

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

United States Court  
Southern District of Texas  
FILED

FEB 04 2002



Michael N. Milby, Clerk

MARK NEWBY,

Plaintiff,

v.

ENRON CORPORATION, *et al.*,

Defendants.

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C.A. NO. H-01-3624

**NOTICE OF APPEARANCE AND UNOPPOSED MOTION  
FOR PAUL VIZCARRONDO, JR., DAVID GRUENSTEIN AND  
JONATHAN E. PICKHARDT TO APPEAR PRO HAC VICE FOR  
DEFENDANTS GOLDMAN, SACHS & CO., BANC OF AMERICA  
SECURITIES, LLC AND SALOMON SMITH BARNEY, INC.**

Defendants Goldman, Sachs & Co., Banc of America Securities, LLC and Salomon Smith Barney, Inc. ("Defendants") respectfully give notice that their local counsel in this consolidated cause will be Charles G. King and James P. Pennington, of the firm King & Pennington, L.L.P., 711 Louisiana Street, Suite 3100, Houston, Texas 77002-2734, telephone (713) 225-8400, fax (713) 225-8488.

Defendants further move the Court for an order admitting Paul Vizcarrondo, Jr., David Gruenstein and Jonathan E. Pickhardt, of the firm Wachtell, Lipton, Rosen & Katz, 51 West 52<sup>nd</sup> Street, New York, New York 10019-6150, telephone (212) 403-1000, fax (212) 403-2000, pro hac vice as their counsel.

Should the Court grant this motion, Defendants will designate Paul Vizcarrondo, Jr. as their Attorney-in-Charge.

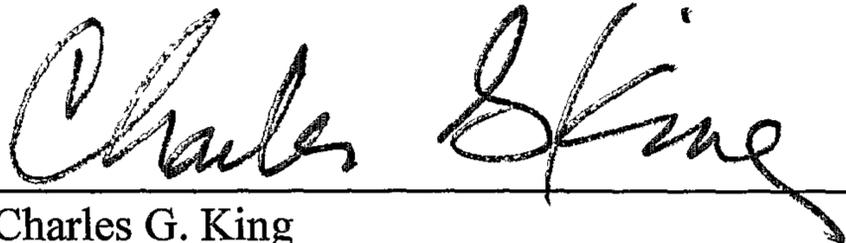
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Counsel for Pulsifer & Associates, the only plaintiff in the consolidated action making claims against these defendants, does not oppose the motion.

A proposed order is attached.

Respectfully submitted,

KING & PENNINGTON, L.L.P.

By: 

Charles G. King

State Bar No. 11470000

James P. Pennington

State Bar No. 15758520

711 Louisiana Street, Suite 3100

Houston, Texas 77002-2734

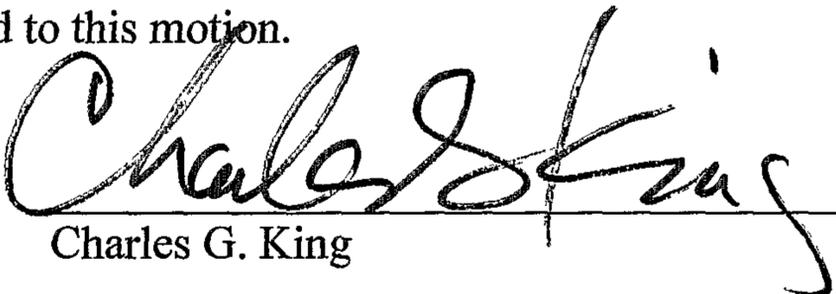
Telephone: (713) 225-8400

Facsimile: (713) 225-8488

Attorneys for Defendants Goldman, Sachs & Co.,  
Banc of America Securities, LLC and Salomon  
Smith Barney, Inc.

**CERTIFICATE OF CONFERENCE**

I certify that on February 1, 2002, I conferred with counsel for Pulsifer & Associates, and he advised me that he is unopposed to this motion.

  
Charles G. King

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause in accordance with Rule 5, Federal Rules of Civil Procedure, on this the 4<sup>th</sup> day of February, 2002.

  
\_\_\_\_\_  
Charles G. King

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C.A. NO. H-01-3624

**ORDER**

It is ORDERED that Paul Vizcarrondo, Jr., David Gruenstein and Jonathan E. Pickhardt, of the firm Wachtell, Lipton, Rosen & Katz, 51 West 52<sup>nd</sup> Street, New York, New York 10019-6150, telephone (212) 403-1000, fax (212) 403-2000, are admitted pro hac vice as attorneys for defendants Goldman, Sachs & Co., Banc of America Securities, LLC and Salomon Smith Barney, Inc. and that Paul Vizcarrondo, Jr. is hereby designated the Attorney-in-Charge for those defendants.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2002.

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THE HONORABLE MELINDA HARMON