

THE HONORABLE MARSHA J. PECHMAN

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE FEDERAL DEPOSIT
INSURANCE CORPORATION, as
RECEIVER of WASHINGTON
MUTUAL BANK,

Plaintiff,

vs.

KERRY KILLINGER, STEPHEN
ROTELLA, DAVID SCHNEIDER,
LINDA KILLINGER, and ESTHER
ROTELLA,

Defendants.

Case No.: 2:11-cv-00459-MJP

**STIPULATION AND [PROPOSED]
ORDER TO SET TIME FOR
DEFENDANTS KERRY AND
LINDA KILLINGER TO RESPOND
TO COMPLAINT**

Plaintiff Federal Deposit Insurance Corporation, as receiver for Washington
Mutual Bank (“Plaintiff”) and Defendants Kerry Killinger and Linda Killinger, by and
through their counsel, submit this Stipulation and [Proposed] Order to set June 3, 2011

1 as the date by which Defendants Kerry and Linda Killinger must answer or otherwise
2 respond to Plaintiff's Complaint.

3
4 **RECITALS**

5 WHEREAS Plaintiff filed its Complaint in the Western District of Washington
6 on March 16, 2011;

7 WHEREAS counsel for Defendants Kerry and Linda Killinger agreed to accept
8 service of the Complaint on their behalf;

9
10 **STIPULATION**

11 IT IS HEREBY STIPULATED AND AGREED, by and between counsel for
12 Plaintiff and Defendants Kerry and Linda Killinger, that Defendants Kerry and Linda
13 Killinger shall have until the end of June 3, 2011 to answer or otherwise respond to
14 Plaintiff's Complaint.
15

16
17
18 IT IS SO STIPULATED.

19 DATED this 15th day of April 2011.
20

21
22 [Signatures on next page.]
23
24
25
26
27
28

1 REED SMITH LLP

WILLIAMS & CONNOLLY LLP

2
3 By /s/ Barry Rosen
4 Barry Rosen (Admitted *Pro Hac*
5 *Vice*)

By /s/ David D. Aufhauser
David D. Aufhauser (Admitted *Pro*
Hac Vice)

6 10 South Wacker Drive
7 Suite 4000
8 Chicago, IL 60606
9 (312) 207-1000

725 Twelfth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 434-5000
Facsimile: (202) 434-5029

10 brosen@reedsmith.com

daufhauser@wc.com

11 *Attorneys for the Federal Deposit*
12 *Insurance Corporation*

Attorneys for Kerry and Linda
13 *Killinger*

1 **CERTIFICATE OF SERVICE**

2 On April 15, 2011, I electronically filed the foregoing STIPULATION AND
3 [PROPOSED] ORDER TO SET TIME FOR DEFENDANTS KERRY AND LINDA
4 KILLINGER TO RESPOND TO COMPLAINT with the Clerk of the Court using the
5 CM/ECF system, which will send notification of such filing to the attorneys of record.
6

7 I certify under penalty of perjury that the foregoing is true and correct.

8
9 DATED this 15th day of April 2011.

10
11 By /s/ Steven M. Cady
12 Steven M. Cady (Admitted *Pro Hac Vice*)
13 WILLIAMS & CONNOLLY LLP
14 725 Twelfth Street, N.W.
15 Washington, D.C. 20005
16 Telephone: (202) 434-5000
17 Facsimile: (202) 434-5029
18 scady@wc.com
19
20
21
22
23
24
25
26
27
28