United States Courts
Southern District of Texas
ENTERED
AUG 2 5 2004
Michael N. Milby, Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARK NEWBY,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	CIVIL ACTION NO.H-01-3624
	)	(Consolidated)
ENRON CORP., et al.,	)	
	)	
Defendants,	)	

ORDER

Upon consideration of the motion of the United States for a Limited Stay of Selected Depositions and the opposition thereto,

IT IS HEREBY ORDERED that Ed Smida, Stan Hanks, and David Campbell shall not be deposed until the earlier of the date on which each witness completes his testimony for the prosecution in U.S. v. Kenneth Rice et al., if the trial of U.S. v. Kenneth Rice et al. begins as it is currently scheduled on October 4, 2004. If the trial of U.S. v. Kenneth Rice et al. is continued, the civil litigants may take the depositions without further order of this Court.

In no event will this stay extend beyond January 1, 2005. The witnesses may be deposed any time after January 1, 2005, regardless of whether they have testified in U.S. v. Kenneth Rice et al.

The parties are free to notice the depositions and begin the process of scheduling the depositions at any time as long as each of the witnesses is not deposed until after the time described above.

Dated: August 25th, 2004
Houston, Texas

Melinda Harmon

Hon. Melinda Harmon
United States District Judge
Southern District of Texas

2359