

United States Courts  
Southern District of Texas  
FILED

MAY 28 2003

Michael N. Milby, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES  
LITIGATION

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§ 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.

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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.

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

1446

I, JAMES I. JACONETTE, declare as follows:

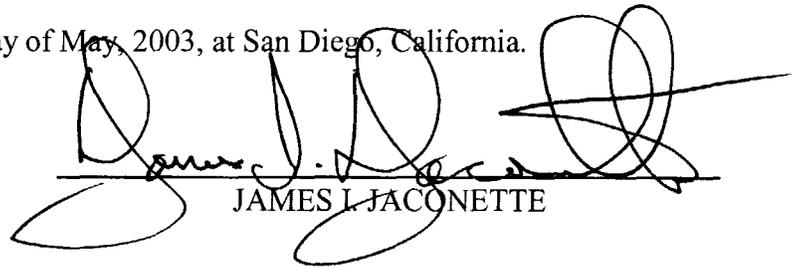
1. I am an attorney duly licensed to practice before all of the courts of the State of California and I am admitted *pro hac vice* before this Court. I am a member of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP, counsel of record for Lead Plaintiff in the above-entitled action. I have personal 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: Amended Certification of The Regents of the University of California;
- Exhibit 5: Amended Certification of Robert V. Flint;
- Exhibit 6: Second 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: Amended Certification of Hawaii Laborers Pension Plan;
- Exhibit 8: Amended 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: Amended Certification of Ben L. Schuette;
- Exhibit 15: Amended 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: Amended Certification of Employer-Teamsters Local Nos. 175 & 505 Pension Trust Fund;
- Exhibit 19: Second 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.;
- Exhibit 23: Amended Certification of Stephen M. Smith;
- Exhibit 24: Amended Certification of Fitzhugh Mayo;
- Exhibit 25: Certification of Greenville Plumbers Pension Plan; and
- Exhibit 26: *Schwartz v. TXU Corp.*, No. 3:02-CV-2243-K (N.D. Tex. May 8, 2003).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this <sup>27<sup>th</sup></sup> day of May, 2003, at San Diego, California.



JAMES I. JACONETTE

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