

MAY 10 2002 I F

Michael N. Milby, Clerk

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

MARK NEWBY, ET AL.,

Plaintiffs,

V.

ENRON CORPORATION, ET AL.,

Defendants.

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CIVIL ACTION NO. H-01-3624  
AND CONSOLIDATED CASES

**MOTION FOR LEAVE TO  
APPEAR AND PRACTICE *PRO HAC VICE***

TO THE HONORABLE MELINDA HARMON, UNITED STATES DISTRICT JUDGE:

Ronald E. Cook, attorney-in-charge for Defendant Alliance Capital Management L.P., and James F. Moyle ("Applicant") respectfully request that James F. Moyle be permitted leave to appear and practice *pro hac vice* in the above-captioned case and, in support of the motion, would respectfully show this Honorable Court the following:

1. Applicant is an attorney at law and was admitted to the Bar of the State of New York.
2. Applicant has also been admitted to the United States Court of Appeals for the Seventh Circuit, and the United States District Court for the Eastern District of New York, Southern District of New York, and the Central District of Illinois.
3. Applicant's current business address is:  
  
Clifford Chance Rogers & Wells, L.L.P.  
200 Park Avenue  
New York, New York 10166
4. Applicant represents that he has not been previously convicted of a felony or a misdemeanor involving moral turpitude nor has he been the subject of any disciplinary action by a court of record.

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5. Applicant seeks admission *pro hac vice* solely to represent Alliance Capital Management L.P. in this case.

6. Applicant asks to be admitted to appear and practice *pro hac vice* in this proceeding in accordance with Local Rule 83.1K of the Southern District of Texas.

Respectfully submitted,

By: 

Ronald E. Cook  
State Bar No. 04744800  
S.D. ID No. 4143  
1111 Bagby Street, Suite 2650  
Houston, Texas 77002  
Telephone: (713) 652-2031  
Facsimile: (713) 652-2029

ATTORNEY-IN-CHARGE FOR DEFENDANT,  
ALLIANCE CAPITAL MANAGEMENT L.P.

OF COUNSEL:

COOK & ROACH, L.L.P.  
ChevronTexaco Heritage Plaza  
1111 Bagby, Suite 2650  
Houston, Texas 77002  
Telephone: (713) 652-2800  
Facsimile: (713) 652-2029

CLIFFORD CHANCE ROGERS & WELLS, L.L.P.  
James N. Benedict  
Mark A. Kirsch  
James F. Moyle  
200 Park Avenue  
New York, New York 10166  
Telephone: (212) 878-8000  
Facsimile: (212) 878-8375

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the Motion for Leave to Appear and Practice *Pro Hac Vice* has been served on all counsel pursuant to the Court's April 10, 2002 Order on this 17<sup>th</sup> day of May, 2002.



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Ronald E. Cook

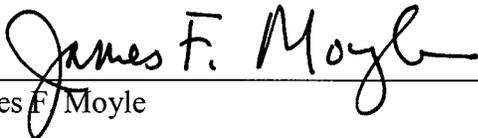


Clifford Chance Rogers & Wells, L.L.P.  
200 Park Avenue  
New York, New York 10166

5. I have not been previously convicted of a felony or a misdemeanor involving moral turpitude nor have I been the subject of any disciplinary action by a court of record.

6. The reason I seek admission *pro hac vice* in the above-captioned and numbered cause is that I am the primary contact for Alliance Capital Management L.P.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
James F. Moyle

SUBSCRIBED AND SWORN TO BEFORE ME on this 9 day of May, 2002.

  
\_\_\_\_\_  
Notary Public in and for  
The State of New York  
Printed Name: Sara Wilhelmsen  
My Commission Expires: 1/28/06

**SARA WILHELMSSEN**  
Notary Public, State of New York  
No. 01WI6069330  
Qualified in New York County  
Commission Expires Jan. 28, 2006

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**ORDER GRANTING *PRO HAC VICE***

On this \_\_\_\_ day of \_\_\_\_\_, 2002, came on to be heard the Motion for Leave to Appear and Practice *Pro Hac Vice*, and the Court, having read the Motion, is of the opinion that the Motion should be GRANTED; accordingly, it is

ORDERED that James F. Moyle of Clifford Chance Rogers & Wells, L.L.P., 200 Park Avenue, New York, New York 10166 is admitted to appear and practice in the United States District Court for the Southern District of Texas in this matter, *pro hac vice*.

DATED: \_\_\_\_\_

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Melinda Harmon  
United States District Judge