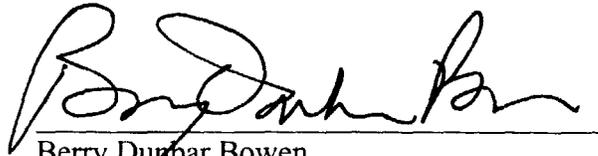




6. Accordingly, Movants bring this motion to seek a ruling on their motion pending now for over six months without opposition or other action by any party or interested person.

WHEREFORE, Movants request entry of a Protective Order in the form attached.

Respectfully Submitted,



Berry Dunbar Bowen  
S.B.N. 02721050  
S.D. Tex. No. 6177  
3014 Brazos Street  
Houston, TX 77006  
(713) 521-3525  
(713) 521-3575 – facsimile  
[bdbowen@swbell.net](mailto:bdbowen@swbell.net) - email  
ATTORNEY IN CHARGE FOR MOVANTS  
CITRUS CORP. AND BORDER PARTNERS, L.P.

OF COUNSEL

Bradley Westmoreland  
S.B.N. 21227500  
S.D. Tex. No. 3915  
4544 Post Oak Place, Suite 350  
Houston, TX 77027  
(713) 237-0222  
(713) 237-0401 – facsimile  
[bwestmore@aol.com](mailto:bwestmore@aol.com) - email

**CERTIFICATE OF SERVICE**

Pursuant to Rule 5(d), Fed. R. Civ. P., I hereby certify that the foregoing motion has been served pursuant to Rule 5(b), Fed. R. Civ. P., addressed as follows:

William S. Lerach, Esq.  
Milberg Weiss, et al.  
401 B. Street, Suite 1700  
San Diego, California 92101

Counsel for *Newby* Plaintiffs

Lynn Lincol Sarko, Esq.  
Keller Rohrback, L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101-3052

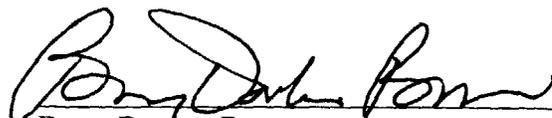
Counsel for *Tittle* Plaintiffs

David H. Donaldson, Jr., Esq.  
George & Donaldson, L.L.P.  
114 West 7<sup>th</sup> Street, Suite 1100  
Austin, Texas 78701

Attorney-in-Charge for Media Intervenors

Scott D. Lassetter, Esq.  
700 Louisiana Street, Suite 1600  
Houston, Texas 77002

Attorney-in-Charge for Defendant Enron Corp.

  
Berry Dunbar Bowen

Berry D. Bowen

**BERRY DUNBAR BOWEN**  
ATTORNEY AT LAW  
3014 BRAZOS STREET  
HOUSTON, TEXAS 77006  
TELEPHONE: (713) 521-3575  
TELECOPIER: (713) 521-3575  
EMAIL: [bdbowen@swbell.net](mailto:bdbowen@swbell.net)

John E. Lyle, of Counsel

September 26, 2003

Via Facsimile (619-231-7423) and First Class Mail

G. Paul Howes, Esq.  
Milberg Weiss Bershad Hynes & Lerach  
401 B Street, Suite 1700  
San Diego, CA 92101-5050

*Re: In re Enron Corp. Securities, Derivative & ERISA Litigation, No. H-01-3624, In the United States District Court Southern District of Texas Houston Division, (and consolidated, related, and coordinated cases)*

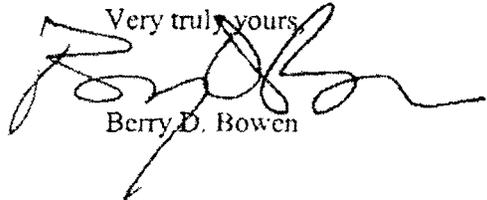
Dear Paul,

I represent Citrus Corp. and Norther Border Partners, L.P., non-party movants for protection in the referenced action. We met briefly at the conclusion of the July 10, 2003, scheduling conference. At the conference, we represented to the Court that we would confer regarding our pending motion, to which no party has filed an opposition.

After informing myself somewhat of the status of the ongoing negotiations between *Newby* plaintiffs' counsel and counsel for Enron Corp. on a confidentiality order, I determined that we should attempt to negotiate directly with plaintiffs' counsel in effort to fashion an agreed order on our pending motion only.

I have made several attempts to contact your local office and have left you a voice mail, and I have yet to receive a reply. As you recall, the Court inquired concerning this matter at the outset of the July hearing. We would like to move forward on this, and we believe the Court would like us to move forward on this. Could you have the proper person contact me regarding this matter?

Very truly yours,

  
Berry D. Bowen

BDB/kml