UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED
JUL 30 2003
CHARLES R. FULBRUGE III
CLERK

No. 02-20486

D.C. Docket No. H-01-CV-3624
H-01-CV-3645
H-01-CV-3913
H-01-CV-4248
H-01-CV-4356
H-01-CV-4370
H-01-CV-4394
H-01-CV-4396
H-01-CV-4431
H-01-CV-4475
H-01-CV-4480
H-01-CV-4488
H-01-CV-4493
H-01-CV-4537
H-02-CV-117
H-02-CV-347
G-02-CV-84
H-02-CV-490
H-02-CV-576
H-02-CV-592
H-02-CV-670
H-02-CV-673
H-02-CV-1108
H-02-CV-1150
H-02-CV-1239
H-02-CV-1364
H-02-CV-278

United States Courts
Southern District of Texas
FILED
AUG 25 2003
Michael N. Milby, Clerk of Court

MARK NEWBY; ET AL

Plaintiffs

JANE BULLOCK; JOHN BARNHILL; DON REILAND; SCOTT BORCHART; MICHAEL MIES; ET AL

Plaintiffs - Appellants

DR ROBERT STARK; SUDIE STARK; DELBERT H STARK, JR; HENRY BOEHM, MD; VIRGINIA LAKE, ET AL

Appellants

v.

ENRON CORPORATION; ET AL

Defendants

1625

ANDREW S FASTOW; KENNETH L LAY; JEFFREY J SKILLING; ARTHUR ANDERSEN LLP; DAVID B DUNCAN; D STEPHEN GODDARD, JR; THOMAS H BAUER

Defendants - Appellees

JANE BULLOCK; JOHN BARNHILL; DON REILAND; SCOTT BORCHART; MICHAEL MIES; VIRGINIA ACOSTA; JIM HEVELY; MIKE BAUBY; ROBERT MORAN; JACK TURNER; MARILYN TURNER; HAL MOOREMAN, Co-Trustee for Moorman, Tate, Moorman & Urquhart Money Purchase Plan and Trust; MILTON TATE, Co-Trustee for Moorman, Tate, Moorman & Urquhart Money Purchase Plan and Trust

Plaintiffs - Appellants

DR ROBERT STARK; SUDIE STARK; DELBERT H STARK, JR; HENRY BOEHM, MD; VIRGINIA LAKE, ET AL

Appellants

v.

ARTHUR ANDERSEN LLP; ET AL

Defendants

DEBRA A CASH; ROGER WILLARD

Defendants - Appellees

United States Courts
Southern District of Texas
FILED
AUG 25 2003
Michael N. Milby, Clerk of Court

Appeal from the United States District Court for the Southern District of Texas, Houston.

Before DAVIS, HALL*, and EMILIO M. GARZA, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is affirmed.

IT IS FURTHER ORDERED that appellants pay to appellees the costs on appeal to be taxed by the Clerk of this Court.

ISSUED AS MANDATE: AUG 21 2003

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*Circuit Judge of the Ninth Circuit, sitting by designation.

A true copy
Test
Clerk, U. S. Court of Appeals, Fifth Circuit
By _____
Deputy
New Orleans, Louisiana AUG 21 2003

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

TEL. 504-310-7700
600 CAMP STREET
NEW ORLEANS, LA 70130

August 21, 2003

Mr Michael N Milby, Clerk
Southern District of Texas, Houston
United States District Court
Room 5300
515 Rusk Avenue
Houston, TX 77002

United States Courts
Southern District of Texas
FILED
AUG 25 2003
Michael N. Milby, Clerk of Court

No. 02-20486 Newby v. Enron Corporation
USDC No. H-01-CV-3624
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H-02-CV-1108
H-02-CV-1150
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H-02-CV-1364
H-02-CV-278

13 vol of record
6 vol of transcript
3 supplemental record
copies.
retained in appeals

Enclosed, for the district court only, is a certified copy of the judgment issued as the mandate.

Enclosed, for the district court only, is a copy of the court's opinion.

Record/original papers/exhibits are returned:

(22) Volumes ( ) Envelopes ( ) Boxes

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: _____
Chris P. Descant, Deputy Clerk
504-310-7704

cc: (letter only)
Honorable Melinda Harmon
Mr Gregory Sean Jez
Mr John W Keker
Mr Craig Smyser
Mr James E Coleman Jr
Mr Bruce Hiler
Mr Robert Michael Stern
Mr Jeffrey William Kilduff
Mr Andrew Lee Ramzel
Ms Sharon Katz
Mr Barry Grattan Flynn
Mr George William Shepherd
Mr Michael D Warden
Mr Clayton C Cannon
Mr Scott B Schreiber
Ms Amelia Toy Rudolph

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