

United States Courts
Southern District of Texas
FILED
JAN 28 2004
Michael N. Milby, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
AT HOUSTON

In re ENRON CORPORATION
SECURITIES AND ERISA
LITIGATIONS

Civil Action No. H-01-3624
(Consolidated)

This Document Relates To:

CLASS ACTION

ABBEY NATIONAL TREASURY SERVICES
plc

Civil Action No. H-02-3869
Civil Action No. H-03-1241

Plaintiff,

v.

CREDIT SUISSE FIRST BOSTON
CORPORATION, et al.

Defendants,

INTERNATIONALE
KAPITALANLAGEGESELLSCHAFT MBH, et
al.

Civil Action No. H-02-4080
Civil Action No. H-03-1248

Plaintiffs,

v.

CREDIT SUISSE FIRST BOSTON
CORPORATION, et al.

Defendants,

UNOPPOSED MOTION FOR SUBSTITUTION OF COUNSEL

Plaintiffs in the above captioned actions, Abbey National Treasury Services plc;
Internationale Kapitalanlagegesellschaft mbH, individually and on behalf of BVT, CBP, DSW,
DUKAT, EKBAKK, EKBV, ERHARD, HLF, LZO, PRENT A, SIT, SKG, EGI and EUSB;

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HSBC Trinkhaus Luxembourg Investment Managers SA, individually and on behalf of Walser Euro Cash; and HSBC Trinkhaus & Burkhardt KGaA (“Plaintiffs”), respectfully move to substitute as their counsel the firm of Hagens Berman LLP and Crowley Douglas & Norman, LLP in place and in stead of their current counsel, the firms of Flemming, Zulack & Williamson, LLP and Yetter & Warden, LLP.

In support of this motion Plaintiffs, through their undersigned counsel, state the following:

1. Plaintiffs are currently represented in these matters by Flemming, Zulack & Williamson, LLP and Yetter & Warden, LLP. They have now arranged to be represented by Hagens Berman LLP and Crowley Douglas & Norman, LLP.

2. Steve W. Berman of Hagens Berman LLP and other counsel from Hagens Berman LLP have previously been admitted to practice *pro hac vice* for the purpose of certain cases consolidated in the *In re Enron Corporation Securities And ERISA Litigations*. Mr. Berman will serve as the Attorney-in-Charge for Plaintiffs if the Court grants this Motion.

3. The request for substitution is not made for the purpose of delay. Undersigned counsel will not seek to change the case schedule as a result of their entry into the case.

4. By this Motion the undersigned also request the Court to grant the withdrawal as counsel of Flemming, Zulack & Williamson, LLP and Yetter & Warden, LLP. As evidenced by their signatures, those attorneys and their clients consent to this requested withdrawal and substitution.

WHEREFORE, Plaintiffs request the Court to grant the motion permitting the requested substitution in the form of the attached Proposed Order and request that all parties amend their

service lists to reflect the substitution.

RESPECTFULLY SUBMITTED: January 26, 2004

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CERTIFICATE OF SERVICE

I, RICHARD E. NORMAN, hereby certify that on this the 25th day of January, 2004, true and correct copies of the above and foregoing instruments have been duly forwarded to the following parties and/or counsel of record, by hand delivery and/or certified mail, return receipt requested.

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A handwritten signature in black ink, appearing to read "Richard E. Norman", written over a horizontal line.

RICHARD E. NORMAN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
AT HOUSTON

In re ENRON CORPORATION
SECURITIES AND ERISA
LITIGATIONS

Civil Action No. H-01-3624
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plc

Civil Action No. H-02-3869
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Plaintiff,

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CREDIT SUISSE FIRST BOSTON
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Defendants,

INTERNATIONALE
KAPITALANLAGEGESELLSCHAFT MBH, et
al.

Civil Action No. H-02-4080
Civil Action No. H-03-1248

Plaintiffs,

v.

CREDIT SUISSE FIRST BOSTON
CORPORATION, et al.

Defendants,

**[PROPOSED] ORDER ON UNOPPOSED MOTION FOR SUBSTITUTION OF
COUNSEL**

The Court, having reviewed the Plaintiffs'¹ Unopposed Motion for Substitution of
Counsel, finds that the motion should be in all respects GRANTED.

¹ Plaintiffs include Abbey National Treasury Services plc; Internationale Kapitalanlagegesellschaft mbH, individually and on behalf of BVT, CBP, DSW, DUKAT, EKBAKK, EKBV, ERHARD, HLF, LZO, PRENT A,

IT IS ORDERED that the firms Flemming, Zulack & Williamson, LLP and Yetter & Warden, LLP are withdrawn as Plaintiffs' counsel in the above captioned actions.

IT IS FURTHER ORDERED that Hagens Berman LLP and Crowley Douglas & Norman, LLP are substituted as counsel for Plaintiffs in the above captioned actions and that Steve W. Berman of Hagens Berman LLP is designated Attorney-in-Charge for Plaintiffs.

Signed this ____ day of _____, 2004, at Houston, Texas

MELINDA HARMON
United States District Judge

SIT, SKG, EGI and EUSB; HSBC Trinkhaus Luxembourg Investment Managers SA, individually and on behalf of Walser Euro Cash; and HSBC Trinkhaus & Burkhardt KGaA.