

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

In Re Enron Corporation  
Securities, Derivative &  
"ERISA Litigation

MDL-1446

THIS DOCUMENT RELATES TO:

H-02-2984

MARK NEWBY, ET AL.,

Plaintiffs

VS.

CIVIL ACTION NO. H-01-3624  
CONSOLIDATED CASES

ENRON CORPORATION, ET AL.,

Defendants

DAVID A. HUETTNER, ET AL.,

Plaintiffs,

VS.

CIVIL ACTION NO. H-02-2984

EOTT ENERGY PARTNERS, L.P., ET  
AL.,

Defendants.

ORDER OF DISMISSAL

Pending before the Court is Plaintiffs' motion for voluntary dismissal (instrument #1730 in H-01-3624) with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) because the parties have settled their dispute, as reflected in the attached order of the United States Bankruptcy Court for the Southern District of Texas at Corpus Christi, Texas. The Court

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ORDERS that the motion is GRANTED and that H-02-2984 is DISMISSED with prejudice, in accordance with the settlement terms set out in the bankruptcy court's order and incorporated herein.

SIGNED at Houston, Texas, this 10<sup>th</sup> day of ~~November~~ October, 2003.



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MELINDA HARMON  
UNITED STATES DISTRICT JUDGE