UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED
BL AUG 18 2004
Michael N. Milby, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES LITIGATION	§	Civil Action No. H-01-3624
	§	**(Consolidated)**
	§	
	§	CLASS ACTION
This Document Relates To:	§	
MARK NEWBY, et al., Individually and On Behalf of All Others Similarly Situated,	§	
Plaintiffs,	§	
vs.	§	
ENRON CORP., et al.,	§	
Defendants.	§	
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, et al., Individually and On Behalf of All Others Similarly Situated,	§	
Plaintiffs,	§	
vs.	§	
KENNETH L. LAY, et al.,	§	
Defendants.	§	

AGREED MOTION TO WITHDRAW LEAD PLAINTIFF'S MOTION TO ENFORCE DEPOSITION PROTOCOL ORDER AND TO COMPEL JP MORGAN CHASE TO PROVIDE DISCOVERY

2350

Lead Plaintiff files this Motion to Withdraw Lead Plaintiff's Motion to Enforce Deposition Protocol Order and to Compel JP Morgan Chase to Provide Discovery (the "Motion") and respectfully show the Court as follows:

Whereas, Lead Plaintiff filed the Motion on August 6, 2004;

Whereas, the Motion sought to enforce the Court's Deposition Protocol Order dated March 11, 2003 with respect to questioning concerning compensation of JP Morgan Chase employees in 2002-2003, and to compel further deposition questioning of JP Morgan Chase employee Jeffrey Dellapina;

Whereas, JP Morgan Chase and Lead Plaintiff met and conferred as to the matters raised in the Motion;

Whereas, JP Morgan agreed to, and did in fact, provide the requested information concerning the amount of Jeffrey Dellapina's compensation for 2002 and 2003;

Whereas, counsel for JP Morgan Chase has agreed not to instruct JP Morgan Chase employees not to answer deposition questioning concerning their 2002-2003 compensation;

Whereas, in light of JP Morgan Chase's agreements as detailed herein, Lead Plaintiff has agreed to withdraw the Motion.

Therefore, Lead Plaintiff requests this Court withdraw its motion.

DATED: August 19, 2004

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing AGREED MOTION TO WITHDRAW LEAD PLAINTIFF'S MOTION TO ENFORCE DEPOSITION PROTOCOL ORDER AND TO COMPEL JP MORGAN CHASE TO PROVIDE DISCOVERY document has been served by sending a copy via electronic mail to serve@ESL3624.com on this August 19, 2004.

I further certify that a copy of the foregoing AGREED MOTION TO WITHDRAW LEAD PLAINTIFF'S MOTION TO ENFORCE DEPOSITION PROTOCOL ORDER AND TO COMPEL JP MORGAN CHASE TO PROVIDE DISCOVERYdocument has been served via overnight mail on the following parties, who do not accept service by electronic mail on this August 19, 2004.

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

Mo Maloney

Mo Maloney