UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED
JAN 30 2003
Michael N. Milby, Clerk

IN RE ENRON CORPORATION SECURITIES LITIGATION	Consolidated Civil Action No. H-01-3624
This Document Relates To: MARK NEWBY, et al., individually and on behalf of all others similarly situated, Plaintiffs, v. ENRON CORPORATION, et al., Defendants.	
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, et al., individually and on behalf of all others similarly situated, Plaintiffs, v. KENNETH L. LAY, et al., Defendants.	

DEFENDANT MERRILL LYNCH & CO., INC.' S RESPONSE TO LEAD PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST SUPPLEMENTAL COMPLAINT

Defendant Merrill Lynch & Co., Inc. ("Merrill Lynch") respectfully submits this response to Lead Plaintiff's Motion for Leave to File First Supplemental Complaint, filed January 27, 2003 (the "Motion").

#1243

Lead Plaintiff's Motion, which seeks to supplement the complaint with additional allegations about Merrill Lynch, appears to have been rendered moot by this Court's Order, dated January 23, 2003 and entered January 27, 2003 (the "January 23 Order"). In the January 23 Order, the Court indicated that Lead Plaintiff will be required to amend or supplement its complaint with allegations concerning defendants other than Merrill Lynch, as well as with the supplemental allegations concerning Merrill Lynch permitted by the Court's earlier Order, dated December 19, 2002 and entered December 20, 2002. The January 23 Order further makes clear that the Court will "establish a schedule . . . for amendment of pleadings" after resolving all of the pending motions to dismiss, and that "all amendment or supplementation can be efficiently and timely accomplished in one instrument." January 23 Order at pp. 2-3.

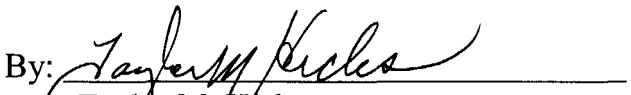
We assume that Lead Plaintiff's Motion, which Merrill Lynch received *after* receiving the January 23 Order, simply crossed in the mail (or, more precisely, in the electronic equivalent thereof) with the January 23 Order and that Lead Plaintiff was not aware of the Court's rulings. In any event, the Motion for leave to supplement appears moot.

In light of the Court's rulings, moreover, Merrill Lynch submits that Lead Plaintiff's proposed First Supplemental Complaint is premature and not in the form specified by the Court, and that the Motion should therefore be denied without prejudice to Lead Plaintiff's filing a single, comprehensive, amended or supplemental complaint at the appropriate time.

Merrill Lynch, of course, reserves its right to challenge the adequacy of Lead Plaintiff's supplemental allegations concerning Merrill Lynch, in accordance with the Federal Rules of Civil Procedure and the January 23 Order.

Dated: January 30, 2003.

Respectfully submitted,

By: 

Taylor M. Hicks
Texas Bar No. 09585000
Southern District I.D. No. 3079
Stephen M. Loftin
Texas Bar No. 12489510
Southern District I.D. No. 12676
HICKS THOMAS & LILIENSTERN, LLP
700 Louisiana, Suite 1700
Houston, Texas 77002
Telephone: (713) 547-9100
Facsimile: (713) 547-9150
Email: thicks@hicks-thomas.com
sloftin@hicks-thomas.com

Herbert S. Washer
James D. Miller
Ignatius A. Grande
CLIFFORD CHANCE US LLP
200 Park Avenue, Suite 5200
New York, NY 10166-0153
Telephone: (212) 878-8000
Facsimile: (212) 878-8375
Email: herbert.washer@cliffordchance.com
james.miller@cliffordchance.com
ignatius.grande@cliffordchance.com

Robert F. Serio
Mitchell A. Karlan
Marshall R. King
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: (212) 351-4000
Facsimile: (212) 351-4035
Email: enronlitigation@gibsondunn.com

COUNSEL FOR DEFENDANT
MERRILL LYNCH & CO., INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of **Defendant Merrill Lynch & Co., Inc.'s Response to Lead Plaintiff's Motion for Leave to File First Supplemental Complaint** was served upon all known counsel of record by website, http: //www.esl3624.com, pursuant to the Court's Order dated August 7, 2002 (Docket No. 984), on this the **30th** day of **January, 2003**.

Please See Attached Service List

Taylor M. Hicks

SERVICE LIST

William S. Lerach
Helen J. Hodges
Byron S. Georgiou
MILBERG WIESS BERSHAD HYNES & LERACH, LLP
401 B. Street, Suite 1700
San Diego, California 92101
Telephone: (619) 231-1058
Facsimile: (619) 231-7423
enron@milberg.com
Lead Counsel for Securities Plaintiffs in Newby

Melvyn I. Weiss
Steven G. Schulman
Samual H. Rudman
MILBERG WIESS BERSHAD HYNES & LERACH, LLP
One Pennsylvania Plaza
New York, New York 10119-1065
Telephone: (212) 594-5300
Facsimile: (212) 868-1229
enron@milberg.com
Lead Counsel for Securities Plaintiffs in Newby

Sherrie R. Savett
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, Pennsylvania 19103
Telephone: (215) 875-3000
Facsimile: (215) 875-4604
Attorneys for Plaintiff Staro Asset Management

Joseph Albert McDermott, III
3100 Richmond Avenue, Suite 403
Houston, Texas 77089
Telephone: (713) 527-9190
Facsimile: (713) 527-9633
Attorneys for Plaintiff Staro Asset Management

Roger B. Greenberg
SCHWARTZ, JUNELL, CAMPBELL & OATHOUT, LLP
Two Houston Center
909 Fannin, Suite 2000
Houston, Texas 77010
Telephone: (713) 752-0017
Facsimile: (713) 752-0327
rgreenberg@schwartz-junnell.com
Local Counsel for Securities Plaintiffs in Newby

Thomas E. Bilek
HOEFFNER & BILEK, LLP
440 Louisiana, Suite 720
Houston, Texas 77002
Telephone: (713) 227-7720
Facsimile: (713) 227-9404
Email: tbilek722@aol.com
Local Counsel for Securities Plaintiffs in Newby

Robert C. Finkel
WOLF POPPER LLP
845 Third Avenue
New York, New York 10022
Telephone: (212) 759-4600
Facsimile: (212) 486-2093
Attorneys for Plaintiff Murray Van De Velde

Thomas G. Shapiro
SHAPIRO HABER & URMY LLP
75 State Street
Boston, Massachusetts 02109
Telephone: (617) 439-3939
Facsimile: (617) 439-0134
Attorneys for Plaintiff Murray Van De Velde

George M. Fleming
FLEMING & ASSOCIATES
1330 Post Oak Blvd., Suite 3030
Houston, Texas 77056-3019
Telephone: (713) 621-7944
Facsimile: (713) 621-9638
enron@fleming-law.com
Attorney for Individual Plaintiffs John Odam, Peggy Odam, Fred A. Rosen, Marian Rosen, Hal Moorman, Milton Tate (Co-Trustees for Mooreman Tate Mooreman & Urquhart Money Purchase Plan & Trust), Houston Federation of Teachers, Annie M. Banks, Larry D. Barnett, Robert Chazen, Clifford D. Gookin, Carl Herrin, Todd L. Johnson as Administrator for RJS & Affiliated Companies Pension Plan, David Jose, David H. Lowe, John Mason, Robin Saex, John Siemer, Elizabeth Siemer, Anthony G. Tobin, John E. Williams, Jane Bullock, Jane Barnhill, Don Reiland, Scott Borchart, Michael Mies, Virginiai Acosta, Jim Hevely, Mike Bauby, Robert Moran, Jack Turner, Marilyn Turner, Francis Ahlich, Harold Ahlich, Irving Babson, Mary Bain Pearson, Irene Delgado, Ruben Delgado, Preston Clayton, The Jose Plaintiffs, Fleming & Associates

Theodore C. Anderson
KILGORE & KILGORE, PLLC
3131 McKinney Ave., Suite 700 LB 103
Dallas, Texas 75204
Telephone: (214) 969-9099
Facsimile: (214) 953-0133

Neil Rothstein
David R. Scott
SCOTT & SCOTT, LLC
108 Norwich Ave., Suite 1700
Colchester, CT 06415
Telephone: (860) 537-3818
Facsimile: (860) 537-4432
Email: drscott@scott-scott.com
Attorneys for Plaintiff Archdiocese of Milwaukee

Jon Cuneo
THE CUNEO LAW GROUP, P.C.
317 Massachusetts Avenue, N.E., Suite 300
Washington, D.C. 20002
Telephone: (202) 789-3960
Facsimile: (202) 789-1813
Email: jonc@cuneolaw.com
Washington Counsel

Richard M. Frankel
HACKERMAN FRANKEL & MANELA
1122 Bissonnet
Houston, Texas 77005
Telephone: (713) 528-2500
Facsimile: (713) 528-2509
Attorney for Frank Wilson

Jonathan M. Plasse / Ira A. Schochet
David J. Goldsmith
GOODKING LABATON RUDOFF & SUCHAROW, LLP
100 Park Avenue, 12th Floor
New York, New York 10017-5563
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
Attorney for Ariel Holdings

Saul Roffe
SIROTA & SIROTA, LLP
110 Wall Street, 21st Floor
New York, New York 10005
Telephone: (212) 425-9055
Facsimile: (212) 425-9093
Attorney for Plaintiffs Allen Barkin and Beatrice Barkin

Sean F. Greenwood
910 Travis Street, Suite 2020
Houston, Texas 77002
Telephone: (713) 650-1200
Facsimile: (713) 650-1400
Attorney for Plaintiff Jerome F. Faquin

John G. Emerson, Jr.
THE EMERSON FIRM
830 Apollo Lane
Houston, Texas 77058
Telephone: (281) 488-8854
Facsimile: (281) 488-8867
Attorney for Plaintiffs Steve Lacey, Roy E. Rinard

Richard J. Zook
Thomas A. Cunningham
CUNNINGHAM, DARLOW, ZOOK & CHAPOTON, L.L.P.
600 Travis Street, Suite 1700
Houston, Texas 77002
Telephone: (713) 255-5500
Facsimile: (713) 659-4466
Attorney for Plaintiffs Mark Newby, Howard Bruce Klein, Kevin Kuesser, The State Retirement Systems Group, William Scoular

Martin D. Beirne, Jr.
BEIRNE, MAYNARD & PARSONS
1300 Post Oak Blvd., 24th Floor
Houston, Texas 77056
Telephone: (713) 623-0887
Facsimile: (713) 960-1527
Attorneys for Pulsifer & Associates

Martin D. Chitwood
CHITWOOD & HARLEY
2900 Promenade II
1230 Peachtree Road, N.E.
Atlanta, Georgia 30309
Telephone: (404) 873-3900
Facsimile: (404) 876-4476
Attorney for Plaintiff The State Retirement Systems Group

Ira M. Press
KIRBY, MCINERNEY & SQUIRE, L.L.P.
830 Third Avenue, 10th Floor
New York, New York 10022
Telephone: (212) 371-6600
Facsimile: (212) 751-2540
Attorney for Plaintiff Local 710 Pension Fund

R. Paul Yetter
YETTER & WARDEN
600 Travis Street, Suite 3800
Houston, Texas 77002
Telephone: (713) 632-8000
Facsimile: (713) 632-8002
Attorney for Plaintiff Florida State Board of Administration

Stephen D. Oestreich
SLOTNICK, SHAPIRO & CROCKER, LLP
100 Park Avenue, 35th Floor
New York, New York 10017
Telephone: (212) 687-5000
Facsimile: (212) 687-3080
Attorney for Turnberry Asset Management

Charles R. Parker
HILL, PARKER & ROBERSON, LLP
5300 Memorial, Suite 700
Houston, Texas 77007
Telephone: (713) 868-5581
Facsimile: (713) 868-1275
Attorney for Plaintiff NYC Funds

Thomas W. Sankey
SANKEY & LUCK, L.L.P.
600 Travis Street, Suite 6200
Houston, Texas 77002
Telephone: (713) 224-1007
Facsimile: (713) 223-7737
Attorney for Plaintiffs JMG Capital Partners LP, JMG Triton Offshore Fund Ltd., TQA Master Fund Ltd., TQA Master Plus Fund Ltd., George Nicoud

Sidney S. Liebesman
Jay W. Eisenhofer
GRANT & EISENHOFER PA
1220 N. Market Ste., Suite 500
Wilmington, Pennsylvania 19801
Telephone: (302) 622-7000
Facsimile: (302) 622-7100
Attorney for Plaintiffs Employees of Retirement System of Ohio, Teachers Retirement System of Ohio

Deborah R. Gross
LAW OFFICES OF BERNARD R. GROSS, P.C.
1515 Locust Street, 2nd Floor
Philadelphia, Pennsylvania 19102
Telephone: (215) 561-3600
Facsimile: (215) 561-3000
Attorney for Stoneridge Investment Partners, LLC

William B. Federman
FEDERMAN & SHERWOOD
120 North Robinson, Suite 2720
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-1560
Facsimile: (405) 239-2112
Attorney for Plaintiffs Victor Ronald Frangione, The Davidson Group

Ronald Joseph Kormanik
Michael D. Sydow
SYDOW, KROMANIK, CARRIGON & ECKERSON, L.L.P.
1111 Bagby, Suite 4700
Houston, Texas 77002
Telephone: (713) 225-7285
Facsimile: (713) 752-2199
Attorney for Plaintiff Private Asset Management

Jack E. McGehee
James V. Pianelli
Timothy D. Riley
MCGEHEE & PIANELLI, L.L.P.
1225 N. Loop West, Suite 810
Houston, Texas 77008
Telephone: (713) 864-4000
Facsimile: (713) 868-9393
Attorneys for Plaintiffs The Proposed Preferred Purchaser Lead Plaintiffs, Harold Karnes, Henry H. Steiner

James D. Baskin, III
BASKIN LAW FIRM
919 Congress Avenue, Suite 1000
Austin, Texas 78701
Telephone: (512) 381-6300
Facsimile: (512) 322-9280
Attorney for Plaintiffs Muriel P. Kaufman IRA, Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust, Michael P. Harney

Steven E. Cauley
Paul J. Geller
CAULEY, GELLER, BOWMAN & COATES
11311 Arcade Drive, Suite 200
Little Rock, Arkansas 72212
Telephone: (561) 750-3000
Facsimile: (561) 750-3364
Attorney for Plaintiffs William E. Davis, Roxann Davis, E. Bruce Chaney

Rose Ann Reeser, Deputy Chief
Consumer Protection Division
OFFICE OF THE ATTORNEY GENERAL – STATE OF TEXAS
(300 West Fifteenth Street, 78701)
P.O. Box 12548
Austin, Texas 78711-2548
Telephone: (512) 475-4632
Facsimile: (512) 477-4544
Attorney for Employees Retirement System of Texas, the Teacher Retirement System of Texas, the Texas Comptroller of Public Accounts, and the Texas Tomorrow Fund

Justin M. Campbell, III
CAMPBELL HARRISON & DANGLEY, LLP
4000 Two Houston Center
909 Fannin Street
Houston, Texas 77010
Telephone: (713) 752-2332
Facsimile: (713) 752-2330
rharrison@chd-law.com
Liaison Counsel for Tittle Plaintiffs

Jeffrey B. Kaiser
KAISER & MAY, L.L.P.
1440 Lyric Centre
440 Louisiana
Houston, Texas 77002
Telephone: (713) 227-3050
Facsimile: (713) 227-0488
Attorney for William Coy, Candy Mounter

James F. Marshall
JUDICIAL WATCH, INC.
2540 Huntington Drive, Suite 201
San Marino, California 91108-2601
Telephone: (626) 287-4540
Facsimile: (626) 287-2003
Email: marshall@attglobal.net
Attorneys for Plaintiff Ralph A. Wilt, Jr.

Carolyn S. Schwartz
UNITED STATES TRUSTEE, REGION 2
33 Whitehall Street, 21st Floor
New York, New York 10004
Telephone: (212) 510-0500
Facsimile: (212) 668-2255
Trustee for Debtor Enron Corporation

cott Lassetter
WEIL, GOTSHAL & MANGES
700 Louisiana Street, Suite 1600
Houston, TX 77002
Telephone: (713) 546-5000
Facsimile: (713) 224-9511
Email: scott.lassetter@weil.com
Attorneys for Defendant Enron

Stephen D. Susman
Kenneth S. Marks
SUSMAN GODREY
1000 Louisiana, Suite 5100
Houston, Texas 77002-5096
Telephone: (713) 651-9633
Facsimile: (713) 653-7897
kmarks@susmangodfrey.com
Attorneys for Defendant Enron Corporation

Craig Smyser
SMYSER KAPLAN & VESELKA, LLP
700 Louisiana, Suite 2300
Houston, Texas 77002
Telephone: (713) 221-2300
Facsimile: (713) 221-2320
csmyser@skv.com
Attorneys for Defendant Andrew S. Fastow

Rusty Hardin
RUSTY HARDIN & ASSOCIATES, P.C.
1201 Louisiana, Suite 3300
Houston, Texas 77002
Telephone: (713) 652-9000
Facsimile: (713) 652-9800
rhardin@rustyhardin.com
Attorneys for Defendants Arthur Anderson, LLP , Arthur Andersen-Puerto Rico, Andersen LLP (Andersen-Cayman Islands), C.E. Andrews, Dorsey L. Baskin, Michael L. Bennett, Joseph F. Berardino, Donald Dreyfus, James A. Friedlieb, Gary B. Goolsby, Gregory W. Hale, Gregory J. Jonas, Robert G. Kutsenda, Benjamin S. Neuhausen, Richard R. Petersen, Danny D. Rudloff, Steve M. Samek, John E. Sorrells, John E. Stewart and William E. Swanson

Sharon Katz
DAVIS POLK & WARDWELL
450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 450-3633
Email: andersen.courtpapers@dpw.com
Attorneys for Defendants Arthur Anderson, LLP, Arthur Andersen-Puerto Rico, C.E. Andrews, Dorsey L. Baskin, Michael L. Bennett, Joseph F. Berardino, Donald Dreyfus, James A. Friedlieb, Gary B. Goolsby, Gregory W. Hale, Gregory J. Jonas, Robert G. Kutsenda, Benjamin S. Neuhausen, Richard R. Petersen, Danny D. Rudloff, Steve M. Samek, John E. Sorrells, John E. Stewart, Michael D. Jones and William E. Swanson

Harvey G. Brown
ORGAIN BELL & TUCKER LLP
2700 Post Oak Blvd., Suite 1410
Houston, TX 77056
Telephone: (713) 572-8772
Facsimile: (713) 572-8766
Attorneys for Defendants Andersen-United Kingdom and Andersen-Brazil

Michael G. Davies
HOGUET NEWMAN & REGAL, LLP
10 East 40th Street
New York, NY 10016
Telephone: (212) 689-8808
Facsimile: (212) 689-5101
e-mail: mdavies@hnrlaw.com

Paul Vizcarrondo, Jr.
WACHTELL, LIPTON, ROSEN & KATZ
51 West 52nd Street
New York, NY 10019
Telephone: (212) 403-1000
Facsimile: (212) 403-2000
Email: pvizcarrondo@wlrk.com
Attorneys for Defendants Banc of America Securities LLC and Salomon Smith Barney Inc.

Eric J.R. Nichols
BECK, REDDEN & SECREST, L.L.P.
One Houston Center
1221 McKinney Street, Suite 4500
Houston, Texas 77010
Telephone: (713) 951-3700
Facsimile: (713) 951-3720
enichols@brsfirm.com
Attorneys for Defendants LJM Cayman, L.P., and Michael J. Kopper, and Chewco Investments

Jack C. Nickens
NICKENS, KEETON, LAWLESS, FARRELL & FLACK, L.L.P.
600 Travis Street, Suite 7500
Houston, Texas 77002
Telephone: (713) 571-9191
Facsimile: (713) 571-9652
trichardson@nlf-law.com
Attorneys for Defendants Richard B. Buy, Estate of J. Clifford Baxter, Deceased, Paula Ricker, Richard A. Causey, Mark A. Frevert, Stanley C. Horton, Joseph M. Hirko, Mark E. Koenig, Steven J. Kean, Jeffrey McMahon, Michael S. McConnell, J. Mark Metts, Cindy K. Olson, Kenneth D. Rice, Kevin P. Hannon and Lawrence Greg Whalley

Jack O'Neill
CLEMENTS, O'NEILL, PIERCE, WILSON & FULKERSON, L.L.P.
Wells Fargo Plaza
1000 Louisiana Street, Suite 1800
Houston, Texas 77002-5009
Telephone: (713) 654-7607
Facsimile: (713) 654-7690
Email: sutton@copwf.com
Attorneys for Defendant Joseph W. Sutton

Roger E. Zuckerman, Esquire
Zuckerman Spaeder, L.L.P.
1201 Connecticut Avenue, N.W.
Washington D.C. 20036-2638
Telephone: (202) 778-1800
Facsimile: (202) 882-8106
enron@zuckerman.com
Attorneys for Defendant Lou L. Pai

Murray Fogler, Esquire
McDade Fogler Maines, L.L.P.
Two Houston Center
909 Fannin, Suite 1200
Houston, Texas 77010-1006
Telephone: (713) 654-4300
Facsimile: (713) 654-4343
mfogler@mfml.com
Attorneys for Defendant Lou L. Pai

Abigail K. Sullivan
BRACEWELL & PATTERSON, L.L.P.
South Tower Pennzoil Plaza
711 Louisiana, Suite 2900
Houston, Texas 77002-2781
Telephone: (713) 223-2900
Facsimile: (713) 221-1212
asullivan@bracepatt.com
Attorneys for Defendant James V. Derrick, Jr.

Robin C. Gibbs
Jeremy L. Doyle
GIBBS & BRUNS, L.L.P.
1100 Louisiana, Suite 5300
Houston, Texas 77002
Telephone: (713) 650-8805
Facsimile: (713) 750-0903
jdoyle@gibbs-bruns.com
Attorneys for Defendants Robert A. Belfer, Norman P. Blake, Ronnie C. Chan, John H. Duncan, Joe H. Foy, Wendy L. Gramm, Robert K. Jaedicke, Charles E. Walker, John Wakeham, Charles A. LeMaistre, John Mendelsohn, Frank Savage, Herbert Winokur, Jerome Meyer

John J. McKetta, III
GRAVES, DOUGHERTY, HEARON & MOODY, P.C.
515 Congress Avenue, Suite 2300
Austin, Texas 78701
Telephone: (512) 480-5600
Facsimile: (512) 478-1976
mmcketta@gdhm.com
Attorneys for Defendant Rebecca-Mark Jusbasche

William F. Martson, Jr.
TONKON TORP, L.L.P.
1600 Pioneer Tower
888 S.W. Fifth Avenue, Suite 1600
Portland, Oregon 97204-2099
Telephone: (503) 802-2005
Facsimile: (503) 972-7407
enronservice@tonkon.com
Attorney for Defendant Ken L. Harrison

H. Bruce Golden
GOLDEN & OWENS, LLP
1221 McKinney Street, Suite 3150
Houston, Texas 77010
Telephone: (713) 223-2600
Facsimile: (713) 223-5002
golden@goldenowens.com
Attorneys for Defendant John A. Urquhart

Barry Flynn
LAW OFFICE OF BARRY G. FLYNN, P.C.
1300 Post Oak Blvd., Suite 750
Houston, Texas 77056
Telephone: (713) 840-7474
Facsimile: (713) 840-0311
bgflaw@mywavenet.com
Attorneys for Defendant David B. Duncan

Jeffrey W. Kilduff
O'MELVENY & MYERS
1650 Tysons Blvd.
McLean, Virginia 22102
Telephone: (703) 287-2412
Facsimile: (703) 287-2404
Attorney for Defendant Jeffrey K. Skilling

Robert M. Stern
O'MELVENY & MYERS, LLP
555 13th Street, N.W., Suite 500 West
Washington, D.C. 20004-1109
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
rstern@omm.com
Attorneys for Defendant Jeffrey K. Skilling

Ronald G. Woods
5300 Memorial, Suite 1000
Houston, Texas 77007
Telephone: (713) 862-9600
Facsimile: (713) 862-8738
Attorney for Jeffrey K. Skilling

Scott B. Schreiber
ARNOLD & PORTER
555 Twelfth Street, NW
Washington, D.C. 20004-1206
Telephone: (202) 942-5000
Facsimile: (202) 942-5999
enroncourtpapers@aporter.com
Attorneys for Defendant Thomas H. Bauer

David F. Wertheimer
HOGAN & HARTSON LLP
875 Third Avenue
New York, New York 10022
Telephone: (212) 918-3000
Facsimile: (212) 918-3100
e-mail: dfwertheimer@hhlaw.com
Attorneys for Defendant Debra A. Cash

Amelia Toy Rudolph
SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Suite 2300
Atlanta, Georgia 30309
Telephone: (404) 853-8000
Facsimile: (404) 853-8806
Attorneys for Defendant Roger D. Willard

Billy Shepherd
CRUSE SCOTT HENDERSON & ALLEN, L.L.P.
600 Travis Street, Suite 3900
Houston, Texas 77002-2910
Telephone: (713) 650-6600
Facsimile: (713) 650-1720
bshepherd@crusescott.com
Attorneys for Defendants David Stephen Goddard, Jr., Debra A. Cash, Michael M. Lowther and Michael C. Odom

Michael D. Warden
SIDLEY AUSTIN BROWN & WOOD, L.L.P.
1501 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 736-8000
Facsimile: (202) 736-8711
mwarden@sidley.com
Attorneys for Defendant D. Stephen Goddard, Jr.

John K. Villa
WILLIAMS & CONNOLLY, L.L.P.
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901
Telephone: (202) 434-5000
Facsimile: (202) 434-5029
jvilla@wc.com
Attorneys for Defendants Vinson & Elkins, L.L.P., Ronald T. Astin, Joseph Dilg, Michael P. Finch, Max Hendrick, III

James E. Coleman, Jr.
CARRINGTON COLEMAN SLOMAN
& BLUMENTHAL, L.L.P.
200 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone: (214) 855-3000
Facsimile: (214) 855-1333
deakin@ccsb.com
Attorneys for Defendant Kenneth L. Lay

Linda L. Addison
FULBRIGHT & JAWORSKI, LLP
1301 McKinney, Suite 1500
Houston, Texas 77010-3095
Telephone: (713) 651-5628
Facsimile: (713) 651-5246
laddison@fulbright.com
Attorneys for The Northern Trust Company & Northern Trust Retirement Consulting LLC

Steve W. Berman
Clyde A. Platt, Jr.
HAGENS & BERMAN, LLP
1301 Fifth Avenue, Suite 2900
Seattle, Washington 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hagens-berman.com
Co-Lead Counsel for the Tittle Plaintiffs

Robert Hayden Burns
BURNS WOOLEY & MARSEGLIA
1415 Louisiana, Suite 3300
Houston, Texas 77002
Telephone: (713) 651-0422
Facsimile: (713) 651-0817
hburns@bwmzlaw.com
Attorneys for Defendant Kristina Mordaunt

Anthony C. Epstein
STEPTOE & JOHNSON, LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 429-3000
Facsimile: (202) 429-3902
aepstein@steptoe.com
Attorneys for Philip J. Bazelides, Mary K. Joyce and James S. Prentice

Mark C. Hansen
KELLOGG, HUBER, HANSEN,
TODD & EVANS, PLLC
1615 M. Street, N.W., Suite 400
Washington, D.C. 20036
Telephone: (202) 326-7900
Facsimile: (202) 326-7999
mhansen@khhte.com
Attorneys for Defendant Nancy Temple

Mark A. Glasser
KING & SPALDING
1100 Louisiana, Suite 4000
Houston, Texas 77002
Telephone: (713) 751-3200
Facsimile: (713) 751-3290
mkglasser@kslaw.com
Attorneys for Defendant LJM II Co-Investments

Charles G. King
KING & PENNINGTON, LLP
1100 Louisiana Street, Suite 5055
Houston, Texas 77002-5220
Telephone: (713) 225-8400
Facsimile: (713) 225-8488
cking@kandplaw.com
Attorneys for Defendant Bank of America Corporation, Banc of America Securities LLC

Jeffrey C. King
HUGHES & LUCE, LLP
1717 Main Street, Suite 2800
Dallas, Texas 75201
Telephone: (214) 939-5900
Facsimile: (214) 939-6100
kingj@hughesluce.com
Attorney for Bruce Wilson

Bernard V. Preziosi, Jr.
CURTIS, MALLET-PREVOST, COLT & MOSLE, LLP
101 Park Avenue
New York, New York 10178-0061
Telephone: (212) 696-6000
Facsimile: (212) 697-1559
bpreziosi@cm-p.com
Attorneys for Defendant Michael C. Odom

Dr. Bonnee Linden, ***Pro Se***
LINDEN COLLINS ASSOCIATES
1226 West Broadway, P.O. Box 114
Hewlett, New York 11557
Telephone: (516) 295-7906

Andrew J. Mytelka
David LeBlanc
GREER, HERZ & ADAMS, LLP
One Moody Plaza, 18th Floor
Galveston, Texas 77550
Telephone: (409) 797-3200
Facsimile: (409) 766-6424
amytelka@greerherz.com
dleblanc@greerherz.com
Attorneys for Plaintiffs American National Insurance Company, American National Investment Accounts, Inc., SM&R Investments, Inc., American National Property and Casualty Company, Standard Life and Accident Insurance Company, Farm Family Life Insurance Company, Farm Family Casualty Insurance Company, National Western Life Insurance Company

John Murchison, Jr.
VINSON & ELKINS, LLP
2300 First City Tower
1001 Fannin
Houston, Texas 77002
Telephone: (713) 758-2222
Facsimile: (713) 758-2346
jmurchison@velaw.com

Gary A. Orseck
ROBBINS, RUSSELL, ENGLERT, ORSECK & UNTEREINER, LLP
1801 K. Street, N.W., Suite 411
Washington, D.C. 20006
Telephone: (202) 775-4500
Facsimile: (202) 775-4510
e-mail: gorseck@robbinrussell.com
Attorneys for Defendant Michael M. Lowther

Lynn Lincoln Sarko
KELLER ROHRBACK, LLP
1201 Third Avenue, suite 3200
Seattle, Washington 98101-3052
Telephone: (206) 623-1900
Facsimile: (206) 623-3384
Co-Lead Counsel for the Tittle Plaintiffs

Henry F. Schuelke, III
JANIS, SCHUELKE & WECHSLER
1728 Massachusetts Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 861-0600
Facsimile: (202) 223-7230
hsschuelke@janisschuelke.com
Attorney for Defendant Ben Glisan

Jacalyn D. Scott
WILSHIRE SCOTT & DYER, P.C.
3000 One Houston Center
1221 McKinney
Houston, Texas 77010
Telephone: (713) 651-1221
Facsimile: (713) 651-0020
jscott@wsd-law.com
Attorneys for Defendant CitiGroup, Inc. and Salomon Smith Barney, Inc.

Richard Mithoff
MITHOFF & JACKS
One Allen Center, Penthouse
500 Dallas
Houston, Texas 77002
Telephone: (713) 654-1122
Facsimile: (713) 739-8085
enronlitigation@mithoff-jacks.com
Attorneys for Defendant J.P. Morgan Chase & Co.

John W. Spiegel
MUNGER, TOLLES & OLSON, L.L.P.
355 S. Grand Avenue, 35th Floor
Los Angeles, California 90071
Telephone: (213) 683-9100
Facsimile: (213) 683-5152
enron@mto.com
Attorneys for Defendant Kirkland & Ellis

Alan N. Salpeter
MAYER, BROWN, ROWE & MAW
190 South LaSalle Street
Chicago, Illinois 60603
Telephone: (312) 782-0600
Facsimile: (312) 701-7711
e-mail: cibc-newby@mayerbrownrowe.com
Attorneys for Defendant Canadian Imperial Bank of Commerce

William K. Knull, III
MAYER, BROWN, ROWE & MAW
700 Louisiana, Suite 3600
Houston, Texas 77002-2730
Telephone: (713) 221-1651
Facsimile: (713) 224-6410
e-mail: cibc-newby@mayerbrownrowe.com
Attorneys for Defendant Canadian Imperial Bank of Commerce

Barry Abrams
ABRAMS, SCOTT & BICKLEY, L.L.P.
700 Louisiana, Suite 1800
Houston, Texas 77002
Telephone: (713) 228-6601
Facsimile: (713) 228-6605
e-mail: babrams@asbtexas.com
Attorneys for Defendant Barclays PLC

William Edward Matthews
GARDERE WYNNE SEWELL, LLP
1000 Louisiana, Suite 3400
Houston, TX 77002
Telephone: (713) 276-5500
Facsimile: (713) 276-5555
Attorneys for Defendant Andersen Worldwide, S.C., Roman W. McAlindan and Philip A. Randall

Tom P. Allen
MCDANIEL & ALLEN
1001 McKinney Street, 21st Floor
Houston, Texas 77002
Telephone: (713) 227-5001
Facsimile: (713) 227-8750
tallen@mcdanielallen.com
Attorneys for Defendant Ben F. Glisan, Jr.

Edward Morgan Carstarphen, III
ELLIS, CARSTARPHEN, DOUGHERTY & GOLDENTHAL
720 North Post Oak, Suite 330
Houston, Texas 77024
Telephone: (713) 647-6800
Facsimile: (713) 647-6884
emc@ecdglaw.com
Attorneys for Investors Partner Life Ins. Co., John Hancock Life Insurance Co., John Hancock Variable Life Insurance Company

Bruce D. Angiolillo
SIMPSON THACHER & BARTLETT
425 Lexington Avenue
New York, New York 10017-3954
Telephone: (212) 455-2000
Facsimile: (212) 455-2502
bangiolillo@stblaw.com
Attorneys for Defendant J.P. Morgan & Chase Co.

Mark A. Kirsch
CLIFFORD CHANCE US LLP
200 Park Avenue, Suite 5200
New York, New York 10166
Telephone: (212) 878-8000
Facsimile: (212) 878-8375
mark.kirsch@cliffordchance.com
Attorneys for Defendant Alliance Capital Management

David H. Braff
SULLIVAN & CROMWELL
125 Broad Street
New York, New York 10004-2498
Telephone: (212) 558-4000
Facsimile: (212) 558-3588
enronpapers@sullcrom.com
Attorneys for Defendant Barclays Bank PLC

Joel M. Androphy
BERG & ANDROPHY
3704 Travis Street
Houston, TX 77002
Telephone: (713) 529-5622
Facsimile: (713) 529-3785
e-mail: androphy@bahou.com
Attorneys for Defendant Deutsche Bank AG

Lawrence Byrne
WHITE & CASE, L.L.P.
1155 Avenue of the Americas
New York, New York 10036
Telephone: (212) 819-8200
Facsimile: (212) 354-8113
lbyrne@whitecase.com
Attorneys for Defendant Deutsche Bank AG

Richard W. Clary
CRAVATH, SWAINE & MOORE
Worldwide Plaza
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
rclary@cravath.com
Atto***rneys for Defendant Credit Suisse First Boston Corp.***

Michael Connelly
CONNELLY, BAKER, WOTRING & JACKSON
700 Louisiana, Suite 1850
Houston, Texas 77002
Telephone: (713) 980-1700
Facsimile: (713) 980-1701
mconnelly@connellybaker.com
Attorney for Kirkland & Ellis

Harvey Greenfield
LAW FIRM OF HARVEY GREENFIELD
60 E. 42nd Street, Suite 2001
New York, New York 10165
Telephone: (212) 949-5500
Facsimile: (212) 949-0049
harvey.greenfield@verizon.net
Attorney for Morgan Krim

Ronald E. Cook
COOK & ROACH
Chevron Texaco Heritage Plaza
1111 Bagby, Suite 2650
Houston, Texas 77002
Telephone: (713) 652-2031
Facsimile: (713) 652-2029
rcook@cookroach.com
Attorney for Defendant Alliance Capital Management

John W. Keker
KEKER & VAN NEST
710 Sansome Street
San Francisco, California 94111-1704
Telephone: (415) 391-5400
Facsimile: (415) 397-7188
jwk@kvn.com
Attorney for Andrew S. Fastow

Lawrence D. Finder
HAYNES & BOONE, L.L.P.
1000 Louisiana, Suite 4300
Houston, Texas 77002
Telephone: (713) 547-2000
Facsimile: (713) 236-5520
finderl@haynesboone.com
Attorneys for Defendant Credit Suisse First Boston Corporation

Chuck A. Gall
JENKENS & GILCHRIST
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799
Telephone: (214) 855-4338
Facsimile: (214) 855-4300
cgall@jenkens.com
Attorneys for Defendant J.P. Morgan & Chase Co.

Kelley M. Klaus
MUNGER TOLLES & OLSON
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071
Telephone: (213) 683-9100
Facsimile: (213) 687-3702
kklausm@mto.com
Attorney for Defendant Kirkland & Ellis

Gregory A. Markel
CADWALADER, WICHKERSHAM & TAFT
100 Maiden Lane
New York, New York 10038
Telephone: (212) 504-6000
Facsimile: (212) 504-6666
Attorneys for Defendant Bank of America Corp.

Paul Bessett
Brobeck, Phleger & Harrison LLP
4801 Plaza on the Lake
Austin, Texas 78746
Telephone: (512) 330-4000
Facsimile: (512) 330-4001
bofa@brobck.com
Attorney for Defendant Bank of America Corp.

Fredrick F. Neid
ASSISTANT ATTORNEY GENERAL
2115 State Capitol
Lincoln, Nebraska 65809-8920
Telephone: (402) 471-2682
Facsimile: (402) 471-3835
fneid@notes.state.ne.us
Attorney for Nebraska Investment Council & the Public Employees Retirement Systems of the State of Nebraska

Hugh R. Whiting
JONES, DAY, REAVIS & POGUE
600 Travis Street, Suite 6500
Houston, TX 77002-3008
Telephone: (832) 239-3939
Facsimile: (832) 239-3600
hrwhiting@jonesday.com
Attorneys for Defendant Lehman Brothers Holding, Inc.

Gary Benjamin Pitts
PITTS & ASSOCIATES
8866 Gulf Freeway, Suite 117
Houston, Texas 77017-6528
Telephone: (713) 910-0555
Facsimile: (713) 910-0594
castles96@aol.com
Attorney for Peter M. Norris, et al.

Brad S. Karp
PAUL, WEISS, RIFKIND, WHARTON & GARRISON
1285 Avenue of the Americas
New York, New York 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
e-mail: grp-citi-service@paulweiss.com
Attorneys for Defendant CitiGroup, Inc.

Elizabeth T. Parker
Pepper Hamilton LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103
Telephone: (215) 981-4000
Facsimile: (215) 981-4756
parkere@pepperlaw.com
Attorneys for Defendant Kevin P. Hannon

Stephen J. Crimmins
Pepper Hamilton LLP
600 Fourteenth Street, NW
Washington, DC 20005-2004
Telephone: (202) 220-1208
Facsimile: (202) 220-1665
crimminss@pepperlaw.com
Attorneys for Defendant Kevin P. Hannon

Mark J. Rochon
Emmett B. Lewis
MILLER & CHEVALIER
655 Fifteenth Street, N.W., Suite 900
Washington, D.C. 20005-5701
Telephone: (202) 626-5819
Facsimile: (202) 628-0858
e-mail: mrochon@milchev.com
Attorneys for Paulo V. Ferraz Pereira