

IN THE UNITED STATES DISTRICT COURT United States Courts
Southern District of Texas
FILED
 SOUTHERN DISTRICT OF TEXAS
 HOUSTON DIVISION


 JAN 16 2004

Michael N. Milby, Clerk

MARK NEWBY, *ET AL.*,
 Plaintiffs,
 v.
 ENRON CORPORATION, *ET AL.*,
 Defendants.

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CIVIL ACTION NO: H-01-3624
 CONSOLIDATED LEAD CASE

MARY BAIN PEARSON and
 JOHN MASON
 Plaintiffs,
 v.
 ANDREW S. FASTOW, *ET AL.*,
 Defendants.

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CIVIL ACTION NO: H-03-5332

FRED ROSEN, *ET AL.*,
 Plaintiffs,
 v.
 ANDREW S. FASTOW, *ET AL.*,
 Defendants.

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CIVIL ACTION NO: H-03-5333

HAROLD AHLICH, *ET AL.*,
 Plaintiffs,
 v.
 ANDREW S. FASTOW, *ET AL.*,
 Defendants.

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CIVIL ACTION NO: H-03-5334

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RUBEN AND IRENE DELGADO AND
PRESTON CLAYTON, *ET AL.*,

Plaintiffs,

v.

ANDREW S. FASTOW, *ET AL.*,

Defendants.

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CIVIL ACTION NO: H-03-5335

**PROPOSED AGENDA BY FLEMING & ASSOCIATES, L.L.P.,
ON BEHALF OF ITS CLIENTS, FOR HEARING OF JANUARY 22, 2004**

TO THE HONORABLE MELINDA HARMON:

COMES NOW Fleming & Associates, L.L.P. (F&A) and submits its proposed agenda for matters it wishes to raise at the hearing of January 22, 2004:

1. Fleming & Associates, L.L.P.'s Motion for Leave to File Enron-Related Actions in State Court and Motion to Modify Order filed October 20, 2003, docket entry 1772 in *Newby, et al., v. Enron Corporation, et al.*, 01-3624.

2. Plaintiffs' Motion for Emergency Hearing and/or Ruling, Plaintiffs' Third Motion to Remand, and Memorandum in Support of Plaintiffs' Third Motion to Remand, in *Pearson, et al., v. Andrew S. Fastow, et al.*, 03-5332, filed December 9, 2003 and consolidated in *Newby, et al., v. Enron Corporation, et al.*, 01-3624 by the Court's order entered on December 8, 2003, docket entry 1873.

3. Plaintiffs' Motion for Emergency Hearing and/or Ruling, Plaintiffs' Third Motion to Remand, and Memorandum in Support of Plaintiffs' Third Motion to Remand, in *Rosen, et al., v. Andrew S. Fastow, et al.*, 03-5333, filed December 9, 2003 and consolidated in *Newby, et al., v. Enron Corporation, et al.*, 01-3624 by the Court's order entered on December 8, 2003, docket entry 1873.

4. Plaintiffs' Motion for Emergency Hearing and/or Ruling, Plaintiffs' Third Motion to Remand, and Memorandum in Support of Plaintiffs' Third Motion to Remand, in *Ahlich, et al., v. Andrew S. Fastow, et al.*, 03-5334, filed December 9, 2003 and consolidated in *Newby, et al., v. Enron Corporation, et al.*, 01-3624 by the Court's order entered on December 8, 2003, docket entry 1873.

5. Plaintiffs' Motion for Emergency Hearing and/or Ruling, Plaintiffs' Third Motion to Remand, and Memorandum in Support of Plaintiffs' Third Motion to Remand, in *Delgado, et al., v. Andrew S. Fastow, et al.*, 03-5335, filed December 9, 2003 and consolidated in *Newby, et al., v. Enron Corporation, et al.*, 01-3624 by the Court's order entered on December 8, 2003, docket entry 1873.

Plaintiffs' respectfully request that the Court set the above referenced matter for hearing on January 22, 2004.

Respectfully submitted,

FLEMING & ASSOCIATES, L.L.P.

G. Sean Jez

State Bar No. 00796829

George M. Fleming

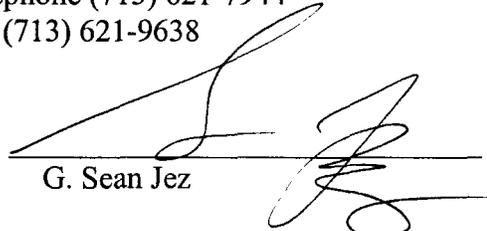
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By: 

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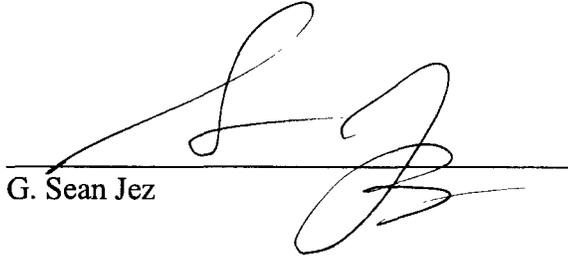
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served by sending a copy via electronic mail to serve@ESL3624.com on January 16, 2004.

Via First Class Mail

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

G. Sean Jez

A handwritten signature in black ink, appearing to read "G. Sean Jez", is written over a horizontal line. The signature is stylized and cursive.