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

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

MARK NEWBY,	:	Civil Action No. H-01-3624 (Consolidated Securities Actions)
Plaintiff,	:	
v.	:	
ENRON CORP. et al.,	:	
Defendants.	:	

MOTION FOR LEAVE TO FILE A SUR-REPLY BRIEF IN SUPPORT OF THE MOTION OF THE ARCHDIOCESE OF MILWAUKEE SUPPORTING FUND, INC. FOR APPOINTMENT AS LEAD PLAINTIFF AND FOR APPROVAL OF LEAD PLAINTIFF'S SELECTION OF COUNSEL.

Plaintiff, the Archdiocese of Milwaukee Supporting Fund, Inc. ("AMS Fund" or "Movant" or "Proposed Lead Plaintiff"), respectfully requests leave to file a short Sur-Reply Brief in support of its Motion to be Appointed as a Lead Plaintiff and to correct a misstatement contained in certain Response Briefs and Reply Briefs of other movants. As explained in the Sur-Reply Brief attached as Exhibit "A," contrary to the assertions of certain movants that also seek appointment as lead plaintiff, the AMS Fund does not seek the creation of a separate class or subclass for the purchases of debt securities at this time but, rather, seeks appointment as a lead plaintiff to represent the interests of all putative class members.

The AMS Fund respectfully requests that the Court grant it leave to file the accompanying Sur-Reply Brief so that it can ensure that no confusion or misunderstanding is created by statements contained in other movants' papers, which simply do not accurately reflect

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the AMS Fund's position in this consolidated action.

DATED: February 7, 2002

Respectfully submitted,

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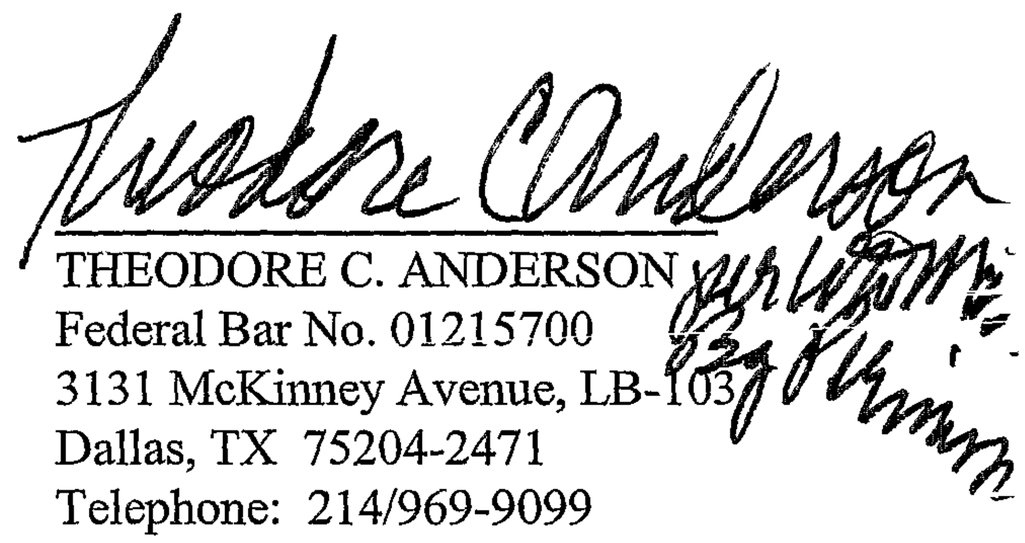

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that true and correct copies of the Motion for Leave to File a Sur-Reply Brief in Support of the Archdiocese of Milwaukee Supporting Fund, Inc's Motion for Appointment as Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Counsel and the accompanying proposed Order, as well as this Certificate of Service, were served on February 7, 2002, via first class mail on counsel for all parties and addressed as follows:

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