United States Courts
Southern District of Texas
FILED
AUG 24 2004
Michael N. Milby, Clerk

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 COMPEL COMPLETE RESPONSES TO INTERROGATORIES BY CANADIAN IMPERIAL BANK OF COMMERCE AND CIBC WORLD MARKETS CORP.

2362

Lead Plaintiff files this Motion to Withdraw Lead Plaintiff's Motion to Compel Complete Responses to Interrogatories by Canadian Imperial Bank of Commerce and CIBC World Markets Corp. (the "Motion") and respectfully show the Court as follows:

Whereas, Lead Plaintiff filed the Motion on June 2, 2004;

Whereas, the Motion sought to compel Canadian Imperial Bank of Commerce and CIBC World Markets Corp. (collectively "CIBC") to completely respond to certain interrogatories;

Whereas, CIBC and Lead Plaintiff met and conferred as to the matters raised in the Motion;

Whereas, CIBC agreed to, and did in fact supplement its interrogatory responses;

Whereas, in light of CIBC's supplemental interrogatory responses, Lead Plaintiff has agreed to withdraw the Motion.

Therefore, Lead Plaintiff requests this Court withdraw the Motion.

DATED: August 24, 2004

Respectfully submitted,

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DATED: August 24, 2004

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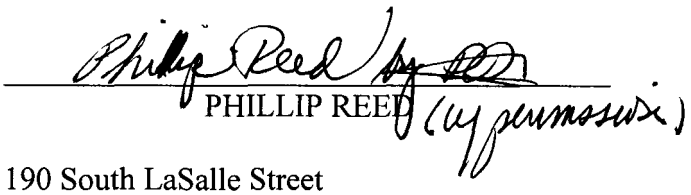

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing AGREED MOTION TO WITHDRAW LEAD PLAINTIFF'S MOTION TO COMPEL COMPLETE RESPONSES TO INTERROGATORIES BY CANADIAN IMPERIAL BANK OF COMMERCE AND CIBC WORLD MARKETS CORP. document has been served by sending a copy via electronic mail to serve@ESL3624.com on this August 24, 2004.

I further certify that a copy of the foregoing AGREED MOTION TO WITHDRAW LEAD PLAINTIFF'S MOTION TO COMPEL COMPLETE RESPONSES TO INTERROGATORIES BY CANADIAN IMPERIAL BANK OF COMMERCE AND CIBC WORLD MARKETS CORP.document has been served via overnight mail on the following parties, who do not accept service by electronic mail on this August 24, 2004.

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

Mo Maloney

Mo Maloney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

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ORDER WITHDRAWING LEAD PLAINTIFF'S MOTION TO COMPEL COMPLETE RESPONSES TO INTERROGATORIES BY CANADIAN IMPERIAL BANK OF COMMERCE AND CIBC WORLD MARKETS CORP.

Pending before the Court is the Agreed Motion to Withdraw Lead Plaintiff's Motion to Compel Complete Responses to Interrogatories by Canadian Imperial Bank of Commerce and CIBC World Markets Corp. The Court having considered the Agreed Motion finds that it should be granted.

IT IS THEREFORE ORDERED that Lead Plaintiff's Motion to Compel Complete Responses to Interrogatories by Canadian Imperial Bank of Commerce and CIBC World Markets Corp. is hereby withdrawn.

DATED: _____

_____
THE HONORABLE MELINDA HARMON
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing ORDER WITHDRAWING LEAD PLAINTIFF'S MOTION TO COMPEL COMPLETE RESPONSES TO INTERROGATORIES BY CANADIAN IMPERIAL BANK OF COMMERCE AND CIBC WORLD MARKETS CORP. document has been served by sending a copy via electronic mail to serve@ESL3624.com on this August 24, 2004.

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