

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

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<i>In re:</i>	:	<b>Chapter 11</b>
	:	
WASHINGTON MUTUAL, INC., <u>et al.</u> , <sup>1</sup>	:	<b>Case No. 08-12229 (MFW)</b>
	:	
<b>Debtors.</b>	:	<b>(Jointly Administered)</b>
	:	
-----X	:	
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<i>In re:</i>	:	<b>Chapter 11</b>
	:	
WASHINGTON MUTUAL, INC., <u>et al.</u> ,	:	<b>Case No. 08-12229 (MFW)</b>
	:	
<b>Debtors.</b>	:	<b>(Jointly Administered)</b>
	:	
-----X	:	
JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,	:	<b>Adv. Pro. No. 09-50551 (MFW)</b>
	:	
<b>Plaintiff,</b>	:	
	:	
v.	:	
	:	
WASHINGTON MUTUAL, INC. AND WMI INVESTMENT CORP.,	:	
	:	
<b>Defendant for all claims</b>	:	
	:	
- and -	:	
	:	
FEDERAL DEPOSIT INSURANCE CORPORATION,	:	
<b>Additional Defendant for Interpleader claim</b>	:	
-----X	:	

<sup>1</sup> 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 Debtors' principal offices are located at 1301 Second Avenue, Seattle, Washington 98101.

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<i>In re:</i>	:
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WASHINGTON MUTUAL, INC., <u>et al.</u> ,	:
	:
Debtors.	:
	:
-----X	
WASHINGTON MUTUAL, INC. AND	:
WMI INVESTMENT CORP.,	:
	:
Plaintiffs,	:
	:
v.	:
	:
JPMORGAN CASH BANK, NATIONAL	:
ASSOCIATION,	:
	:
Defendant.	:
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**Chapter 11**  
**Case No. 08-12229 (MFW)**  
**(Jointly Administered)**

**Adv. Proc. No. 09-50934**

**NOTICE OF AMENDED<sup>2</sup> AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JUNE 24, 2009 AT 10:30 A.M. (EDT)**

**I. CONTINUED MATTER:**

1. Motion of Debtors for an Order Pursuant to Section 105(a) and 363 of the Bankruptcy Code Authorizing But Not Directing (I) Washington Mutual, Inc. to Exercise Its Ownership Rights Over Certain Trust Assets, (II) Distribution of Trust Assets, and (III) Termination of the Trusts [Docket No. 1023; filed 5/15/09]

Objection Deadline: June 2, 2009 at 4:00 p.m. (EDT); extended to June 12, 2009 for Plan Participants

Objections/Responses Received:

- A. Objection of Claimant William E. Broza to Motion of Debtors for an Order Pursuant to Sections 105(a) and 363 of the Bankruptcy Code Authorizing But Not Directing (I) Washington Mutual, Inc. to Exercise Its Ownership Rights Over Certain Trust Assets, (II) Distribution of Trust Assets, and (III) Termination of the Trusts [Docket No. 1084; filed 5/29/09]
- B. Objection filed by Alan H. White to Motion of Debtors for an Order Pursuant to Section 105(a) and 363 of the Bankruptcy Code Authorizing But Not

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<sup>2</sup> Amended/Added agenda items are noted in bold.

Directing (I) Washington Mutual, Inc. to Exercise Its Ownership Rights Over Certain Trust Assets, (II) Distribution of Trust Assets, and (III) Termination of the Trusts [Docket No. 1100; filed 6/2/09]

- C. Objection of Certain Plan Participants to Debtor's Motion for Authority to: (I) Exercise Its Ownership Rights Over Certain Trust Assets; (II) Distribute Trust Assets; and (III) Terminate the Trust [Docket No. 1129; filed 6/12/09]

Related Documents: None.

Status: The hearing on this matter is continued to the next omnibus hearing scheduled for July 27, 2009 at 2:00 p.m. (ET). The Debtors intend to file a reply by July 22, 2009.

## **II. UNCONTESTED MATTERS WITH CERTIFICATION OF NO OBJECTION:**

2. Motion of Debtors for Authorization Pursuant to Sections 105(a) and 365(a) of the Bankruptcy Code and Bankruptcy Rule 9019(a) to Enter Into Stipulation Regarding Rejection of Contracts with Systemware, Inc. [Docket No. 1082; filed 5/27/09]

Objection Deadline: June 17, 2009 at 4:00 p.m. (EDT)

Objections/Responses Received: None

Related Documents:

- i. Certification of No Objection Regarding Motion of Debtors for Authorization Pursuant to Sections 105(a) and 365(a) of the Bankruptcy Code and Bankruptcy Rule 9019(a) to Enter Into Stipulation Regarding Rejection of Contracts with Systemware, Inc. [Docket No. 1185; filed 6/22/09]
- ii. **Order Authorizing Debtors to Enter Into Stipulation Regarding Rejection of Contracts with Systemware, Inc. [Docket No. 1201; filed 6/22/09]**

Status: **On June 22, 2009, the Court entered an Order with respect to this matter Accordingly, no hearing on this matter is necessary.**

3. Debtors' Supplemental Application Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code for Authorization to Employ and Retain Grant Thornton LLP as Tax Advisors to the Debtors, Nunc Pro Tunc to June 4, 2009 [Docket No. 1111; filed 6/4/09]

Objection Deadline: June 17, 2009 at 4:00 p.m. (EDT)

Objections/Responses Received: None

Related Documents:

- i. Certification of No Objection Regarding Debtors' Supplemental Application Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code for Authorization to Employ and Retain Grant Thornton LLP as Tax Advisors to the Debtors, Nunc Pro Tunc to June 4, 2009 [Docket No. 1186; filed 6/22/09]
- ii. **Order (Supplemental) Authorizing Debtors to Retain and Employ Grant Thornton LLP as Tax Advisors to the Debtors, Nunc Pro Tunc to June 4, 2009 [Docket No. 1199; filed 6/22/09]**

Status: **On June 22, 2009, the Court entered an Order with respect to this matter Accordingly, no hearing on this matter is necessary.**

### **III. ADVERSARY PROCEEDING NO. 09-50551:**

4. Motion of Federal Deposit Insurance Corporation, As Receiver, to Stay Adversary Proceeding [Adversary Proceeding No. 09-50551; Docket No. 25; filed 6/1/09]

Objections/Responses Received:

- A. Debtors' Opposition to (I) Motion of the Federal Deposit Insurance Corporation ("FDIC") to Intervene, (II) the Motion of the FDIC to Stay Adversary Proceedings, and (III) the Motion of JPMorgan Chase Bank, National Association for Stay of Debtors' Adversary Proceeding [Docket No. 36; filed 6/15/09]
- B. Joinder and Brief of the Official Committee of Unsecured Creditors in Opposition to the Motion of the Federal Deposit Insurance Corporation to Stay Adversary Proceeding [Docket No. 37; filed 6/15/09]
- C. Response of Plaintiff JPMorgan Chase Bank, National Association, to Defendant Federal Deposit Insurance Corporation's Motion to Stay Adversary Proceedings [Docket No. 38; filed 6/15/09]
- D. **Reply Memorandum of the FDIC-Receiver in Support of its Motion to Stay Adversary Proceedings [Docket No. 45; filed 6/22/09]**

Related Documents:

- i. Memorandum of Law in Support of the Motion of Federal Deposit Insurance Corporation, As Receiver, to Stay Adversary Proceeding [Docket No. 26; filed 6/1/09]
- ii. Notice of Hearing to Consider Motion of Federal Deposit Insurance Corporation, as Receiver, to Stay Adversary Proceeding [Docket No. 29; filed 6/8/09]

Status: The hearing on this matter is going forward.

**IV. ADVERSARY PROCEEDING NO. 09-50934**

5. Plaintiffs' Motion for Reconsideration of the Order Granting Expedited Motion of Defendant JPMorgan Chase Bank, National Association for Additional Time to Respond to Debtors' Summary Judgment Motion [Adversary Proceeding No. 09-50934; Docket No. 25; filed 5/25/09]

Objections/Responses Received:

- A. Joinder of the Official Committee of Unsecured Creditors of Washington Mutual, Inc., and WMI Investment Corp. in Plaintiff's Motion for Reconsideration of the Order Granting Expedited Motion of Defendant JPMorgan Chase Bank, National Association for Additional Time to Respond to Debtors' Summary Judgment Motion [Docket No. 34; filed 6/10/09]
- B. Opposition of Defendant JPMorgan Chase Bank, National Association to the Debtors' Motion for Reconsideration [Docket No. 37; filed 6/12/09]
- C. Reply in Support of Plaintiffs' Motion for Reconsideration of the Order Granting Expedited Motion of Defendant JPMorgan Chase Bank, National Association for Additional Time to Respond to Debtors' Summary Judgment Motion [Docket No. 41; filed 6/19/09]

Related Documents:

- i. Notice of Hearing to Consider Plaintiffs' Motion for Reconsideration of the Order Granting Expedited Motion of Defendant JPMorgan Chase Bank, National Association for Additional Time to Respond to Debtors' Summary Judgment Motion and Motion of Defendant JPMorgan Chase Bank, National Association for Stay of Debtors' Adversary Proceeding [Docket No. 32; filed 6/3/09]

Status: The hearing on this matter is going forward.

6. Motion of Federal Deposit Insurance Corporation, as Receiver, to Intervene [Docket No. 29; filed 6/1/09]

Objections/Responses Received:

- A. Statement of the Washington Mutual, Inc. Noteholders Group in Opposition to (A) the Motion of Intervenor-Defendant Federal Deposit Insurance Corporation, as Receiver for Washington Mutual Bank, to Stay or Dismiss the Adversary Complaint, and (B) the Motion of Defendant JPMorgan Chase Bank, National Association for Stay of Debtors' Adversary Proceeding [Docket No. 38; filed 6/15/09]
- B. Debtors' Opposition to (I) the Motion of the Federal Deposit Insurance Corporation ("FDIC") to Intervene, (II) the Motion of the FDIC to Stay Adversary Proceedings, and (III) the Motion of JPMorgan Chase Bank,

National Association for Stay of Debtors' Adversary Proceeding [Docket No. 39; filed 6/15/09]

- C. Joinder and Brief of the Official Committee of Unsecured Creditors in Opposition to (A) the Motions of the Federal Deposit Insurance Corporation to Intervene in the Turnover Action and to Stay Adversary Proceedings; and (B) the Motion of Defendant JPMorgan Chase Bank, National Association, to Stay [Docket No. 40; filed 6/15/09]

Related Documents:

- i. Memorandum of Law in Support of Motion to Intervene [Docket No. 28; filed 6/1/09]
- ii. **Reply Memorandum of the FDIC-Receiver in Support of Its Motion to Stay Adversary Proceedings and to Intervene Filed by Federal Deposit Insurance Corporation [Docket No. 43; filed 6/22/09]**

Status: The Movant respectfully requests that the matter be heard at the hearing.

- 7. Motion of Defendant JPMorgan Chase Bank, National Association for Stay of Debtors' Adversary Proceeding [Docket No. 31; filed 6/1/09]

Objections/Responses Received:

- A. Statement of the Washington Mutual, Inc. Noteholders Group in Opposition to (A) the Motion of Intervenor-Defendant Federal Deposit Insurance Corporation, as Receiver for Washington Mutual Bank, to Stay or Dismiss the Adversary Complaint, and (B) the Motion of Defendant JPMorgan Chase Bank, National Association for Stay of Debtors' Adversary Proceeding [Docket No. 38; filed 6/15/09]
- B. Debtors' Opposition to (I) the Motion of the Federal Deposit Insurance Corporation ("FDIC") to Intervene, (II) the Motion of the FDIC to Stay Adversary Proceedings, and (III) the Motion of JPMorgan Chase Bank, National Association for Stay of Debtors' Adversary Proceeding [Docket No. 39; filed 6/15/09]
- C. Joinder and Brief of the Official Committee of Unsecured Creditors in Opposition to (A) the Motions of the Federal Deposit Insurance Corporation to Intervene in the Turnover Action and to Stay Adversary Proceedings; and (B) the Motion of Defendant JPMorgan Chase Bank, National Association, to Stay [Docket No. 40; filed 6/15/09]

Related Documents:

- i. Notice of Hearing to Consider Plaintiffs' Motion for Reconsideration of the Order Granting Expedited Motion of Defendant JPMorgan Chase Bank,

National Association for Additional Time to Respond to Debtors' Summary Judgment Motion and Motion of Defendant JPMorgan Chase Bank, National Association for Stay of Debtors' Adversary Proceeding [Docket No. 32; filed 6/3/09]

- ii. **Reply Brief in Further Support of Motion for Stay of Debtors' Adversary Proceeding** filed by JPMorgan Chase Bank, N.A. [Docket No. 44; filed 6/22/09]
- iii. **Appendix Regarding Reply Brief in Further Support of Motion for Stay of Debtors' Adversary Proceeding** filed by JPMorgan Chase Bank, N.A. [Docket No. 45; filed 6/22/09]

Status: The hearing on this matter is going forward.

- 8. **Motion to Dismiss Adversary Proceeding Filed by JPMorgan Chase Bank, N.A.** [Docket No. 8; filed 5/13/09]

**Objections/Responses Received:**

- A. **Response to JPMorgan Chase Bank, N.A.'s Motion to Dismiss** filed by WMI Investment Corp., Washington Mutual, Inc. [Docket No. 22; filed 5/27/09]

**Related Documents:**

- i. **Opening Brief in Support of Motion to Dismiss Adversary Proceeding** filed by JPMorgan Chase Bank, N.A. [Docket No. 9; filed 5/13/09]
- ii. **Appendix** filed by JPMorgan Chase Bank, N.A. [Docket No. 10; filed 5/13/09]
- iii. **Reply Brief of Defendant JPMorgan Chase Bank, National Association in Further Support of Its Motion to Dismiss** [Docket No. 33; filed 6/3/09]

Status: The hearing on this matter is going forward.

Dated: June 23, 2009  
Wilmington, Delaware

Respectfully submitted,



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