

LEGAL NOTICE

If you were a participant in the WaMu Savings Plan and invested any of your 401(k) money in Washington Mutual stock at any time between October 19, 2005 and September 26, 2008, both dates inclusive, your rights may be affected by a proposed settlement of a class action lawsuit.

The settlement has been preliminarily approved by a federal court in Seattle. If the settlement receives final approval, it would resolve a lawsuit alleging breaches of fiduciary duties under the Employee Retirement Income Security Act (“ERISA”), in connection with the WaMu Savings Plan. The terms of the settlement are contained in the Class Action Settlement Agreement dated June 18, 2010, which is available at www.erisafraud.com, www.kellersettlements.com, and www.hbsslaw.com, or by contacting Plaintiffs’ Class Counsel at the toll-free number or email address identified below.

The proposed settlement provides for a payment of \$49 million and other consideration to settle all claims against the defendants. The proceeds, minus expenses described in the Settlement Agreement (which include court-approved attorneys’ fees and expenses and service awards to the plaintiffs who brought the lawsuit, taxes and other costs related to the settlement) will be allocated to class members whose 401(k) accounts suffered losses as a result of investing in Washington Mutual common stock.

If you qualify and the settlement is approved, you will be entitled to receive such an allocation. You do not need to submit a claim or take any other action unless you wish to object to the settlement. *However, if you have left the WaMu Savings Plan and your address has changed in the interim, you should contact the lawyers identified below and advise them of your current address.* The United States District Court for the Western District of Washington authorized this Notice.

THE DISTRICT COURT WILL HOLD A HEARING AT 3:30 P.M. ON NOVEMBER 5, 2010 TO DECIDE WHETHER TO APPROVE THE SETTLEMENT.

ADDITIONAL INFORMATION ABOUT THE SETTLEMENT, INCLUDING INFORMATION ABOUT HOW TO OBJECT TO THE SETTLEMENT, IS AVAILABLE ON THE FOLLOWING WEBSITES: WWW.ERISAFRAUD.COM, WWW.KELLERSETTLEMENTS.COM, AND WWW.HBSSLAW.COM. IN ADDITION, THE LAWYERS FOR THE PLAINTIFFS HAVE ESTABLISHED A TOLL-FREE NUMBER, (800) 269-0794, AND EMAIL ADDRESS, INFO@WAMU401KSETTLEMENT.COM, TO ANSWER QUESTIONS ABOUT THE SETTLEMENT.

Please direct questions to Plaintiffs’ Class Counsel, and not to the District Court.

DATED: August 6, 2010

By Order of the Court