

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE 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	:	
WASHINGTON MUTUAL, INC. AND WMI INVESTMENT CORP.,	:	Adv. Pro. No. 09-50934 (MFW)
	:	
Plaintiffs,	:	
	:	
v.	:	<i>Re: § 260</i>
	:	
JPMORGAN CHASE BANK, N.A.,	:	
	:	
	:	
Defendant.	:	
-----X	:	

**ORDER DENYING MOTION TO DISMISS ADVERSARY PROCEEDING
FILED BY JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**

Upon the motion, dated May 13, 2009 (the "Motion") [Docket No. 8], of JPMorgan Chase Bank, National Association ("JPMorgan") for an order (a) dismissing the complaint of Washington Mutual, Inc. and WMI Investment Corp. (together, the "Debtors"), dated April 27, 2009, for turnover of estate property or (b) in the alternative, consolidating the above-captioned adversary proceeding with JPMorgan's adversary proceeding, styled JPMorgan Chase Bank, National Association v. Washington Mutual, Inc. and WMI Investment Corp., Adv. Proc. No. 09-50551 (MFW), all as more fully set forth in the Motion and the Opening

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 Debtors' principal offices are located at 1301 Second Avenue, Seattle, Washington 98101.

Brief in Support of Motion to Dismiss Adversary Proceeding filed by JPMorgan [Docket No. 9]; and the Debtors having filed a response to the Motion on May 27, 2009 (the "Response") [Docket No. 22]; and the Court having jurisdiction to consider the Motion, the Response, and all related filings in connection therewith and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409 to consider the Motion; and due and proper notice of the Motion and the Response having been provided, and it appearing that no other or further notice need be provided; and a hearing having been held before the Court with respect to the Motion, the Response, and related filings on June 24, 2009 (the "Hearing"); and upon the record of the Hearing and for the reasons set forth on the record of the Hearing, it is hereby

ORDERED that the Motion and the relief requested therein is denied.

Dated: Wilmington, Delaware

July 6, 2009



THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE