

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
ENTERED

JUN 08 2005

Michael N. Milby, Clerk of Court

In re ENRON CORPORATION SECURITIES
LITIGATION

§
§ MDL-1446

This Document Relates To:

MARK NEWBY, et al., Individually and On
Behalf of All Others Similarly Situated,

§ Consolidated Civil Action
§ No. H-01-3624

Plaintiffs,

vs.

ENRON CORP., et al.,

Defendants.

CONFIDENTIALITY ORDER

Upon the Unopposed Motion for Confidentiality Order filed by Deutsche Bank AG, Deutsche Bank Trust Company Americas, and Deutsche Bank Securities Inc. (collectively, "Deutsche Bank") dated May 27, 2005, it is hereby

ORDERED that the motion of Deutsche Bank is GRANTED; and it is

FURTHER ORDERED that:

1. All documents produced by Deutsche Bank in the above case containing either (a) personal information of current and former employees of Deutsche Bank, or (b) proprietary, non-public information about customers of Deutsche Bank other than Enron concerning non-Enron-related transactions, (i) shall be used by all the parties in the Newby litigation, including the consolidated, related, and coordinated cases (collectively, the "Consolidated Actions"), solely in and for the purposes of the Consolidated Actions and shall not be disclosed to anyone other than

counsel of record in those cases, employees of counsel of record, employees of parties in the Consolidated Actions for the purposes of assisting or consulting with counsel in those Actions or in preparation for or during their depositions or trial testimony, non-party witnesses during their depositions or trial testimony, experts retained by the parties in the Consolidated Actions and any court-ordered mediator in these Actions, each of whom shall restrict use and disclosure of such documents, written discovery and information as provided in this paragraph, and (ii) shall not be filed with any court without first obtaining the consent of Deutsche Bank; provided, however, that such consent is not required in the above-captioned case so long as Deutsche Bank's confidential documents are filed under seal in accordance with applicable rules.

2. Deutsche Bank shall promptly notify counsel for Lead Plaintiff in writing of any additional confidential designations within subsequent document productions made to the Newby document depository.

3. Nothing in this Confidentiality Order shall prevent any party to the Consolidated Actions (including but not limited to the Lead Plaintiff in Newby) from challenging at any time prior to final disposition of the case Deutsche Bank's designation of any documents in its productions as confidential, including, but not limited to, seeking appropriate relief from the Court. Nor shall anything herein shift the burden to Lead Plaintiff, or any party challenging confidentiality, to establish that a particular document is not confidential.

SIGNED at Houston, Texas this 7th day of June, 2005



MELINDA HARMON
UNITED STATES DISTRICT JUDGE