

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
WASHINGTON MUTUAL, INC., <i>et al.</i> , ¹)	Case No.: 08-12229 (MFW)
)	(Jointly Administered)
)	
Debtors.)	Hearing Date: March 25, 2013 at 10:30 a.m.
)	
)	Re: D.I. Nos. 11032 and 11141

**OBJECTION AND JOINDER IN OBJECTION TO WMI LIQUIDATING TRUST'S
MOTION FOR LEAVE TO AMEND THE FIFTH, SIXTH, SEVENTY-NINTH,
EIGHTIETH, EIGHTY-FIRST, EIGHTY-SECOND, EIGHTY-FOURTH,
EIGHTY-FIFTH, AND EIGHTY-EIGHTH OMNIBUS
OBJECTIONS TO CLAIMS**

Claimants Jose' Tagunicar, Daniel Shanks, John Webber, Robert Merritt, Robert Boxberger, Laura Rodrigues, Richard Strauch, Luis Rodriguez, Kathy Yeu, Michele Grau-Iversen, Robert Hill, Michael Rapaport, David Tomlinson, Mary Beth Davis, Stephen Whittaker and Anthony Vuoto (each a "Claimant" and collectively "Claimants"), by and through their undersigned counsel, hereby submit the following Objection and Joinder in Objection to WMI LIQUIDATING TRUST'S MOTION FOR LEAVE TO AMEND THE FIFTH, SIXTH, SEVENTY-NINTH, EIGHTIETH, EIGHTY-FIRST, EIGHTY-SECOND, EIGHTY-FOURTH, EIGHTY-FIFTH, AND EIGHTY-EIGHTH OMNIBUS OBJECTIONS TO CLAIMS [the "Motion"] [D.I. No. 11032]. In support of this Objection and Joinder in Objection, the Claimants respectfully represent the following:

¹The Debtors in this Chapter 11 case, along with the last four digits of each Debtor's federal tax identification numbers are: (i) Washington Mutual, Inc. (3725); and (ii) WMI Investment Corp. (5395). The Debtors' principal offices are located at 1301 Second Avenue, Seattle, Washington 98191.



Jurisdiction and Venue

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

**OPPOSITION AND JOINDER IN GROUNDS OPPOSING
MOTION FOR LEAVE TO AMEND**

2. Claimants hereby join in and adopt the grounds asserted by claimants John McMurray, Alfred Brooks, Todd Baker, Thomas Casey, Debora Horvath, David Schneider, Stephen Rotella, David Beck, Sean Beckett, Anthony Bozzuti, Rajiv Kapoor, Marc Malone, Thomas E. Morgan, Genevieve Smith, Radha Thompson, Ann Tierney, Daryl David, Kimberly Cannon, Michael Reynoldson, Chandan Sharma and Robert Bjorklund [D.I. No. 11141] in support of their objection to WMILT's Motion.

3. Claimants further object to the Motion on the grounds that they would be unduly prejudiced by the proposed amendment, since it involves the assertion of a new legal theory that existed and could have been asserted by the debtors and/or WMILT at the time of filing the original objections to claims. The deadline to propound written discovery has passed and Claimants would be required to defend against the new legal theories without the opportunity to conduct written discovery. Even if written discovery were permitted, the employee claims hearing and trial would be delayed further. It has been over 4½ years since the bankruptcy was commenced and the resolution of the claims filed by Claimants has already been delayed on more than one occasion. The Claimants deserve to have their claims heard and decided by the Court, without further delay and on the grounds already asserted by WMILT.

4. WHEREFORE, for all of the above reasons, the Claimants request that the Court enter an order denying the Motion in its entirety.

Dated: March 18, 2013
Wilmington, Delaware

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CERTIFICATE OF SERVICE

I, Michael J. Joyce, hereby certify that on this 18th day of March, 2013, I caused copies of the foregoing *Objection and Joinder in Objection to WMI Liquidating Trust's Motion for Leave to Amend the Fifth, Sixth, Seventy-ninth, Eightieth, Eighty-first, Eighty-second, Eighty-fourth, Eighty-fifth, and Eighty-eighth Omnibus Objections to Claims* to be served on the parties listed below via CM/ECF and/or as otherwise indicated:

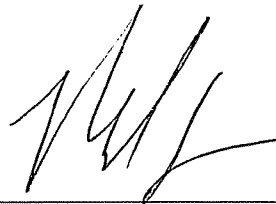
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