

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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WASHINGTON MUTUAL, INC.	:	
	:	
and	:	
	:	Civil Action No. 1:09-cv-00533 RMC
WMI INVESTMENT CORP.	:	
	:	ORAL HEARING REQUESTED
Plaintiffs,	:	
v.	:	
FEDERAL DEPOSIT INSURANCE	:	
CORPORATION,	:	
	:	
Defendant.	:	
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**JPMORGAN CHASE BANK, N.A.’S
MOTION TO INTERVENE AS DEFENDANT**

Proposed Intervenor-Defendant JPMorgan Chase Bank, N.A. (“JPMC”), by and through its attorneys, Sullivan & Cromwell LLP, hereby moves pursuant to Rule 24(a) of the Federal Rules of Civil Procedure to intervene as of right as a defendant in this action. JPMC has significant protectable economic and legal interests in the issues to be adjudicated in this action. Alternatively, in the event the Court denies JPMC’s motion to intervene as of right, JPMC hereby moves this Court to exercise its discretion to permit JPMC to intervene pursuant to Rule 24(b) of the Federal Rules of Civil Procedure.

Plaintiffs’ and JPMC’s claims to the assets at issue in this case raise common questions of law and fact, and no party will be prejudiced by JPMC’s intervention at this early stage in the proceedings. Further information concerning the bases for granting JPMC’s

Motion to Intervene as Defendant are set forth in JPMC's supporting Memorandum of Points and Authorities, filed herewith, and the attached Answer and Counterclaim.

Pursuant to Local Civil Rule 7(m), counsel for JPMC discussed this Motion in good faith with counsel for plaintiffs and with defendant the Federal Deposit Insurance Corporation (the "FDIC"). Counsel for plaintiffs indicated that they were unable at this time to take a position on the Motion, while counsel for the FDIC expressed no opposition to JPMC filing the Motion, without taking a position on whether the Motion should be granted.

JPMC respectfully requests an oral hearing on this Motion.

Dated: March 30, 2009
Washington, D.C.

Respectfully submitted,



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