

MH

AUG 31 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.

**LEAD PLAINTIFF'S NOTICE TO THE COURT REGARDING NOTICE TO CERTAIN
CLASS MEMBERS PURSUANT TO RULE 23(d)(2) AND RESPONSE TO THE
FINANCIAL INSTITUTION DEFENDANTS' SUPPLEMENTAL MEMORANDUM
(DOCKET NO. 2317)**

2373

On May 7, 2004, Lead Plaintiff sought the Court's permission to give notice to purchasers of Foreign Debt Securities¹ to inform them that certain putative class claims under §12(a)(2) of the Securities Act of 1933 will be dismissed unless someone comes forward to act as a class representative (Docket No. 2129).

The Court has indicated that unless there is a class representative who bought the Foreign Debt Securities from a defendant, certain claims under §12(a)(2) will be dismissed at the time of class certification: "If however, at the time of class certification, there is no class member that has standing to serve as a class representative for those who purchased from the Lehman Defendants, the claims will be dismissed." Mar. 31, 2004 Order re Lehman Defendants' Motion to Dismiss at 5 (Docket No. 2043). In an effort to protect those absent class members who will no longer benefit from class action claims under §12(a)(2) if the Court dismisses those claims, Lead Plaintiff requested permission to give notice pursuant to Rule 23(d)(2). The Court granted Lead Plaintiff's request on June 1, 2004 (Docket No. 2180).

The Court ordered the Bank Defendants² to either provide to Lead Counsel names and addresses of those who purchased Foreign Debt Securities or have the banks send out a notice to

¹ The Foreign Debt Securities are: Marlin Water Trust II/Marlin Water Capital Corp. II 6.19% Notes due 7/15/03; Marlin Water Trust II/Marlin Water Capital Corp. II 6.31% Notes due 7/15/03; Enron Euro Credit Linked Notes Trust 6.5% Notes due 5/24/06; Enron Credit Linked Notes Trust II 7.375% Notes due 5/15/06; Enron Sterling Credit Linked Notes Trust 7.250% Notes due 5/24/06; Osprey Trust/Osprey I, Inc. 7.797% Notes due 1/15/03; Osprey Trust/Osprey I, Inc. 6.375% Notes due 1/15/03; Enron Credit Linked Notes Trust 8.0% Notes due 8/18/05; Yosemite Securities Company Ltd. 8.75% Notes due 2/23/07; and Yosemite Securities Trust I 8.25% Notes due 11/15/04.

² Banc of America Securities Limited; Banc of America Securities LLC; Barclays Capital; Credit Suisse First Boston; CIBC World Markets; Deutsche Bank; Deutsche Banc Alex. Brown; Greenwich NatWest; JP Morgan; Lehman Brothers; Schroder Salmon Smith Barney; Salomon Smith Barney; Salomon Smith Barney International; The Royal Bank of Scotland, Financial Markets; and The Royal Bank of Scotland plc.

those purchasers. The Bank Defendants opted to send the notice out themselves (*see* Ex. A). Additionally, the notice was published in *The Investors Business Daily* and *The Financial Times* on June 24, 2004 (*see* Ex. B).

Lead Counsel has received some inquiries, but at this time Lead Counsel knows of no one who is stepping forward to represent §12(a)(2) claims other than Imperial County Employees Retirement Systems (“ICERS”) who purchased Marlin Water Trust II from defendant Deutsche Bank. The Court has already granted ICERS’ motion to intervene as a named plaintiff, and is holding in abeyance its motion to be appointed as a class representative.

Lead Plaintiff files this notice to inform the Court of the results of the notice process and to respond briefly to arguments raised by the Financial Institution Defendants in the Supplemental Memorandum of Law in Further Opposition to Lead Plaintiff’s Amended Motion for Certification of a Class Based on Claimed Violations of §12(a)(2) of the Securities Act of 1933 (Docket No. 2317).

Lead Plaintiff does not concede any arguments the Bank Defendants make in their latest submission, but as the issue is largely moot, only a few points will be briefly addressed here. First, defendants ignore the fact that the Court *approved* Lead Plaintiff’s proposal to seek out those who could have viable §12(a)(2) claims. As Lead Plaintiff explained, while it has and will continue to represent Foreign Debt purchasers on §10(b) claims, it was important to notify purchasers that unless they stepped forward, §12(a)(2) claims asserted on their behalf could be dismissed. Had the Court believed, as defendants contend, that even if a party stepped forward to represent any of the Foreign Debt Securities their claim would be time-barred, the Court never would have approved the notice.

Second, §13’s statute of repose, which defendants claim has now expired, was not “running” while the Court-ordered notice was being disseminated. The Court, in granting ICERS’ motion to intervene as a named plaintiff and subsequent approval of the notice to Foreign Debt Securities

purchasers, has made clear that should a purchaser of the Foreign Debt Securities step forward before class certification, that purchaser could properly intervene.

Third, many of the arguments raised by defendants in their latest filing have already been considered and rejected by the Court in its Order granting ICERS' intervention as a named plaintiff. That Order makes clear "[w]hether a class or subclass relating to §12(a)(2) claims by purchasers in the other eight offerings of Foreign Debt Securities may be certified in this litigation will depend upon whether any eligible and willing class members, who have purchased any of each of the other eight types of securities, move to intervene and to be named as a class representative." Feb. 25, 2004 Order at 97 (Docket No. 1999).

The Court has consistently stated that class certification is the proper point in the litigation to determine whether classes or subclasses can go forward on the §12(a)(2) claims. In order to fulfill its role as Lead Plaintiff, The Regents has endeavored to alert those parties who may have viable

§12(a)(2) claims of their rights before class certification is decided. As no party has stepped forward at this time, Lead Plaintiff believes it is important to inform the Court as to the results of the notice process so that the litigation can continue apace and a class can be certified.

DATED: August 31, 2004

Respectfully submitted,

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
WILLIAM S. LERACH
DARREN J. ROBBINS
HELEN J. HODGES
BYRON S. GEORGIU
JAMES I. JACONETTE
MICHELLE M. CICCARELLI
JAMES R. HAIL
ANNE L. BOX
JOHN A. LOWTHER
TRIG R. SMITH
ALEXANDRA S. BERNAY
MATTHEW P. SIBEN
ROBERT R. HENSSLER, JR.

Heleen J. Hodges by [Signature]
HELEN J. HODGES *(w/permission)*

401 B Street, Suite 1700
San Diego, CA 92101
Telephone: 619/231-1058

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
REGINA M. AMES
355 South Grand Avenue, Suite 4170
Los Angeles, CA 90071
Telephone: 213/617-9007

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
G. PAUL HOWES
JERRILYN HARDAWAY
Texas Bar No. 00788770
Federal I.D. No. 30964
1111 Bagby, Suite 4850
Houston, TX 77002
Telephone: 713/571-0911

Lead Counsel for Plaintiffs

SCHWARTZ, JUNELL, GREENBERG
& OATHOUT, LLP
ROGER B. GREENBERG
State Bar No. 08390000
Federal I.D. No. 3932



ROGER B. GREENBERG

Two Houston Center
909 Fannin, Suite 2000
Houston, TX 77010
Telephone: 713/752-0017

HOEFFNER & BILEK, LLP
THOMAS E. BILEK
Federal Bar No. 9338
State Bar No. 02313525
440 Louisiana, Suite 720
Houston, TX 77002
Telephone: 713/227-7720

Attorneys in Charge

BERGER & MONTAGUE, P.C.
SHERRIE R. SAVETT
1622 Locust Street
Philadelphia, PA 19103
Telephone: 215/875-3000

Attorneys for Staro Asset Management

WOLF POPPER LLP
ROBERT C. FINKEL
845 Third Avenue
New York, NY 10022
Telephone: 212/759-4600

Attorneys for Nathaniel Pulsifer

SCOTT + SCOTT, LLC
DAVID R. SCOTT
NEIL ROTHSTEIN
S. EDWARD SARSKAS
108 Norwich Avenue
Colchester, CT 06415
Telephone: 860/537-3818

**Attorneys for the Archdiocese of Milwaukee
Supporting Fund, Inc.**

LAW OFFICES OF JONATHAN D. McCUE
JONATHAN D. McCUE
4299 Avati Drive
San Diego, CA 92117
Telephone: 858/272-0454

**Attorneys for Imperial County Board of
Retirement**

CUNEO WALDMAN & GILBERT, LLP
JONATHAN W. CUNEO
MICHAEL G. LENETT
317 Massachusetts Avenue, N.E.
Suite 300
Washington, D.C. 20002
Telephone: 202/789-3960

Washington Counsel

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EXHIBIT A

Helen J. Hodges
HelenH@lcsr.com

June 3, 2004

VIA FACSIMILE

TO ALL COUNSEL ON ATTACHED LIST

Re: *Foreign Debt Securities Notice*

Dear Counsel:

In order to facilitate the notice to purchasers of the Foreign Debt Securities ordered by Judge Harmon on June 1, 2004, we will be using Gilardi & Co. LLC. The contact information for Gilardi is as follows:

Gilardi & Co. LLC
1115 Magnolia Avenue
Larkspur, CA 94939
Telephone: 415/461-0410

The person at Gilardi in charge of this project is Courtney Dickson and her direct dial is 415/464-3055.

I would appreciate it if you would have your respective clients provide her with the name and contact information of a person at each bank with whom she can work to obtain the names and addresses of the Foreign Debt Securities purchasers.

If you have any questions please let me or Keith Park in my San Diego office know.

Very truly yours,



HELEN J. HODGES

HJH:dln

cc: Keith F. Park, Esq.
Courtney Dickson

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ENRON - NOTICE CONTACTS

Banc of America Securities Limited	Greg Markel CADWALADER, WICKERSHAM & TAFT LLP 100 Maiden Lane New York, NY 10038 212/504-6000 212/504-6666 (fax) e-mail: bofa@cwt.com
Banc of America Securities LLC	(same)
Barclays Capital	David H. Braff SULLIVAN & CROMWELL LLP 125 Broad Street New York, NY 10004-2498 212/558-4000 212/558-3588 (fax) e-mail: enronpapers@sullcrom.com
Credit Suisse First Boston	Richard W. Clary CRAVATH, SWAINE & MOORE LLP 825 Eighth Avenue, Worldwide Plaza New York, NY 10019 212/474-1000 212/474-3700 (fax) e-mail: rclary@cravath.com
CIBC World Markets	Phillip S. Reed MAYER, BROWN, ROWE & MAW LLP 190 South LaSalle Street Chicago, Il 60603-3441 312/782-0600 312/701-7711 (fax)
Deutsche Bank	Owen C. Pell WHITE & CASE LLP 1155 Avenue of the Americas New York, NY 10036-2787 212/819-8200 212/354-8113 (fax) e-mail: opell@whitecase.com
Deutsche Banc Alex. Brown	(same)

Greenwich NatWest	John M. Newman, Jr. JONES DAY North Point 901 Lakeside Avenue Cleveland, OH 44114-1190 216/586-3939 216/579-0212 (fax) jmnewman@jonesday.com
JP Morgan	Bruce Angiolillo SIMPSON THACHER & BARTLETT, LLP 425 Lexington Avenue New York, NY 10017-3954 212/455-2000 212/455-2502 (fax) e-mail: bangiolillo@stblaw.com
Lehman Brothers	David L. Carden JONES DAY 222 East 41st Street New York, NY 10017-6702 212/326-3939 212/755-7306 (fax) e-mail: dcarden@jonesday.com
Schroder Salomon Smith Barney	Brad Karp PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP 1285 Avenue of the Americas New York, NY 10019-6064 212/373-3000 212/757-3990 (fax) e-mail: grp-citi-service@paulweiss.com
Salomon Smith Barney	(same)
Salomon Smith Barney International	(same)
The Royal Bank of Scotland, Financial Markets	John M. Newman, Jr. JONES DAY North Point 901 Lakeside Avenue Cleveland, OH 44114-1190 216/586-3939 216/579-0212
The Royal Bank of Scotland plc	(same)

Helen J. Hodges

June 14 2004

VIA FACSIMILE

Michael T. Tomaino, Jr.
SULLIVAN & CROMWELL
125 Broad Street
New York, NY 10004-2498

Re: *In re Enron Corp. Sec. Litig.*
Civ. No. H-01-3624

Dear Michael:

I received your letter dated June 14 where you state that "there are no persons who purchased Foreign Debt Securities from Barclays Capital Inc. in the initial offerings of those securities." I understand that Barclays may have been the initial purchaser of Foreign Debt Securities. Please confirm that Barclays never sold any Foreign Debt Securities. If Barclays sold any Foreign Debt Securities, please send us the names and addresses or mail the notice to purchasers in accordance with the Court order.

Very truly yours,



HELEN J. HODGES

HJH:mmm

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CADWALADER

Cadwalader, Wickersham & Taft LLP
New York London Charlotte Washington

100 Maiden Lane, New York, NY 10038
Tel 212 504 8000 Fax 212 504 8888
www.cadwalader.com

June 14, 2004

VIA FACSIMILE

Helen J. Hodges, Esq.
Lerach Coughlin Stoia & Robbins LLP
401 B Street, Suite 1700
San Diego, CA 92101-4797

Re: *In re Enron Corp. Securities, Derivative & ERISA Litigation*, No. H-01-3624
(S.D. Tex.)

Dear Helen:

We are writing in response to your June 3, 2004 letter regarding the Court's June 1, 2004 Order Granting Lead Plaintiff's Motion for Leave to Give Notice to Certain Class Members Pursuant to Rule 23(d)(2) of the Federal Rules of Civil Procedure (the "Order"). There are no persons who purchased Marlin Water Trust II / Marlin Water Capital Corp. II 6.31% Senior Secured Notes or Marlin Water Trust II / Marlin Water Capital Corp. II 6.19% Senior Secured Notes from Banc of America Securities LLC or Banc of America Securities Limited in the initial offerings on those Notes.

Sincerely,



Ronit Setton

cc: Courtney Dickson

SULLIVAN & CROMWELL LLP

TELEPHONE: 1-212-558-4000
FACSIMILE: 1-212-558-3588
WWW.SULLCROM.COM

*125 Broad Street
New York, NY 10004-2498*

LOS ANGELES • PALM ALTO • WASHINGTON, D.C.
FRANKFURT • LONDON • PARIS
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June 14, 2004

By Facsimile

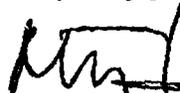
Helen J. Hodges,
Lerach Coughlin Stoia & Robbins LLP,
401 B Street, Suite 1700,
San Diego, California 92101-4797.

Re: **Foreign Debt Securities**

Dear Helen:

We have your June 3, 2004 letter concerning the notice ordered by Judge Harmon on June 1, 2004. This is to advise that there are no persons who purchased Foreign Debt Securities from Barclays Capital Inc. in the initial offerings of those securities.

Very truly yours,



Michael T. Tomaino, Jr.

Helen J. Hodges

June 14 2004

VIA FACSIMILE

Michael T. Tomaino, Jr.
SULLIVAN & CROMWELL
125 Broad Street
New York, NY 10004-2498

Re: *In re Enron Corp. Sec. Litig.*
Civ. No. H-01-3624

Dear Michael:

I received your letter dated June 14 where you state that "there are no persons who purchased Foreign Debt Securities from Barclays Capital Inc. in the initial offerings of those securities." I understand that Barclays may have been the initial purchaser of Foreign Debt Securities. Please confirm that Barclays never sold any Foreign Debt Securities. If Barclays sold any Foreign Debt Securities, please send us the names and addresses or mail the notice to purchasers in accordance with the Court order.

Very truly yours,



HELEN J. HODGES

HJH:mm

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JONES DAY

NORTH POINT • 901 LAKESIDE AVENUE • CLEVELAND, OHIO 44115
TELEPHONE: 216-586-3939 • FACSIMILE: 216-579-0212

REC'D JUN 15 2004

Direct Number: (216) 586-7207
jmnewman@jonesday.com

JP540651;jel
075114-600001

June 14, 2004

VIA FAX AND FEDERAL EXPRESS

Helen J. Hodges, Esq.
Lerach Coughlin Stoia & Robbins LLP
401 B Street, Suite 1700
San Diego, California 92101-4797

Re: Foreign Debt Securities Notice

Dear Helen:

We are counsel to The Royal Bank of Scotland Group plc and affiliates ("RBSG"). I write to you as Lead Counsel in compliance with Judge Harmon's order of June 1, 2004 ("Order") concerning notice ("Notice") regarding Foreign Debt Securities and your follow-up letter to June 3, 2004.

Based upon our investigation of records and related inquiries, no one purchased any of the Foreign Debt Securities listed in the Notice that is the subject of the Order, from the RBSG affiliates listed in the Notice -- The Royal Bank of Scotland; The Royal Bank of Scotland, Financial Markets; Greenwich NatWest.

Very truly yours,



John M. Newman, Jr.

cc: Courtney Dickson (via Fed. Ex.)

CLI-1200312v1

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ISTANBUL
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MOSCOW
PARIS
PRAGUE
ROME
STOCKHOLM
WARSAW

WHITE & CASE

LIMITED LIABILITY PARTNERSHIP

1155 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036-2787

TELEPHONE: (1-212) 819-8200
FACSIMILE: (1-212) 354-8113

DIRECT DIAL: (212) 819-8458
E-MAIL: jschmit@whitecase.com

ALMATY
ANKARA
BANGKOK
BOMBAY/MUMBAI
HO CHI MINH CITY
HONG KONG
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SINGAPORE
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JEDDAH
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June 15, 2004

VIA FACSIMILE

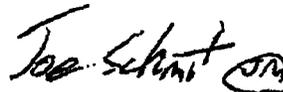
Helen J. Hodges, Esq.
Lerach, Coughlin, Stoia & Robbins, LLP
401 B Street, Suite 1700
San Diego, CA 92101-4797

Re: In re Enron Corp. Securities, Derivatives & "ERISA" Litigation, MDL1446

Dear Helen:

We write in response to your June 3, 2004 letter. Deutsche Bank will not be utilizing the services of Gilardi & Co. LLC to comply with Judge Harmon's June 1, 2004 Order regarding the Foreign Debt Securities Notice (the "Order"). Instead, as allowed under the Order, Deutsche Bank will send the Notices themselves.

Very truly yours,



Joseph B. Schmit

JBS:m

CRAVATH, SWAINE & MOORE LLP

WORLDWIDE PLAZA
825 EIGHTH AVENUE
NEW YORK, NY 10019-7475

TELEPHONE: (212) 474-1000
FACSIMILE: (212) 474-3700

CITYPOINT
ONE ROSEMAKER STREET
LEHON 06257 0400
TELEPHONE: 44-207-483-1000
FACSIMILE: 44-207-860-1150

WRITER'S DIRECT DIAL NUMBER

(212) 474-1390

GEORGE J. GILLESPIE, II
THOMAS R. BROOME
ROBERT D. JOYCE
ALLEN FINKELSON
RONALD S. ROLFE
PAUL C. SAUNDERS
DOUGLAS D. BRADSWATER
ALAN C. STEPHENSON
MAX R. SHULMAN
STUART W. GOLD
JOHN W. WHITE
JOHN E. BEZROBOWER
EVAN R. CHEBLER
PATRICIA DEGGHEGAN
D. COLLIER JUNKMAN
MICHAEL L. SCHLER
KRIS F. WEINBERG
S. ROBBINS KIESLING
ROBERT D. TURNER
PHILIP A. KELSTON
RORY D. MILLSON
NEIL P. WESTREICH

FRANCIS P. BARRON
RICHARD W. CLARY
WILLIAM P. ROGERS, JR.
JAMES D. COOPER
STEPHEN L. GORDON
DANIEL L. ROBLEY
GREGORY H. SHAW
PETER S. WILSON
JAMES C. VARDELL, II
ROBERT H. BARRON
KEVIN J. BREMAN
W. CLAYTON JOHNSON
STEPHEN S. HADSEN
C. ALLEN PARKER
MARC S. ROSENBERG
WILLIAM S. BRANNAN
LEWIS R. STEINBERG
SUSAN WEBSTER
TIMOTHY G. HASSAD
DAVID MERCADO
ROWAN D. WILSON
JOHN T. GAFFNEY

PETER T. BARBUR
SANDRA C. GOLDSTEIN
PAUL MICHALSKI
THOMAS G. RAFFERTY
MICHAEL S. GOLDMAN
RICHARD HALL
ELIZABETH L. GRAYER
JULIE A. NORTH
STEPHEN L. BURNS
KATHERINE B. FORREST
KEITH R. HUMMEL
DANIEL BLIPPIH
JEFFREY A. SMITH
ROBERT I. TOWNSEND, II
WILLIAM J. WHELAN, II
SCOTT A. BARSHAY
PHILIP J. BOECKMAN
ROGER S. BROCKA
WILLIAM V. FORD
FAIZA J. SAIED
RICHARD J. STARK
THOMAS E. DUNN

JULIE T. SPELLMAN
RONALD GANI
MARK I. GREENE
BARRIS J. JESSEMAN
JAMES C. WOOLERY
DAVID R. HARRIOTT
MICHAEL A. PASKIN
ANDREW J. FITTS
MICHAEL T. REYNOLDS
ANTHONY L. RYAN
GEORGE S. ZOBITZ
GEORGE A. STEPHANAKIS

SPECIAL COUNSEL
SAMUEL C. BUTLER
THOMAS D. BARR

OF COUNSEL
ROBERT ROSENMAN
CHRISTINE BEHMAN

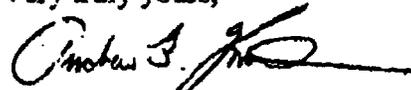
June 15, 2004

Enron Securities Litigation

Dear Helen:

I am writing to advise you that, pursuant to Judge Harmon's Order, dated June 1, 2004, Credit Suisse First Boston ("CSFB") has elected mail the notices attached as Exhibit A to Judge Harmon's Order directly to those persons who purchased the Foreign Debt Securities from CSFB. If you have any questions, please feel free to contact me at the above-listed number.

Very truly yours,



Andrew B. Kratenstein

Helen J. Hodges, Esq.
Lerach Coughlin Stoia & Robbins LLP
401 B Street, Suite 1700
San Diego, CA 92101-4297

BY FAX

SULLIVAN & CROMWELL LLP

TELEPHONE: 1-212-558-4000
FACSIMILE: 1-212-558-3588
WWW.SULLCROM.COM

*125 Broad Street
New York, NY 10004-2498*

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June 15, 2004

By Facsimile

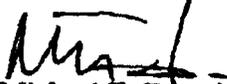
Helen J. Hodges,
Lerach Coughlin Stoia & Robbins LLP,
401 B Street, Suite 1700,
San Diego, California 92101-4797.

Re: Foreign Debt Securities

Dear Helen:

I have your June 14 letter requesting clarification of my letter to you of the same date. I have confirmed with Barclays that none of the Barclays defendants (Barclays PLC, Barclays Bank PLC and Barclays Capital Inc.), and no other Barclays entity, sold any "Foreign Debt Securities" (i.e., the securities listed in paragraph 1016.4 of the May 14, 2003 First Amended Complaint) in the initial offerings of those securities. If further clarification remains necessary, please see paragraph 106 of the Barclays defendants' Answer to the First Amended Complaint.

Very truly yours,


Michael T. Tomaino, Jr.

SIMPSON THACHER & BARTLETT LLP

405 LEXINGTON AVENUE
NEW YORK, N.Y. 10017-0054
(412) 455-4000

FACSIMILE (212) 455-8509

TELEPHONE DIRECT NUMBERS

(212) 455-3539

E-MAIL ADDRESS

jyoungwood@sthlw.com

VIA FEDERAL EXPRESS & FACSIMILE June 15, 2004

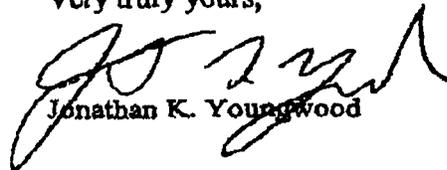
Re: Newby v. Enron Corp., No. H-01-3624 (S.D. Tex.)

Helen J. Hodges, Esq.
Lerach Coughlin Stoia & Robbins LLP
410 B Street, Suite 1700
San Diego, CA 92101

Dear Helen:

In accordance with the Court's June 1, 2004 order in the above-referenced action, and in response to your June 3, 2004 letter, I write to inform you that J.P. Morgan Chase & Co. and its affiliates did not sell Foreign Debt Securities to any purchasers in the offerings of such securities. Affiliates of J.P. Morgan Chase & Co. were involved in the offering, as co-manager, of only one of the Foreign Debt Securities, the 6.31% and 6.19% notes issued by Marlin Water Trust II and Marlin Water Capital Corp. II. They sold none of the securities in that offering.

Very truly yours,



Jonathan K. Youngwood

cc: Ms. Courtney Dickson
(Via Federal Express)

June 16, 2004

VIA FACSIMILE

Phil Reed
MAYER, BROWN, ROWE & MAW LLP
190 South LaSalle Street
Chicago, IL 60603-3441

David Carden
JONES DAY
222 East 41st Street
New York, NY 10017

Michael Gertzman
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON
1285 Avenue of the Americas
New York, NY 10019-6064

Re: *Enron Securities Litigation*

Dear Counsel:

So far as I know, we have not received names and addresses of persons who purchased the foreign debt securities from your clients. Thus, I expect that in accordance with Judge Harmon's June 1 Order, your clients will be mailing the notice themselves to those purchasers. Please confirm that your clients are mailing the notice in accordance with the Court's Order.

Very truly yours,



HELEN J. HODGES

HJH:dsg

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PAUL. WEISS. RIFKIND. VARTON & GARRISON LLP

1285 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10019-6064
TELEPHONE (212) 373-3000
FACSIMILE (212) 757-3660

LLOYD K. GARRISON (1946-1991)
RANDOLPH E. PAUL (1946-1996)
SIMON N. RIFKIND (1950-1993)
LOUIS S. WEISS (1927-1990)
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WASHINGTON, DC 20036-6064
TELEPHONE (202) 223-7300
FACSIMILE (202) 223-7420

62, RUE DU FAUBOURG SAINT-HONORE
75008 PARIS, FRANCE
TELEPHONE (33 1) 53 43 14 14
FACSIMILE (33 1) 53 43 00 23

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CHIYODA-KU, TOKYO 100-0011, JAPAN
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ORIENTAL PLAZA, TOWER E3
SUITE 1205
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DONG CHENG DISTRICT
BEIJING, 100738
PEOPLE'S REPUBLIC OF CHINA
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June 25, 2004

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F. H. ALCOFF
ALLAN J. ARFFA
ROBERT A. ATKINS
JOHN F. SAJJHMAN
LYNN B. BAYARD
DANIEL J. BELLER
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STEVEN L. WOLFRAM
LISA YANO
JORDAN E. YARETT
ALFRED D. YOUNGWOOD

*NOT ADMITTED TO NEW YORK BAR.

WRITER'S DIRECT DIAL NUMBER

(212) 373-3281

WRITER'S DIRECT FACSIMILE

(212) 373-2274

WRITER'S DIRECT E-MAIL ADDRESS

mgertzman@paulweiss.com

Via Facsimile and US Mail

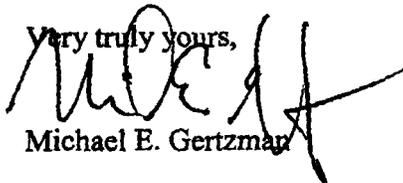
Helen J. Hodges, Esq.
Lerach Coughlin Stoia & Robbins LLP
401 B Street, Suite 1700
San Diego, CA 92101-4797

Enron Securities Litigation

Dear Helen:

On behalf of the Citigroup-related entities that are subject to Judge Harmon's June 1, 2004 Order, I write in response to your letter of June 16, 2004 regarding compliance with the Order. We confirm that we will undertake to mail the Notice to persons who purchased the securities in the offerings identified in the Order from our clients.

Very truly yours,



Michael E. Gertzman

MEG:asw

REC'D JUL - 1 2004

EXHIBIT B

Affidavit of Publication

Name of Publication: Investor's Business Daily
Address: 12655 Beatrice Street
City, State, Zip: Los Angeles, CA 90066
Phone #: 310.448.6700
State of: California
County of: Los Angeles

I, Betsy Fuller, for the publisher of Investor's Business Daily, published in the city of Los Angeles, state of California, county of Los Angeles hereby certify that the attached notice was printed in said publication on the following date(s):

June 24, 2004

Given under my hand, this 24th day of June, 2004.

Signature: Betsy Fuller

Sworn to and subscribed before me this 24th day of June,

2004, by Betsy Fuller at Los Angeles,

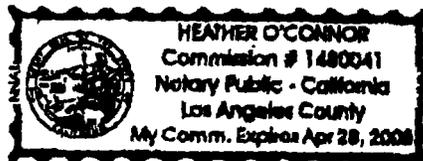
state of California,

county of Los Angeles.

Notary Public: Heather O'Connor

My commission expires: 4/28/08

Seal:



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES
LITIGATION

Civil Action No. H-01-3824
(Consolidated)

This Document Relates To:

CLASS ACTION

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.

NOTICE OF POTENTIAL DISMISSAL OF CERTAIN CLAIMS

TO: ALL PERSONS WHO, BETWEEN OCTOBER 19, 1998 AND NOVEMBER 27, 2001,
PURCHASED ANY OF THE FOLLOWING SECURITIES:

Marlin Water Trust I/Marlin Water Capital Corp. II 6.19% Notes due 7/15/03
Marlin Water Trust I/Marlin Water Capital Corp. II 6.31% Notes due 7/15/03
Enron Euro Credit Linked Notes Trust 6.5% Notes due 5/24/06
Enron Credit Linked Notes Trust II 7.375% Notes due 5/15/08
Enron Sterling Credit Linked Notes Trust 7.250% Notes due 5/24/06
Osprey Trust/Osprey I, Inc. 7.797% Notes due 1/15/03
Osprey Trust/Osprey I, Inc. 6.375% Notes due 1/15/03
Enron Credit Linked Notes Trust 8.0% Notes due 8/15/05
Yosemite Securities Company Ltd. 8.75% Notes due 2/23/07
Yosemite Securities Trust I 8.25% Notes due 11/15/04

FROM ANY OF THE FOLLOWING:

Banc of America Securities Limited
Banc of America Securities LLC
Barclays Capital
Credit Suisse First Boston
CIBC World Markets
Deutsche Bank
Deutsche Banc Alex. Brown
Greenwich NatWest
JPMorgan
Lehman Brothers
Schroder Salomon Smith Barney
Salomon Smith Barney
Salomon Smith Barney International
The Royal Bank of Scotland, Financial Markets
The Royal Bank of Scotland plc

This Notice of potential dismissal of §12(a)(2) claims is given pursuant to Rule 23(d)(2) of the Federal Rules of Civil Procedure to inform you that:

1. The Regents of the University of California, as Lead Plaintiff in the *Enron Securities Litigation* ("The Regents"), has filed claims on your behalf for violations of §12(a)(2) of the Securities Act of 1933 and §10(b) of the Securities Exchange Act of 1934 based on the purchase of the above-listed securities. The Honorable Melinda Harmon has stated that The Regents may, on your behalf, pursue the §10(b) claims, which are fraud claims. However, The Regents may not pursue your §12(a)(2) claims, which are not fraud claims, because neither The Regents nor another class representative purchased the securities identified above from the defendants listed above. Accordingly, you are hereby notified that unless a class member to whom this notice is directed steps forward to serve as a class representative on the §12(a)(2) claims, those §12(a)(2) claims on behalf of a putative class may be dismissed. The §12(a)(2) claim does not require proving reliance or scienter as the §10(b) claim does. In sum, the §12(a)(2) claim is easier to prove.

2. If you are interested in serving as a class representative on the §12(a)(2) claims or if you have any question about this Notice, please write to either William S. Lerach or Helen J. Hodges, Lerach Coughlin Stola & Robbins LLP, 401 B Street, Suite 1700, San Diego, California 92101.

DO NOT CONTACT THE COURT REGARDING THIS NOTICE

DATED: June 1, 2004

BY ORDER OF THE UNITED STATES
DISTRICT COURT, SOUTHERN DISTRICT
OF TEXAS, HOUSTON DIVISION

/s/
THE HONORABLE MELINDA HARMON

AFFIDAVITS

IN THE MATTER ENRON CORPORATION SECURITIES LITIGATION
OF:

STATE OF NEW YORK:]

ss:],

COUNTY OF NEW YORK:]

I, Tim Hart, being duly sworn, hereby certify that (a) I am the Vice President - Financial Advertising of FT Publications, Inc., Publisher of the FINANCIAL TIMES, a daily newspaper general circulation in the City and County of New York, and (b) that the Notice of which the annexed is a copy was published in the said FINANCIAL TIMES in US only - Colour on the

24th day of June 2004



Tim Hart

VICE-PRESIDENT OF ADVERTISING -FINANCIAL ADVERTISING:

SWORN TO BEFORE ME THIS:

Hope Kaye

NOTARY PUBLIC
HOPE KAYE
Notary Public, State of New York
No. 31-4944187
Qualified in New York County
Commission Expires 12/31/2006

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES
LITIGATION

Civil Action No. H-01-3624
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All Others Similarly Situated,

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Defendants.

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vs.

KENNETH L. LAY, et al.,

Defendants.

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Enron Credit Linked Notes Trust 8.0% Notes due 8/15/05
Yosemite Securities Company Ltd. 8.75% Notes due 2/23/07
Yosemite Securities Trust I 8.25% Notes due 11/15/04

FROM ANY OF THE FOLLOWING:

Bank of America Securities Limited
Bank of America Securities LLC
Barclays Capital
Credit Suisse First Boston
CIBC World Markets
Deutsche Bank
Deutsche Bank Alex. Brown
Greenwich NatWest
JPMorgan
Lehman Brothers
Schroder Salomon Smith Barney
Salomon Smith Barney
Salomon Smith Barney International
The Royal Bank of Scotland Financial Markets
The Royal Bank of Scotland plc

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DO NOT CONTACT THE COURT REGARDING THIS NOTICE

DATED: June 1, 2004

BY ORDER OF THE UNITED STATES
DISTRICT COURT, SOUTHERN DISTRICT
OF TEXAS, HOUSTON DIVISION

Melinda Harmon
THE HONORABLE MELINDA HARMON

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing LEAD PLAINTIFF'S NOTICE TO THE COURT REGARDING NOTICE TO CERTAIN CLASS MEMBERS PURSUANT TO RULE 23(d)(2) AND RESPONSE TO THE FINANCIAL INSTITUTION DEFENDANTS' SUPPLEMENTAL MEMORANDUM (DOCKET No. 2317) has been served by sending a copy via electronic mail to serve@ESL3624.com on this 31st day of August, 2004.

I further certify that a copy of the foregoing document has been served via overnight mail on the following parties, who do not accept service by electronic mail on this 31st day of August, 2004.

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

Deborah S. Granger

DEBORAH S. GRANGER