

THE HONORABLE MARSHA J. PECHMAN

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 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.  
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18 IT IS SO STIPULATED.

19 DATED this 15th day of April 2011.  
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22 [Signatures on next page.]  
23  
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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  
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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*)  
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1 **ORDER**

2 Based on the foregoing Stipulation, IT IS

3 ORDERED that Defendants Kerry Killinger and Linda Killinger have until the  
4 end of June 3, 2011 to answer or otherwise respond to Plaintiff's Complaint.  
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6  
7 DATED this 19th day of April, 2011.  
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9 

10  
11 Marsha J. Pechman  
12 United States District Judge  
13  
14  
15

16 Presented by:

17 WILLIAMS & CONNOLLY LLP  
18

19 By /s/ David D. Aufhauser

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