

APR 25 2002

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Michael N. Milby, Clerk

U.S. COURTS
SOUTHERN DISTRICT
OF TEXAS

2002 APR 25 PM 4:39

FILED

01-3624

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

JACOB BLAZ, On Behalf of)
Himself and All Others Similarly)
Situating,)

Plaintiff,)

v.)

ROBERT A. BELFER , NORMAN P.)
BLAKE, JR., RICHARD B. BUY,)
RICHARD A. CAUSEY, RONNIE C.)
CHAN, JOHN H. DUNCAN, ANDREW)
S. FASTOW, JOE H. FOY, WENDY L.)
GRAMM, KEN L. HARRISON, ROBERT)
K. JAEDICKE, KENNETH L. LAY,)
CHARLES A. LEMAISTRE, JEROME)
J. MEYER, JEFFREY S. SKILLING,)
JOHN A. URQUHART, JOHN)
WAKEHAM, CHARLES E. WALKER,)
BRUCE G. WILLISON, HERBERT S.)
WINOKUR, JR., and ARTHUR)
ANDERSEN, LLP,)

Defendants.)

CIVIL ACTION NO. H-02-1150)
(Removed from District Court of Harris)
County, Texas)

JURY TRIAL DEMANDED

PLAINTIFF'S MOTION FOR REMAND

TO THE HONORABLE COURT:

Comes now Plaintiff Jacob Blaz and moves this Court to remand this case to state court
and would respectfully show unto the Court as follows:

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RELIEF SOUGHT

I.

Plaintiff moves this Federal District Court to remand this case to state court. The sole basis for this Court's removal jurisdiction, the operation of the Securities Litigation Uniform Standards Act ("SLUSA"), is invalid because SLUSA cannot be applied retroactively to this action.

FACTUAL AND PROCEDURAL BACKGROUND

II.

On January 30, 2002, Plaintiff commenced this class action brought on behalf of himself and all purchasers of the publicly traded securities of Enron Corporation ("Enron") during the period from April 11, 1997 to October 15, 1998, inclusive (the "Class Period") who suffered damages (the "Class" or "Class members"). Plaintiff asserts causes of action against the Defendants named herein for: (i) fraud in stock transactions under Tex. Bus. & Com. Code §27.01; (ii) common law fraudulent misrepresentation; (iii) common law negligent misrepresentation; and (iv) civil conspiracy.

III.

On March 26, 2002, Defendant Lay filed a Notice of Removal, asserting that this action was removable pursuant to SLUSA.

IV.

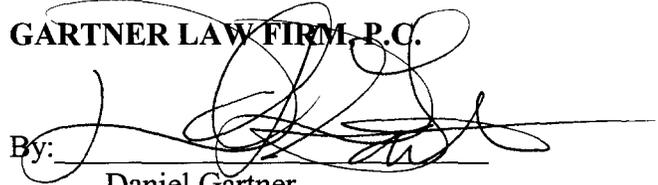
Plaintiff hereby moves this Court to remand this case to state court on the grounds that SLUSA cannot be applied retroactively to this action.

WHEREFORE, plaintiff Jacob Blaz respectfully requests that this Court enter an Order in the form annexed hereto granting his Motion to Remand this case to the District Court of Harris County.

DATED: 4-25-02

Respectfully submitted,

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