

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

In re:

WASHINGTON MUTUAL INC., et al.,

Debtors

Chapter 11

Case No. 08-12229 (MFW)

WMI LIQUIDATING TRUST,

Plaintiff,

v.

Adv. Pro. No. 14-50435 (MFW)

Re Dkt. No. 38 ¶ 5i

FEDERAL DEPOSIT INSURANCE  
CORPORATION, in its corporate capacity, et al.,

Defendants.

**PROPOSED ORDER GRANTING PLAINTIFF WMILT'S STIPULATION FOR  
EXTENSION OF TIME TO OPPOSE DEFENDANT FEDERAL DEPOSIT INSURANCE  
CORPORATION'S MOTION TO DISMISS THE AMENDED COMPLAINT**

On September 5, 2014, the Federal Deposit Insurance Corporation in its Corporate Capacity (the "FDIC") filed its Motion to Dismiss the Amended Complaint (Dkt. 38) (the "FDIC's Motion to Dismiss"). Upon consideration of the Stipulation between plaintiff WMI Liquidating Trust ("WMILT") and defendant FDIC, dated September 15, 2014; and upon sufficient cause appearing therefor; it is hereby

**ORDERED** that the Stipulation is approved.

**ORDERED** that the period in which WMILT must respond to the FDIC's Motion to Dismiss and the relief requested therein is extended through and including October 22, 2014.



**ORDERED** that the period in which the FDIC may file a reply, if any, in support of the FDIC's Motion to Dismiss is extended through and including November 21, 2014.

Dated: Wilmington, Delaware  
September 16, 2014

  
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THE HONORABLE MARY F. WALRATH  
UNITED STATES BANKRUPTCY JUDGE

**EXHIBIT A**

[Stipulation]

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

In re:

WASHINGTON MUTUAL INC., et al.,  
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Chapter 11

Case No. 08-12229 (MFW)

WMI LIQUIDATING TRUST,  
Plaintiff,

Adv. Pro. No. 14-50435 (MFW)

v.

FEDERAL DEPOSIT INSURANCE  
CORPORATION, in its corporate capacity, et al.,  
Defendants.

**STIPULATION AND PROPOSED ORDER EXTENDING TIME FOR PLAINTIFF WMI  
LIQUIDATING TRUST TO OPPOSE DEFENDANT FEDERAL DEPOSIT INSURANCE  
CORPORATION'S MOTION TO DISMISS THE AMENDED COMPLAINT**

1. Plaintiff WMI Liquidating Trust ("WMILT") commenced the above-referenced adversary proceeding by filing a complaint in the United States District Court for the Western District of Washington, naming the Board of Governors of the Federal Reserve System (the "Board"), the Federal Deposit Insurance Corporation in its Corporate Capacity ("FDIC"), and numerous former Washington Mutual Bank and Washington Mutual, Inc. officers and employees as defendants. On November 5, 2013, WMILT filed an Amended Complaint (Dkt. 23) (the "Amended Complaint").

2. On July 3, 2014, the United States District Court for the Western District of Washington (Jones, J.) issued an order: (1) transferring the case to the United States Bankruptcy

Court for the District of Delaware (the “Bankruptcy Court”) under 28 U.S.C. § 1404; and (2) “terminating” all outstanding motions.

3. On July 30, 2014, the FDIC filed its Motion for Withdrawal of the Reference (Dkt. 7); and on August 22, 2014, certain parties filed, under certification of counsel, a stipulation in which those parties, including forty (40) individual defendants, WMILT, the FDIC, and the Board, agreed that the Motion for Withdrawal of the Reference should be granted (Dkt. 33); the parties are awaiting the order to be signed.

4. On August 11, 2014, the Bankruptcy Court issued an order extending until September 5, 2014 the time the FDIC had to respond to the Amended Complaint (Dkt. 17).

5. On September 5, 2014, the FDIC filed its motion to dismiss the Amended Complaint (Dkt. 38) (the “FDIC’s Motion to Dismiss”).

6. The FDIC and WMILT agree to extend through and including October 22, 2014 the period in which WMILT must respond to the FDIC’s Motion to Dismiss and the relief requested therein.

7. The FDIC and WMILT further agree to extend through and including November 21, 2014 the period in which the FDIC may file a reply, if any, in support of the FDIC’s Motion to Dismiss.

8. This stipulation is made without waiver or concession by WMILT or the FDIC of any defense, jurisdictional or otherwise. This stipulation does not serve as consent to the entry of final orders or judgments by the Bankruptcy Court.

Dated: September 15, 2014

/s/ Erik Bond

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