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OCT 15 2003

Michael N. Milby, Clerk

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

IN RE ENRON CORPORATION §  
SECURITIES LITIGATION § MDL NO. 1446

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This Document Relates To: §

MARK NEWBY, et al., §

Plaintiffs, §

v. §

ENRON CORP., et al., §

Defendants. §

\_\_\_\_\_  
THE REGENTS OF THE UNIVERSITY OF §  
CALIFORNIA, et al., §

Plaintiffs, §

v. §

KENNETH L. LAY, et al., §

Defendants. §  
\_\_\_\_\_

CIVIL ACTION NO. H-01-3624  
AND CONSOLIDATED CASES

U.S. COURTS  
SOUTHERN DISTRICT  
OF TEXAS

2003 OCT 15 PM 5:20

**AGREED MOTION FOR EXTENSION OF CERTAIN DEADLINES FOR  
CLASS CERTIFICATION BRIEFING**

Lead Plaintiff, The Regents of the University of California (“Lead Plaintiff”), and Defendant, Alliance Capital Management L.P. (“Alliance Capital”), jointly file this request for an extension of certain deadlines for class certification briefing, and respectfully show the Court as follows:

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Despite the parties' efforts, class certification discovery was not completed by the September 15, 2003 deadline contained in the Court's July 11, 2003 Scheduling Order. The last of the class certification depositions was taken on September 24, 2003.<sup>1</sup> Lead Plaintiff and Alliance Capital request that deadlines remaining for their class certification briefing be adjusted accordingly to compensate for the inability to complete class discovery by September 15, 2003.

Specifically, Lead Plaintiff and Alliance Capital request that the deadline for Alliance Capital to respond to Lead Plaintiff's Amended Motion for Class Certification be extended from October 16, 2003 to October 23, 2003. Further, Lead Plaintiff and Alliance Capital request that the deadline for Lead Plaintiff to reply to Alliance Capital's response be extended from November 17, 2003 to November 24, 2003.

WHEREFORE, Lead Plaintiff and Alliance Capital request that Alliance Capital's deadline to respond to Lead Plaintiff's Amended Motion for Class Certification and Lead Plaintiff's deadline to reply to Alliance Capital's response be extended as described in this agreed motion.

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<sup>1</sup> Proposed intervenor Imperial County Employees Retirement Systems' ("Imperial County") deposition was taken on September 24, 2003. Imperial County's opposed motion to intervene is pending with the Court.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

This is to certify that on October 15, 2003, a true and correct copy of the Agreed Motion for Extension of Certain Deadlines for Class Certification Briefing was served on all counsel of record via posting to <http://www.esl3624.com> pursuant to the Court's August 7, 2002 Order Regarding Service of Papers and Notice of Hearings Via Independent Website.

  
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Ronald E. Cook      *By Permission*  
                                 *Robert DeRose*