

A CERTIFIED TRUE COPY
ATTEST
By Darion Payne on May 13, 2009
FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FILED

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Apr 27, 2009

FILED
CLERK'S OFFICE

09 MAY 18 PM 1:21

UNITED STATES JUDICIAL PANEL
on ^{ASSISTED BY WIKING}
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
MULTIDISTRICT LITIGATION

**IN RE: WASHINGTON MUTUAL, INC., SECURITIES,
DERIVATIVE & "ERISA" LITIGATION**

Lou Solton v. Kerry Killinger, et al.,
N.D. California, C.A. No. 3:09-1481 JSW)

MDL No. 1919

CONDITIONAL TRANSFER ORDER (CTO-2)

On February 21, 2008, the Panel transferred two civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 536 F.Supp.2d 1377 (J.P.M.L. 2008). Since that time, two additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Marsha J. Pechman.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Western District of Washington and assigned to Judge Pechman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of February 21, 2008, and, with the consent of that court, assigned to the Honorable Marsha J. Pechman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

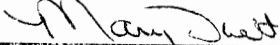
Inasmuch as no objection is
pending at this time, the
stay is lifted.
May 13, 2009
CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffrey N. Luthi

Clerk of the Panel certify that the
annexed instruments is a true
and correct copy of the original
on file in my office.
ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington

By 

Deputy Clerk

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
J. Frederick Motz
United States District Court
District of Maryland

Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Kathryn H. Vratil
United States District Court
District of Kansas

David R. Hansen
United States Court of Appeals
Eighth Circuit

W. Royal Furgeson, Jr.
United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
Eastern District of California

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: (202) 502-4800
Fax: (202) 502-4888
<http://www.jpml.uscourts.gov>

May 13, 2009

Bruce Rifkin, Clerk
U.S. Courthouse, Lobby Level
700 Stewart Street
Seattle, WA 98101

Re: MDL No. 1919 -- IN RE: Washington Mutual, Inc., Securities, Derivative & "ERISA" Litigation

(See Attached CTO-2)

Dear Mr. Rifkin:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on April 27, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. § 1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By Darion Payne
Darion Payne
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Marsha J. Pechman

I hereby certify that the annexed instruments is a true and correct copy of the original on file in my office.
ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington

By Mary Jo Hart
Deputy Clerk

INVOLVED COUNSEL LIST (CTO-2)

**Dan Drachler
ZWERLING SCHACHTER & ZWERLING LLP
1904 Third Avenue
Suite 1030
Seattle, WA 98101-1170**

**Mark C. Molumphy
COTCHETT PITRE & MCCARTHY
840 Malcolm Road
Suite 200
Burlingame, CA 94010**

**Barry R. Ostrager
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017-3954**

**Robert J. Pfister
SIMPSON THACHER & BARTLETT LLP
1999 Avenue of the Stars
29th Floor
Los Angeles, CA 90067-4607**

**John S. Rossiter, Jr.
PERKINS COIE LLP
Four Embarcadero Center
Suite 2400
San Francisco, CA 94111**

**Roger M. Townsend
BRESKIN JOHNSON & TOWNSEND PPLC
999 Third Avenue
Suite 4400
Seattle, WA 98104-4088**

**Daniel Wagner Turbow
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304**

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

700 STEWART ST. LOBBY LEVEL
SEATTLE, WASHINGTON 98101

MAY 13, 2009

Clerk, US District Court,
Northern District of California
Phillip Burton US Courthouse, 16th Floor
450 Golden Gate Avenue
San Francisco, CA 94102-3434

NICHOLAS M. RIFKIN
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAY 18 PM 1:22

**IN RE: MDL 1919 - WASHINGTON MUTUAL INC., SECURITIES, DERIVATIVE &
"ERISA" LITIGATION**

Dear Clerk:

Enclosed is a certified copy of Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The order became effective on May 13, 2009. We have assigned individual Western District of Washington (WAWD) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your files, please refer to the WAWD civil action numbers C09-0664MJP. If you are a CM/ECF court you may provided a copy of the case by Electronic Case Filing in PDF format with a certified copy of the docket sheet. Please do not email a login and password to access the case.

<u>Case Title</u>	<u>Original Case Number</u>	<u>WAWDCase Number</u>
Lou Solton vs. Kerry Killinger et al	3:09-1481	09-cv-664MJP

Sincerely,

BRUCE RIFKIN, CLERK

By: _____
Mary Duett, Deputy Clerk
206-370-8456