

AUG 27 2003



Michael N. Milby, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES  
LITIGATION

§ 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.

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.

DECLARATION OF BARBARA A. MCFETRIDGE IN SUPPORT OF  
MOTION TO INTERVENE AS CLASS REPRESENTATIVE  
UNDER FED. R. CIV. P. 24(b)(2)

1632

I, Barbara A. McFetridge, declare and state as follows:

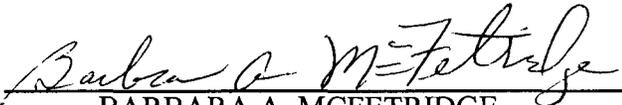
1. I am the Division Manager of Imperial County Employees Retirement System (ICERS). I submit this declaration based on personal knowledge and could testify to the same if called to do so.

2. ICERS purchased \$ 345,000.00 par value of Marlin Water 144A on July 12, 2001.

3. ICERS has adopted the allegations of the First Amended Consolidated Complaint filed May 14, 2003 in the Southern District of Texas in *In re Enron Corp. Sec. Litig.*, 01-CV-3624.

4. ICERS is seeking to serve as a class representative in this action and is prepared to take all steps necessary to fulfill its responsibilities to the class.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 22<sup>nd</sup> day of August, 2003, at El Centro, California.

  
BARBARA A. MCFETRIDGE  
Division Manager, Imperial County Employees  
Retirement System

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing DECLARATION OF BARBARA A. MCFETRIDGE IN SUPPORT OF MOTION TO INTERVENE AS CLASS REPRESENTATIVE UNDER FED. R. CIV. P. 24(b)(2) document has been served by sending a copy via electronic mail to serve@ESL3624.com on this 27th day of August, 2003.

I further certify that a copy of the foregoing DECLARATION OF BARBARA A. MCFETRIDGE IN SUPPORT OF MOTION TO INTERVENE AS CLASS REPRESENTATIVE UNDER FED. R. CIV. P. 24(b)(2) document has been served via overnight mail on the following parties, who do not accept service by electronic mail on this 27th day of August, 2003.

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

  
Mo Maloney