United States Courts
Southern District of Texas
ENTERED

JUN 2 7 2003

Michael N. Milby, Clerk

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

In Re ENRON CORPORATION SECURITIES, DERIVATIVE & "ERISA" LITIGATION,	§ § §	MDL 1446
MARK NEWBY, ET AL., Plaintiffs VS. ENRON CORPORATION, ET AL., Defendants.	§ § § § § § § § §	CIVIL ACTION NO. H-01-3624 CONSOLIDATED CASES
PAMELA M. TITTLE, on behalf of herself and a class of persons similarly situated, ET AL., Plaintiffs VS. ENRON CORP., an Oregon Corporation, ET AL., Defendants.	§ § § § § § § § § § §	CIVIL ACTION NO. H-01-3913 CONSOLIDATED CASES
AMERICAN NATIONAL INSURANCE COMPANY, ET AL., Plaintiffs VS. ARTHUR ANDERSEN LLP, ET AL., Defendants.	§ § § § § § § § § §	CIVIL ACTION NO. G-02-585

1539

AMERICAN NATIONAL INSURANCE COMPANY, ET AL., Plaintiffs VS. CITIGROUP, INC., ET AL., Defendants.	§ § § § § § § § § §	CIVIL ACTION NO. G-02-723
MARY BAIN PEARSON, ET AL., Plaintiffs VS. ANDREW S. FASTOW, ET AL., Defendants.	§ § § § § § § § §	CIVIL ACTION NO. H-02-3786
FRED A. ROSEN, ET AL., Plaintiffs VS. ANDREW S. FASTOW, ET AL., Defendants.	§ § § § § § § § §	CIVIL ACTION NO. H-02-3787
HAROLD AHLICH, ET AL., Plaintiffs VS. ARTHUR ANDERSEN LLP, ET AL., Defendants.	§ § § § § § § § §	CIVIL ACTION NO. H-02-3794

OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF ENRON CORP.,	§	
Plaintiff	§	
VS.	§	CIVIL ACTION NO. H-02-3939
ANDREW S. FASTOW, ET AL.,	§	
Defendants	§	

ORDER

Pending before the Court are a number of motions with various issues relating to establishing, or dependent upon the existence of, a docket control schedule for pretrial discovery in *Newby* and *Tittle*, as well as pleading deadlines for related actions that have not been consolidated into the lead cases and for member cases which are not proceeding under the consolidated complaints.

While a number of parties have contended that newly filed motions to dismiss *Newby* Lead Plaintiff's First Amended Consolidated Complaint have imposed another discovery stay under the PSLRA, this Court disagrees. The PSLRA was intended to screen out strike suits and frivolous securities class actions. The survival of claims against all current Defendants in the consolidated actions beyond the initial round of motions to dismiss has established that Lead Plaintiff has stated claims against each one of them and is entitled to go forward. The circumstances in this litigation are extraordinary. In the interests of justice and the preservation of evidence and witnesses, this Court will not add additional delays to those already and necessarily caused by the sheer size, novelty and complexity of this multidistrict litigation and by the Court's limited staff.

Accordingly, the Court

ORDERS that counsel for all parties shall appear for a hearing on July 10, 2003 in

Courtroom 9C at 9:00 a.m. to establish a schedule.

SIGNED at Houston, Texas, this 27th day of June, 2003.

MELINDA HARMON
UNITED STATES DISTRICT JUDGE