

APR 16 2002 LF

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
§ And Consolidated Cases

This Document Relates To:

MARK NEWBY, et al., Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

ENRON CORP., et al.

Defendants.

PAMELA TITTLE, on behalf of herself and a
class of persons similarly situated, et al.,

§ Civil Action No. H-01-3913
§ And Consolidated Cases

Plaintiffs,

vs.

ENRON GROUP, an Oregon Corporation, et al.,

Defendants.

**MOTION OF DEFENDANTS BANK OF AMERICA CORPORATION, CREDIT SUISSE
FIRST BOSTON CORPORATION, BARCLAYS PLC, CANADIAN IMPERIAL BANK
OF COMMERCE, CITIGROUP, INC., DEUTSCHE BANK AG, MERRILL LYNCH &
CO., INC. AND J. P. MORGAN CHASE & CO. FOR EXPEDITED CONSIDERATION**

TO THE HONORABLE MELINDA HARMON:

Pursuant to LR 7.8 of the Local Rules of the United States District Court for the
Southern District of Texas, Defendants Bank of America Corporation, Credit Suisse First Boston
Corporation, Barclays PLC, Canadian Imperial Bank of Commerce, Citigroup, Inc., Deutsche
Bank AG, Merrill Lynch & Co., Inc. and J. P. Morgan Chase & Co. (the "Moving Defendants")
respectfully request that this Court consider on an expedited basis their Motion to Amend the

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Court's March 22, 2002 Scheduling Order ("Motion"), which they filed today in the above consolidated actions.

The Moving Defendants request that the Court grant them an additional thirty days to answer, move or otherwise respond to the Newby plaintiffs' Consolidated Complaint for Violation of the Securities Laws ("Newby Complaint") and the Tittle Plaintiffs' First Consolidated and Amended Complaint (the "Tittle Complaint"), which name them as defendants for the first time in these proceedings.¹ As discussed in more detail in the Motion, the allegations in the, respectively, 503-page and 301-page complaints are factually complex. The Moving Defendants need additional time to investigate the claims against them, and to prepare appropriate responsive pleadings.

The Moving Defendants request that the Court consider the Motion on an expedited basis because under the current Scheduling Order they have approximately three weeks to respond.

For these reasons, Bank of America Corporation, Credit Suisse First Boston Corporation, Barclays PLC, Canadian Imperial Bank of Commerce, Citigroup, Inc., Deutsche Bank AG, Merrill Lynch & Co., Inc. and J. P. Morgan Chase & Co. respectfully request expedited consideration of the Motion.

¹ Bank of America Corporation, Barclays PLC, Canadian Imperial Bank of Commerce, and Deutsche Bank AG are named only in the Newby Complaint. Credit Suisse First Boston Corporation, Citigroup, Inc., Merrill Lynch & Co., Inc. and J. P. Morgan Chase & Co. are named in both the *Newby* and *Tittle* complaints, and Citigroup's subsidiary, Salomon Smith Barney, Inc., is named in *Tittle*.

Dated: April 16, 2002

Respectfully submitted,

KING & PENNINGTON, LLP

A handwritten signature in black ink that reads "Charles G. King". The signature is written in a cursive style and is positioned above a horizontal line.

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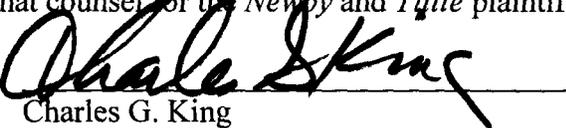
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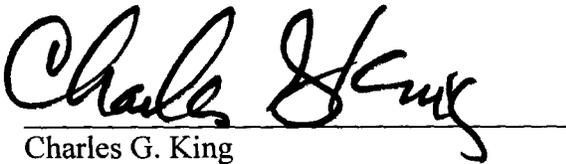
CERTIFICATE OF CONFERENCE

I have been advised by co-counsel that counsel for the *Newby* and *Tittle* plaintiffs are opposed to this motion.


Charles G. King

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on the 16th day of April, 2002, a true and correct copy of the foregoing motion was served on all counsel pursuant to the Court's April 10, 2002 Order.


Charles G. King