

United States Courts  
Southern District of Texas  
FILED  
JUN 19 2003  
Michael N. Milby, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re ENRON CORP. SECURITIES,  
DERIVATIVE & "ERISA" LITIGATION

§ MDL No. 1446

Assigned to: Judge Melinda Harmon

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

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

Plaintiffs,

CLASS ACTION

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.

STIPULATION REGARDING ENRON WORK PAPERS  
PRODUCED BY ARTHUR ANDERSEN

June 17, 2003

1534

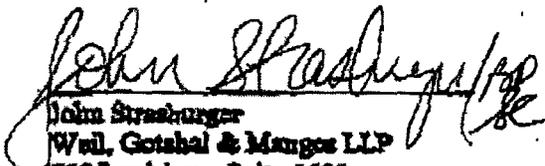
The *Newby* Plaintiffs, Enron Corp. and Arthur Andersen agree to the following restrictions for disclosure of Andersen's work papers for Enron Corp. and Enron-related entities produced to the Document Depository by Arthur Andersen in the *In Re Enron Corporation Securities, Derivative and "ERISA" Litigation* ("Consolidated Actions"):

Until December 31, 2003, all work papers (Bates Range AA-SDTEX 000000001 through AA-SDTEX 000502323) regarding Enron Corp. or an Enron-related entity, including images, and coding, produced by Arthur Anderson to the Document Depository (the "Work Papers") (1) will be used by the *Newby* Plaintiffs, Enron, and any other parties to the Consolidated Actions who have signed onto this stipulation by executing the attached Agreement, solely in and for the Consolidated Actions and will not be shown to anyone other than counsel of record in those cases, employees of counsel of record, representatives of a party involved in the Consolidated Actions, experts retained by a party involved in the Consolidated Actions and any Court appointed mediator, each of whom will agree to restrict distribution of the Work Papers accordingly; and (2) will not be filed with any court without first obtaining Enron's and Arthur Andersen's consent. Additionally, the parties agree that, until December 31, 2003, no applicable privileges (including, but not limited to attorney-client and work-product) are waived by this production. This executed Stipulation shall be Enron's instruction to Arthur Andersen to immediately release the Work Papers to the Document Depository. Upon receipt of that instruction Arthur Andersen will immediately release the Work Papers to the Document Depository.

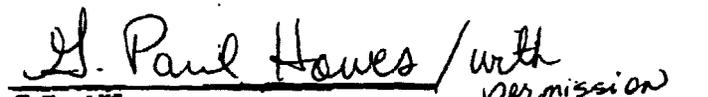
This agreement remains in effect until December 31, 2003, at which time Enron will either waive all claims of confidentiality it may have with regard to the Work Papers or file with the Court a motion for protection, with the requisite affidavit support, for any of the Work Papers that it seeks to maintain as confidential.

The Work Papers will be made available to counsel of record for other parties in the Consolidated Actions on these same terms once they have signed the attached Agreement and forwarded it to the undersigned counsel for Enron and Arthur Andersen as well as to Lex Solus, the Document Depository Administrator.

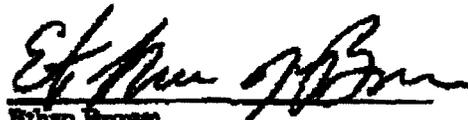
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AGREEMENT

Client and Law Firm agree that until December 31, 2003, all work papers (Bates Range AA-SDTEX 000000001 through AA-SDTEX 000502323) regarding Enron Corp. or an Enron-related entity, including images and coding, produced by Arthur Andersen to the Document Depository (the "Work Papers") (1) will be used solely in and for the Consolidated Actions and will not be shown to anyone other than counsel of record for Client in those cases, employees of counsel of record, representatives of Client involved in the Consolidated Actions, experts retained by Client and any Court appointed mediator, each of whom will agree to restrict distribution of the Work Papers accordingly, and (2) will not be filed with any court without first obtaining Enron's and Arthur Andersen's consent. Additionally, the parties agree that, until December 31, 2003, no applicable privileges (including, but not limited to attorney-client and work-product) are waived by this production.

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LAW FIRM:

\_\_\_\_\_

By: \_\_\_\_\_

Printed Name:

\_\_\_\_\_

CLIENT(S):

\_\_\_\_\_

\_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing STIPULATION REGARDING ENRON WORK PAPERS PRODUCED BY ARTHUR ANDERSEN has been served by sending a copy via electronic mail to serve@ESL3624.com on this 19th day of June, 2003.

I further certify that a copy of the foregoing STIPULATION REGARDING ENRON WORK PAPERS PRODUCED BY ARTHUR ANDERSEN has been served via overnight mail on the following parties, who do not accept service by electronic mail on this 19th day of June, 2003.

Carolyn S. Schwartz  
United States Trustee, Region 2  
33 Whitehall Street, 21st Floor  
New York, NY 10004



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Mo Maloney