

BG APR 13 2004

Michael N. Milby, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE ENRON CORPORATION  
SECURITIES LITIGATION

Consolidated Civil Action  
No. H-01-3624

This Document Relates To:

MARK NEWBY, et al., individually and  
on behalf of all others similarly situated,

Plaintiffs,

v.

ENRON CORPORATION, et al.,

Defendant.

THE REGENTS OF THE UNIVERSITY  
OF CALIFORNIA, et al., individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

KENNETH L. LAY, et al.,

Defendants.

**UNOPPOSED MOTION OF BANK OF AMERICA CORPORATION AND BANC OF  
AMERICA SECURITIES LLC FOR AN EXTENSION OF TIME TO ANSWER  
PLAINTIFFS' FIRST AMENDED CONSOLIDATED COMPLAINT**

Defendants Bank of America Corporation and Banc of America Securities LLC (collectively, the "Bank of America entities") respectfully submit this unopposed motion for an extension of time to answer Plaintiffs' First Amended Consolidated Complaint.

The Court entered its order on the Bank of America entities' motion to dismiss on April 8, 2004. Accordingly under Fed. R. Civ. P. 12(a)(4)(A), the Bank of America entities'

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answers to the First Amended Consolidated Complaint must be filed no later than April 22, 2004. Due to the length and complexity of the First Amended Consolidated Complaint, the Bank of America entities request an extension of their time to answer. Plaintiffs have agreed that the Bank of America entities' time to answer the First Amended Consolidated Complaint should be extended from April 22, 2004 to May 6, 2004. The Bank of America entities believe that this brief extension of time is reasonable and will not prejudice any party to this litigation.

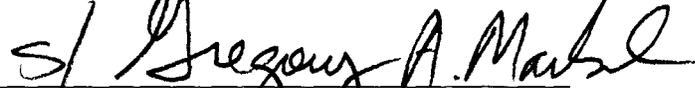
**CONCLUSION**

The Bank of America entities respectfully request that this Court grant this unopposed motion and enter an order extending the date by which the Bank of America entities must answer the First Amended Consolidated Complaint from April 22, 2004 to May 6, 2004.

Dated: April 13, 2004

Respectfully submitted,

CADWALADER, WICKERSHAM & TAFT LLP

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Attorneys for Defendants

Bank of America Corporation and

Banc of America Securities LLC

**CERTIFICATE OF CONFERENCE**

I have been advised by Gregory Ballard of Cadwalader, Wickersham & Taft LLP that counsel for plaintiffs has advised him that plaintiffs are unopposed to this motion.

  
Charles G. King

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that on the 13th day of April, 2004, a true and correct copy of the foregoing **Unopposed Motion Of Defendants Bank Of America Corporation And Banc Of America Securities LLC For An Extension Of Time To Answer Plaintiffs' First Amended Consolidated Complaint** was served on all counsel of record by website, <http://www.esl3624.com>, pursuant to the Court's Order.

  
Charles G. King