

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

United States Courts
Southern District of Texas
ENTERED

DEC 19 2002

Michael N. Milby, Clerk of Court

In Re ENRON CORPORATION
SECURITIES LITIGATION

Civil Action No. 01-3624
(Consolidated)

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

VS.

KENNETH L. LAY, et al.,

Defendants.

ORDER ON MEDIA INTERVENORS' MOTION TO INTERVENE AND
PROTECTIVE ORDER ISSUES.

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Pending before the Court are the motion of Dow Jones & Co., Inc., The New York Times Co., The Washington Post, USA Today, The Houston Chronicle, and the Reporters' Committee for Freedom of the Press (Instrument No. 1093) and the supplemental motion of ABC, Inc (Instrument No. 1109) to intervene in the above styled and numbered cause of action for the limited purpose of being heard on Plaintiff's Motion to Preclude the Filing or Production of Documents Subject to a Protective Order (Instrument No. 1037).

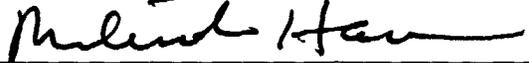
Movants have established that, under Rule 24 they are permitted to intervene as a matter of right because (1) their application was timely made; (2) they have an interest relating to the transaction that is the subject of the action; (3) their situation is such that the action's disposition without their presence may, as a practical matter, impair their ability to protect their interest; and (4) their interest is not adequately protected by the parties. *Ford v. City of Huntsville*, 242 F.3d 235, 239 (5th Cir. 2001)

The only serious defense argument against the media entities' intervention was that the lead plaintiff was capable of protecting their interests in having the Court decline to impose a protective order. Since lead plaintiff has filed its memorandum in response to the motion (Instrument No. 1134), however, it is clear that lead plaintiff is not planning to make *all* discovery it receives available to the

The media entities and lead plaintiff do not, therefore, have identical interests in not having a protective order. Accordingly,

It is hereby ORDERED, ADJUDGED, and DECREED that the Motions to Intervene are GRANTED and that Dow Jones & Co., Inc., The New York Times Co., The Washington Post, USA Today, The Houston Chronicle, the Reporters' Committee for Freedom of the Press, and ABC, Inc. may intervene for the limited purpose of being heard on protective order matters as they have or may become issues in this case.

Signed at Houston, Texas, this 18th day of December, 2002.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE