject to and without waiving these objections and the General Objections, WMILT will identify witnesses at the appropriate time and in accordance with the Scheduling Order and any applicable rules and/or orders.

Dated: March 11, 2013
Wilmington, Delaware

/s/ Amanda R. Steele

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Attorneys for WMI Liquidating Trust

VERIFICATION

I, John Maciel, am a Senior Director with Alvarez & Marsal North America, LLC and the current Chief Financial Officer of WMI Liquidating Trust ("WMILT"), as a successor in interest to Washington Mutual, Inc.("WMI") and WMI Investment Corp. ("WMI Investment" and, together with WMI, the "Debtors"). Previously, I was Chief Financial Officer of both of the Debtors. I have read the foregoing WMI LIQUIDATING TRUST'S OBJECTIONS AND RESPONSES TO THE INTERROGATORIES OF JEFFREY R. JONES (the "Responses"), and am familiar with its contents.

I declare, to the best of my knowledge, information, and belief, that the matters set forth in the Responses are true and correct. I do not, however, have personal knowledge of all of the facts contained in the Responses and, with respect to some facts contained in the Responses, I have been informed that they are true and base my belief as to the accuracy of the Responses on such information. WMILT reserves the right to make any changes in the Responses if it appears at any time that omissions or errors have been made or that more accurate information is available.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 11, 2013

John Maciel

CERTIFICATE OF SERVICE

I, Amanda R. Steele, do hereby certify that on March 11, 2013, I caused a copy of the foregoing **WMI Liquidating Trust's Objections and Responses to the Interrogatories of Jeffrey R. Jones** to be served on the party listed below via email and overnight delivery.

Jeffrey R. Jones
5798 Snake Road
Oakland, CA 94611
Email: jjoneswamu@comcast.net

/s/ Amanda R. Steele
Amanda R. Steele (No. 5530)