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The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

THE FEDERAL DEPOSIT INSURANCE CORPORATION, as RECEIVER of WASHINGTON MUTUAL BANK,)
)
Plaintiff,)
)
v.)
)
KERRY K. KILLINGER, STEPHEN J. ROTELLA, DAVID C. SCHNEIDER, LINDA C. KILLINGER, and ESTHER T. ROTELLA,)
)
Defendants.)

No. 2:11-cv-00459-MJP
DECLARATION OF TOBIN J. ROMERO IN SUPPORT OF DEFENDANTS KERRY K. AND LINDA C. KILLINGER'S REPLY IN SUPPORT OF MOTION TO DISMISS

1 I, Tobin J. Romero, declare:

- 2 1. I am an attorney at the law firm of Williams & Connolly LLP. I make this
3 declaration in support of Kerry K. and Linda C. Killinger's Reply in Support of
4 Motion to Dismiss, filed concurrently herewith. I am familiar with the facts set
5 forth herein and could and would testify thereto if necessary.
- 6 2. Attached hereto as Exhibit 1 is a true and correct copy of the court's decision in
7 *National Credit Union Administration v. Siravo*, No. 10-1597 (C.D. Cal. July 25,
8 2011).
- 9 3. Attached hereto as Exhibit 2 is a true and correct copy of the Second Amended
10 Complaint in *National Credit Union Administration v. Siravo*, No. 10-1597 (C.D.
11 Cal. Feb. 22, 2011).
- 12 4. Attached hereto as Exhibit 3 is a true and correct copy of the court's decision in
13 *National Credit Union Administration v. Siravo*, No. 10-1597 (C.D. Cal. July 7,
14 2011).
- 15 5. Attached hereto as Exhibit 4 is a true and correct copy of the court's decision in
16 *Ist Valley Credit Union v. Bland*, No. 10-1597 (C.D. Cal. Dec. 20, 2010).
- 17 6. Attached hereto as Exhibit 5 is a true and correct copy of the court's decision in
18 *National Credit Union Administration v. Siravo*, No. 10-1597 (C.D. Cal. Jan. 31,
19 2011).

20 I declare under penalty of perjury that the foregoing is true and correct. Executed on
21 September 15, 2011.

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23
24 /s/ Tobin J. Romero
25 Tobin J. Romero
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on September 15, 2011, I electronically filed the foregoing with the
3 Clerk of the Court using the CM/ECF system, which will send notification of such filing to all
4 participants in this case who are registered CM/ECF users. I further certify that all participants
5 to this case are registered with the CM/ECF system, and therefore no participant need be served
6 by conventional methods.
7

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9
10
11 /s/ Tobin J. Romero
12 TOBIN J. ROMERO (*pro hac vice*)
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