

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
FILED  
OCT 01 2002

Michael N. Milby, Clerk  
United States Courts  
Southern District of Texas  
ENTERED

OCT 08 2002

Michael N. Milby, Clerk

In Re ENRON CORPORATION §  
SECURITIES, DERIVATIVE & § MDL 1446  
"ERISA" LITIGATION, §

MARK NEWBY, ET. AL. §

Plaintiffs §

VS. §

CIVIL ACTION NO. H-01-3624 ✓  
AND CONSOLIDATED CASES

ENRON CORPORATION, ET.AL. §  
Defendants §

DAVID A. HUETTNER, Individually and as §  
Custodian of the David A. Huettner Individual §  
Retirement Account; SUSAN B. HUETTNER; §  
and DONALD E. HUETTNER, Individually §  
and as Custodian of the Donald E. Huettner §  
Individual Retirement Account §  
Plaintiffs §

VS. §

CIVIL ACTION NO. H-02-2984

EOTT ENERGY PARTNERS, L.P.; §  
EOTT ENERGY CORP.; KENNETH LAY; §  
DANA R. GIBBS; STANLEY C. HORTON; §  
MARY ELLEN COOMBE; §  
DAVID R. HULTSMAN; LORI L. MADDOX; §  
PEGGY B. MENCHACA; §  
MOLLY M. SAMPLE; SUSAN C. RALPH; §  
DANIEL P. WHITTY; and §  
ARTHUR ANDERSEN, L.L.P. §

**AGREED ORDER AND STIPULATION TO SET THE DATE  
TO RESPOND TO PLAINTIFFS' ORIGINAL COMPLAINT**

EOTT Energy Corp. ("EOTT Corp.") and Plaintiffs file this agreed order and stipulation to set the date by which Defendants must file a response to Plaintiffs' Original Petition.

EOTT Corp. and Plaintiffs stipulate and ask the court to order that EOTT Corp. has until October 11, 2002 to file a response to Plaintiffs' Original Complaint.

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SEP. 30. 2002 2:31PM  
9-30-02:11:23AM;PCR PCR

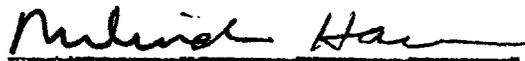
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P.3# 3/ 4

EOTT Corp. and Plaintiffs ask the court to set the date for EOTT Energy Corp. to file a response to Plaintiffs' Original Complaint on or before October 11, 2002.

SIGNED THIS 7<sup>th</sup> day of October, 2002

  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

By: \_\_\_\_\_  
Walter J. Cicack  
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ATTORNEY FOR DEFENDANTS,  
EOTT ENERGY CORP.

and 

By: \_\_\_\_\_  
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ATTORNEY FOR PLAINTIFFS

EOTT Corp. and Plaintiffs ask the court to set the date for EOTT Energy Corp. to file a response to Plaintiffs' Original Complaint on or before October 11, 2002.

SIGNED THIS 7<sup>th</sup> day of October, 2002

*Pauline Han*  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

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