UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED
APR 2 0 2004 JS
MICHAEL N. MILBY, CLERK OF COURT

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., Defendants.	
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, et al., individually and on behalf of all others similarly situated, Plaintiffs, v. KENNETH L. LAY, et al., Defendants.	

MERRILL LYNCH'S SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS' FIRST AMENDED COMPLAINT

Defendants Merrill Lynch & Co., Inc. and Merrill Lynch, Pierce, Fenner & Smith Incorporated (collectively, "Merrill Lynch") respectfully submit this Second Unopposed

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Motion for Extension of Time to Respond to Plaintiffs' First Amended Consolidated Complaint for Violation of the Securities Laws (the "Amended Complaint").

The Court entered its order on Merrill Lynch's motion to dismiss the Amended Complaint on March 29, 2004. Accordingly, Merrill Lynch's response to the Amended Complaint would otherwise be due no later than April 12, 2004. Due the length and complexity of the Amended Complaint, Merrill Lynch requests an extension of its time to answer. Merrill Lynch previously filed an Unopposed Motion for Extension of Time to Respond to Plaintiffs' First Amended Complaint (Docket No. 2070) seeking an extension until April 26, 2004, which the Court granted by Order dated April 15, 2004 (Docket No. 2087). Plaintiffs have now agreed that Merrill Lynch's time to respond to the Amended Complaint may be extended from April 26, 2004 to May 17, 2004. Merrill Lynch believes that this brief extension of time is reasonable, and will not prejudice any party to this litigation.

CONCLUSION

Merrill Lynch respectfully requests that the Court grant this unopposed motion and enter an order extending the date by which Merrill Lynch must respond to the Amended Complaint from April 26, 2004 to May 17, 2004.

Dated: April 20, 2004

Respectfully submitted,

By: _____

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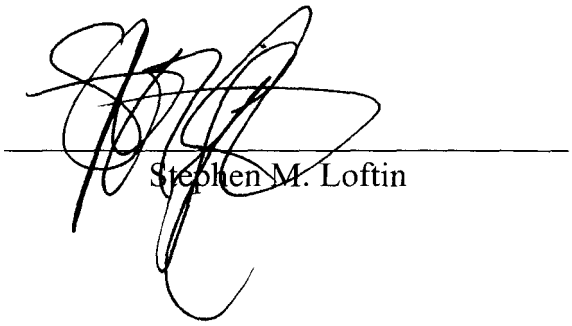
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the **Second Unopposed Motion for Extension of Time to Respond to Plaintiffs' First Amended Complaint** was served upon all known counsel of record as set forth on the attached service list on this the **20th** day of **April, 2004**.

Please See Attached Service List



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