

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED

OCT 01 2002 JS

MICHAEL N. MILBY, CLERK OF COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES
LITIGATION

Civil Action No. H-01-3624
(Consolidated)

This Document Relates To:

CLASS ACTION

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

Plaintiffs,

vs.

ENRON CORP., et al.,

Defendants.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, et al., Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

KENNETH L. LAY, et al.,

Defendants.

**DECLARATION OF JAMES I. JACONETTE IN SUPPORT OF
LEAD PLAINTIFF'S MOTION FOR CLASS CERTIFICATION**

1049

I, JAMES I. JACONETTE, declare as follows:

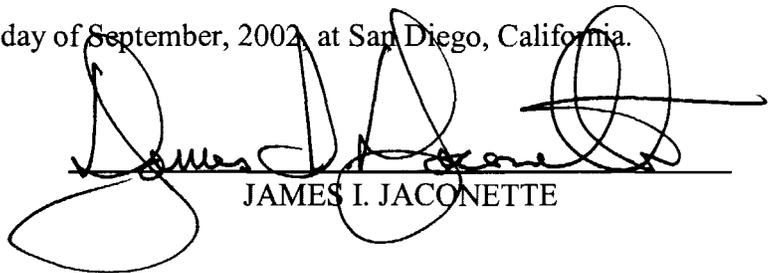
1. I am an attorney duly licensed to practice before all of the courts of the State of California and I am admitted *pro hac vice* before this Court. I am associated with the law firm of Milberg Weiss Bershad Hynes & Lerach LLP, counsel of record for Lead Plaintiff in the above-entitled action. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. Attached are true and correct copies of the following exhibits:

- Exhibit 1: Excerpts from Enron's Report on Form 10-K filed with the SEC on April 2, 2001;
- Exhibit 2: *In re U.S. Liquids Sec. Litig.*, No H-99-2785 (S.D. Tex. June 12, 2002);
- Exhibit 3: *Shields v. Keating*, No. CV 89-2052 SVW (Bx) (C.D. Cal. Dec. 27, 1989);
- Exhibit 4: Certification of The Regents of the University of California;
- Exhibit 5: Amended Certification of Robert V. Flint;
- Exhibit 6: Amended Certification of Amalgamated Bank, as Trustee for the LongView Collective Investment Fund, LongView Core Bond Index Fund and Certain Other Trust Accounts,
- Exhibit 7: Certification of Hawaii Laborers Pension Plan;
- Exhibit 8: Certification of George M. Placke;
- Exhibit 9: Certification of Michael J. Bessire;
- Exhibit 10: Certification of Dr. Richard Kimmerling;
- Exhibit 11: Amended Certification of Michael B. Henning;
- Exhibit 12: Certification of John Zegarski;
- Exhibit 13: Certification of Joseph C. Speck;
- Exhibit 14: Certification of Ben L. Schuette;
- Exhibit 15: Certification of San Francisco City and County Employees' Retirement System;
- Exhibit 16: Amended Certification of John J. and Charlotte E. Cassidy, as Trustees for the John & Charlotte Cassidy Family Trust;
- Exhibit 17: Certification of Washington State Investment Board;

- Exhibit 18: Certification of Employer-Teamsters Local Nos. 175 & 505 Pension Trust Fund;
- Exhibit 19: Amended Certification of the Archdiocese of Milwaukee Supporting Fund, Inc.;
- Exhibit 20: Amended Certification of Nathaniel Pulsifer, Trustee of the Shooters Hill Revocable Trust;
- Exhibit 21: Certification of Staro Asset Management, L.L.C.;
- Exhibit 22: Certification of Mervin Schwartz, Jr.; and
- Exhibit 23: Amended Certification of Stephen M. Smith.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 30th day of September, 2002, at San Diego, California.



JAMES I. JACONETTE

The Exhibit(s) May
Be Viewed in the
Office of the Clerk

The Service List

May be Viewed in

the Office of the Clerk