

PRELIMINARY STATEMENT

Acknowledging the mandatory stay of discovery but making no effort to satisfy any grounds for lifting that stay, Lead Plaintiff now seeks permission to commence discovery of what is undoubtedly an enormous volume of documents – *i.e.*, all documents produced by Enron Corp. to any federal governmental body and transcripts of any witness interviews or depositions conducted by any such governmental body or by the attorneys representing the Special Investigative Committee of the Enron board of directors.

Lead Plaintiff may eventually become entitled to obtain these documents. However, until resolution of the defendants' motions to dismiss, Lead Plaintiff's request is premature and impermissible. The dictate of the PSLRA is clear: "all discovery and other proceedings *shall be stayed* during the pendency of any motion to dismiss." 15 U.S.C. § 78u-4(b)(3)(B) (emphasis added). The PSLRA does not permit discovery prior to resolution of motions to dismiss unless the plaintiff demonstrates that it seeks "particularized discovery" that is "necessary" either (1) "to preserve evidence" or (2) "to prevent undue prejudice" to the plaintiff. *Id.* Lead Plaintiff has not attempted to satisfy either of these exceptions and could not do so even if it had tried.

Lead Plaintiff bases its motion on the fact that this Court has previously permitted plaintiffs' counsel to obtain copies of ERISA-related documents produced by Enron in the *Tittle* case. *See* Scheduling Order, dated February 27, 2002. In essence, Lead Plaintiff's argument is "you've given us an inch, now give us a mile." Even if this were otherwise a valid justification, the circumstances of the prior document production were completely different. The ERISA-related documents did not relate directly to the securities fraud claims asserted in the *Newby* action and, in any event, were being made available to the *Tittle* plaintiffs, who constitute a substantial portion of the putative class in the *Newby* case. Thus, it made little sense to attempt

to prohibit the *Newby* plaintiffs from obtaining copies of those ERISA-related documents, since a subgroup of the *Newby* class would already have the documents.

Lead Plaintiff's present request, however, goes far beyond what this Court previously permitted. Lead Plaintiff now seeks to obtain production of a vast quantity of documents that are *not* available to them outside of "discovery in the securities case," Scheduling Order at 4, and that they obviously hope to use to support the securities fraud claims asserted in this action.

Simply put, Lead Plaintiff's motion is contrary to both the language and purpose of the PSLRA. Accordingly, Lead Plaintiff's motion should be denied.

ARGUMENT

I.

THE PSLRA DISCOVERY STAY APPLIES AND PREVENTS PLAINTIFFS FROM COMMENCING DISCOVERY

As this Court is aware, the PSLRA was enacted in response to "significant evidence of abuse in private securities lawsuits." *In re Rational Software Sec. Litig.*, 28 F. Supp. 2d 562, 565 (N.D. Cal. 1998) (quoting H.R. Conf. Rep. 104-369 (Nov. 28, 1995)).

As part of the reforms enacted in the PSLRA, Congress included a mandatory stay of discovery upon the filing of a motion to dismiss.¹ The PSLRA provides:

"In any private action arising under this title, all discovery and other proceedings shall be stayed during the pendency of any motion to dismiss, unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party."

15 U.S.C. § 78u-4(b)(3)(B).

¹ Indeed, the discovery stay applies upon the defendant's indication of its intent to file a motion to dismiss. *See, e.g., In re Carnegie Int'l Corp. Sec. Litig.*, 107 F. Supp. 2d 676, 683 (D. Md. 2000) (citing cases).

Courts have noted that discovery "must" be stayed, unless the "exceptional circumstances" provided in the statute exist. *See, e.g., SG Cowen Sec. Corp. v. United States Dist. Ct.*, 189 F.3d 909, 911-12 (9th Cir. 1999) (quoting H.R. Conf. Rep. No. 104-369, at 32 (1995), *reprinted in* 1995 U.S.C.C.A.N. 731, 736). The "plain intent of Congress was to preclude intrusive and burdensome discovery in securities fraud actions until the plaintiffs have stated a viable claim," and unless such exceptional circumstances exist, the discovery stay should remain in effect "unless and until the Court determines that the plaintiffs have alleged facts sufficient to state a cause of action for securities fraud." *Rational Software*, 28 F. Supp. 2d at 566.

Because the PSLRA provides for a stay of "all discovery," the mandatory stay applies even though Lead Plaintiff seeks the discovery from Enron rather than any of the named defendants. Indeed, "the PSLRA does not distinguish between discovery of non-parties and parties." *Faulkner v. Verizon Communications, Inc.*, 156 F. Supp. 2d 384, 404 (S.D.N.Y. 2001) (citing *Carnegie*, 107 F. Supp. 2d at 679; *Powers v. Eichen*, 961 F. Supp. 233, 235 (S.D. Cal. 1997)).² Moreover, "Congress' manifest intent was to protect all potential targets of securities actions from abusive litigation practices"; this includes "not just named defendants in securities actions, but potential defendants (or third party defendants) as well." *Carnegie*, 107 F. Supp. 2d at 679-80.

² *Faulkner* presents facts similar to those present here. In *Faulkner*, the plaintiffs served a subpoena on counsel for the plaintiff in a related action against the same defendant, seeking all documents that were produced by the defendant in that related action, as well as all deposition and hearing transcripts from the related action. 156 F. Supp. 2d at 401. The court denied the plaintiff's motion to lift the PSLRA stay of discovery, finding that the stay applied as soon as the defendant indicated its intent to file a motion to dismiss, that the stay applied to discovery sought from a non-party, that the discovery sought by the plaintiffs was not "particularized," and that it was an insufficient ground for lifting the stay that the plaintiffs

[Footnote continued on next page]

Accordingly, because the plain language of the PSLRA requires that discovery remain stayed until resolution of defendants' motions to dismiss, Lead Plaintiff's motion should be denied.

II.

NONE OF THE EXTRAORDINARY CIRCUMSTANCES THAT MIGHT PERMIT LIFTING THE DISCOVERY STAY ARE PRESENT HERE

As noted above, Lead Plaintiff does not even attempt to demonstrate that one of the exceptions to the PSLRA discovery stay applies. Even if Lead Plaintiff had made such an attempt, it could not have succeeded.

First: Lead Plaintiff has not requested "particularized discovery," but rather "all documents and materials Enron produced in connection with any inquiry or investigation into the Company's business affairs." Plaintiffs do not seek particular documents, or even documents on a particular topic, but are requesting *all* documents previously produced in the course of the numerous and extensive federal investigations regarding Enron, obviously an enormous number of documents. When faced with similar broad-brush discovery requests, courts have routinely held that the requested discovery was not "particularized," as the PSLRA requires. *See, e.g., Faulkner*, 156 F. Supp. 2d at 405 (plaintiffs' request for "all documents, testimony and transcripts that have been previously produced" was not "particularized"); *Carnegie*, 107 F. Supp. 2d at 684 (discovery request covering "virtually every piece of paper and every piece of information" relating to multiple individuals and entities was not "particularized"); *Mishkin v. Ageloff*, 220 B.R. 784, 793 (S.D.N.Y. 1998) (discovery request for all documents and testimony from

[Footnote continued from previous page]

sought discovery "for the sole purpose of uncovering facts to support the fraud allegations in the Complaint." *Id.* at 401-06.

defendants, defendants' customers and third parties was held to be "an open-ended, boundless universe of discovery" and thus not "particularized"). Thus, as plaintiffs' request is not particularized, it must be denied.

Second: Lead Plaintiff could not possibly demonstrate that the requested discovery is necessary to "preserve evidence." This exception requires that plaintiffs demonstrate a "particular threat that evidence would be lost or destroyed if they are not permitted to engage in discovery now." *In re CFS-Related Sec. Fraud Litig.*, 179 F. Supp. 2d 1260, 1264-65 (N.D. Okla. 2001).³ Here, Lead Plaintiff moves for the production of all materials *already produced* to governmental entities in connection with their investigations of Enron. Lead Plaintiff does not, and cannot, demonstrate that there is a need to preserve evidence at this time, particularly in light of the fact that several governmental entities have possession of precisely the documents to which Lead Plaintiff seeks access. Thus, "[b]ecause the plaintiffs have not alleged that the stay should be lifted to preserve evidence, the only issue before this court is whether particularized discovery is necessary to prevent undue prejudice." *Faulkner*, 156 F. Supp. 2d at 402.

Third: Plaintiffs have no argument that the requested discovery is necessary to "prevent undue prejudice." "Undue prejudice" has been construed to mean "improper or unfair treatment rising to a level somewhat less than irreparable harm." *Faulkner*, 156 F. Supp. 2d at 402. Clearly, "undue prejudice" does not exist where the plaintiffs seek to lift the stay for the sole purpose of gaining access to facts to bolster their fraud complaint. *See, e.g., SG Cowen*, 189

³ An oft-cited example of when particularized discovery might be necessary to preserve evidence or prevent undue prejudice is "the terminal illness of an important witness [that] might require the deposition of the witness prior to ruling on the motion to dismiss." *SG Cowen*, 189 F.3d at 912 (quoting H.R. Conf. Rep. No. 104-369, *reprinted in* 1995 U.S.C.C.A.N. 731, 736).

F.3d at 912 ("as a matter of law, failure to muster facts sufficient to meet the Act's pleading requirements cannot constitute the requisite 'undue prejudice' . . . justifying a lift of the discovery stay"); *Faulkner*, 156 F. Supp. 2d at 401. Lead Plaintiff offers no other explanation for requesting discovery now, and thus the motion should be denied.

III.

LEAD PLAINTIFF CANNOT CIRCUMVENT THE DISCOVERY STAY MERELY BECAUSE THE REQUESTED DOCUMENTS HAVE ALREADY BEEN PRODUCED TO GOVERNMENTAL BODIES

The sole justification offered by Lead Plaintiff for lifting the PSLRA discovery stay is that this Court permitted the *Newby* plaintiffs to obtain copies of the ERISA-related documents produced by Enron in the *Tittle* action. Because the PSLRA only permits the stay to be lifted in two narrowly defined circumstances, this is an inadequate basis to permit discovery to commence.

Moreover, the discovery currently requested by Lead Plaintiff is completely unlike the documents previously ordered produced to the *Newby* plaintiffs. The February 27 Scheduling Order ordered the production of ERISA-related documents, not securities fraud-related documents, that were being produced in the *Tittle* action. The ERISA claims are separate and distinct from the securities fraud claims asserted in the *Newby* case. Moreover, this Court recognized that "the *Tittle* plaintiffs are included within the putative class of the *Newby* case," Scheduling Order at 4, and, therefore, once the *Tittle* plaintiffs had the documents, the *Newby* plaintiffs would, too. By ordering that the documents be "made available" to the *Newby* plaintiffs as well as the *Tittle* plaintiffs, this Court merely recognized the practical effect of permitting discovery in the ERISA action – *i.e.*, that documents would "become available for review by means other than discovery in the securities action." But this Court did not expressly

– and arguably did not need to – "lift" the PSLRA automatic stay; rather, the Court held that the PSLRA stay simply did not apply in those circumstances.

Now, however, Lead Plaintiff expressly seeks to lift the PSLRA automatic stay to take discovery in the securities fraud action. This is precisely what the PSLRA prohibits. Unlike the ERISA-related documents that would be in the hands of a subgroup of the *Newby* class, the documents now requested by Lead Plaintiff are not available to the *Newby* plaintiffs "by means other than discovery in the securities action."⁴

Accordingly, Lead Plaintiff's motion should be denied.

CONCLUSION

For the foregoing reasons, this Court should deny Lead Plaintiff's motion for discovery from Enron unless and until this Court sustains Lead Plaintiff's Consolidated Complaint.

Dated: June 17, 2002

⁴ Moreover, this motion appears to be just the first step by Lead Plaintiff down the slippery slope toward more discovery in this action prior to the motions to dismiss being decided. Just last week, Lead Plaintiff returned to the Bankruptcy Court in New York seeking relief from the automatic bankruptcy stay so that Lead Plaintiff could ask this Court for permission to obtain documents produced by Enron and to attend depositions of Enron's employees in a litigation between J.P. Morgan Chase & Co. and certain sureties. A true and correct copy of Lead Plaintiff's motion in the Bankruptcy Court is attached hereto as Exhibit A.

Respectfully submitted,

By:  _____

Taylor M. Hicks
Texas Bar No. 09585000
Southern District I.D. No. 3079
HICKS THOMAS & LILIENSTERN, LLP
700 Louisiana, Suite 1700
Houston, Texas 77002
Telephone: (713) 547-9100
Facsimile: (713) 547-9150
Email: thicks@hicks-thomas.com

Herbert S. Washer
James D. Miller
Ignatius A. Grande
CLIFFORD CHANCE ROGERS & WELLS, LLP
200 Park Avenue, Suite 5200
New York, NY 10166-0153
Telephone: (212) 878-8000
Facsimile: (212) 878-8375
Email: herbert.washer@cliffordchance.com
james.miller@cliffordchance.com
ignatius.grande@cliffordchance.com

Robert F. Serio
Mitchell A. Karlan
Marshall R. King
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: (212) 351-4000
Facsimile: (212) 351-4035
Email: enronlitigation@gibsondunn.com

**COUNSEL FOR DEFENDANT
MERRILL LYNCH & CO., INC.**

By:  _____

Richard Warren Mithoff
Texas Bar No. 14228500
Southern District I.D. No. 2102
Janie L. Jordan
Texas Bar No. 11012700
Southern District I.D. No. 17407
MITHHOFF & JACKS, L.L.P.
One Allen Center, Penthouse
500 Dallas Street, Suite 3450
Houston, Texas 77002
Telephone: (713) 654-1122
Facsimile: (713) 739-8085
Email: enronlitigation@mithoff-jacks.com

Charles A. Gall
Texas Bar No. 07281500
Southern District I.D. No. 11017
James W. Bowen
Texas Bar No. 02723305
Southern District I.D. No. 16337
JENKINS & GILCHRIST, P.C.
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202
Telephone: (214) 855-4500
Facsimile: (214) 855-4300
Email: cgal@jenkins.com

Bruce D. Angiolillo
Thomas C. rice
David J. Woll
Jonathan K. Youngwood
SIMPSON THACHER & BARTLETT
425 Lexington Avenue
New York, New York 10017
Telephone: (212) 455-2000
Facsimile: (212) 455-2502
Email: bangiolillo@stblaw.com
trice@stblaw.com
jyoungwood@stblaw.com

**COUNSEL FOR DEFENDANT
J.P. MORGAN CHASE & CO.**

By: Gregory Markel

Gregory A. Markel
Bar No. 5326
Ronit Setton
Bar No. 2298
Nancy I. Ruskin
Bar No. 2428
BROBECK, PHLEGER & HARRISON, LLP
1633 Broadway, 47th Floor
New York, New York 10019
Telephone: (212) 581-1600
Facsimile: (212) 586-7878
Email: gmarkel@brobeck.com

Paul Bessette
Texas Bar No. 2263050
Southern District I.D. No. 22453
BROBECK, PHLEGER & HARRISON, LLP
4801 Plaza on the Lake
Austin, Texas 78746
Telephone: (512) 330-4000
Facsimile: (512) 330-4001

Charles G. King
Texas Bar No. 11470000
Southern District I.D. No. 1344
KING & PENNINGTON, LLP
711 Louisiana, Suite 3100
Houston, Texas 77002
Telephone: (713) 225-8404
Facsimile: (713) 224-8488
Email: cking@kandplaw.com

**COUNSEL FOR DEFENDANT
BANK OF AMERICA CORP.**

By: Jacalyn Scott

Jacalyn D. Scott
Texas Bar No. 17899900
3000 One Houston Center
WILSHIRE, SCOTT & DYER, P.C.
1221 McKinney
Houston, Texas 77010
Telephone: (713) 651-1221
Facsimile: (713) 651-0020
Email: jscott@wsd-law.com

Brad S. Karp
Mark F. Pomerantz
Richard A. Rosen
Michael E. Gertzman
Claudia L. Hammerman
Jonathan H. Hurwitz
PAUL, WEISS, RIFKING, WHARTON
& GARRISON
1285 Avenue of the Americas
New York, New York 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
Email: grp-citi-service@paulweiss.com

Eugene B. Wilshire
WILSHIRE, SCOTT & DYER, P.C.
1221 McKinney
Houston, Texas 77010
Telephone: (713) 651-1221
Facsimile: (713) 651-0020
Email: ewilshire@wsd-law.com

**COUNSEL FOR DEFENDANT
CITIGROUP, INC.**

By: Lawrence FINDER
Lawrence D. FINDER
Southern District I.D. No. 602
Texas Bar No. 07007200
HAYNES AND BOONE, LLP
1000 Louisiana, Suite 4300
Houston, Texas 77002
Telephone: (713) 547-2000
Facsimile: (713) 547-2600
Email: lawrence.finder@haynesboone.com

Richard W. Clary
Julie A. North
CRAVATH, SWAINE & MOORE
Worldwide Plaza
825 Eighth Avenue
New York, New York 10019-7475
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
Email: rclary@cravath.com

Lee S. Richard, III
Mary Jeanette Dee
RICHARDS, SPEARS, KIBBE & ORBE
One Chase Manhattan Plaza, 57th Floor
New York, New York 10005-3102
Telephone: (212) 530-1840
Facsimile: (212) 530-1801
Email: lrichard@rsko.com
mjdee@rsko.com

**COUNSEL FOR DEFENDANT
CREDIT SUISSE FIRST BOSTON CORP.**

By: Joel Androphy/gmc
Joel M. Androphy
BERG & ANDROPHY
3704 Travis
Houston, Texas 77002-5001
Telephone: (713) 529-5622
Facsimile: (713) 529-3785
Email: androphy@bahou.com

Lawrence Byrne
Owen C. Pell
Lance Croffoot-Suede
WHITE & CASE, LLP
1155 Avenue of the Americas
New York, New York 10036
Telephone: (212) 819-8200
Facsimile: (212) 354-8113
Email: lbyrne@whitecase.com

**COUNSEL FOR DEFENDANT
DEUTSCHE BANK**

By: Barry Abrahms/gmc
Barry Abrahms
Texas Bar No. 00822700
Southern District I.D. No. 2138
ABRAMS, SCOTT & BICKLEY, LLP
Chase Tower, 600 Travis, Suite 6601
Houston, Texas 77002
Telephone: (713) 228-6601
Facsimile: (713) 228-6605
Email: babrams@esbtexas.com

David H. Braff
Anthony M. Candido
Adam R. Brebner
SULLIVAN & CROMWELL
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
Facsimile: (212) 558-3588
Email: braffd@sullcrom.com

**COUNSEL FOR DEFENDANT
BARCLAYS, PLC**

By: Michael Connelly/BK
Michael Connelly
CONNELLY, BAKER, WOTRING
& JACKSON
700 Louisiana, Suite 1850
Houston, Texas 77002
Telephone: (713) 980-1700
Facsimile: (713) 980-1701
Email: mconnelly@connellybaker.com

John W. Spiegel
Ronald L. Olson
Dennis C. Brown
Kevin S. Allred
Kristin L. Myles
Kelly M. Klaus
MUNGER, TOLLES & OLSON
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071
Telephone: (213) 683-9100
Facsimile: (213) 687-3702
Email: enron@mto.com

**COUNSEL FOR DEFENDANT
KIRKLAND & ELLIS**

By: Hugh R. Whiting/BK
Hugh R. Whiting
JONES, DAY, REAVIS & POGUE
600 Travis, Suite 6500
Houston, Texas 77002
Telephone: (713) 239-3800
Facsimile: (713) 239-3600
Email: hrwhiting@jonesday.com

Robert C. Micheletto
JONES, DAY, REAVIS & POGUE
77 W. Wacker Drive, Suite 3500
Chicago, Illinois 60601-1692
Telephone: (312) 269-4243
Facsimile: (312) 782-8585
Email: rmicheletto@jonesday.com

**COUNSEL FOR DEFENDANT
LEHMAN BROTHERS**

By: John Villa
John Villa
WILLIAMS & CONNOLLY, LLP
725 Twelfth Street, NW
Washington, D.C. 20005
Telephone: (202) 434-5000
Facsimile: (202) 434-5705
Email: jvilla@wc.com

**COUNSEL FOR DEFENDANT
VINSON & ELKINS, L.L.P.**

By: William Knull
William H. Knull, III
MAYER, BROWN, ROWE & MAW
700 Louisiana, Suite 3600
Houston, Texas 77002-2730
Telephone: (713) 221-1651
Facsimile: (713) 224-6410
Email: cibc-newby@mayerbrownrowe.com

**COUNSEL FOR DEFENDANT
CANADIAN IMPERIAL BANK
OF COMMERCE**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served upon all known counsel of record by e-mail, facsimile or certified mail, return receipt requested, pursuant to the Court's Order dated April 4, 2002 (Docket No. 449), on this the **17th** day of **June, 2002**.

Please See Attached Service List

Taylor M. Hicks
Taylor M. Hicks

SERVICE LIST

William S. Lerach
G. Paul Howes
Helen Hodges
MILBERG WIESS BERSHAD HYNES & LERACH, LLP
401 B. Street, Suite 1700
San Diego, California 92101
Telephone: (619) 231-1058
Facsimile: (619) 231-7423
enron@milberg.com
Attorneys for Lead Plaintiff

Steven G. Schulman
Samual H. Rudman
MILBERG WIESS BERSHAD HYNES & LERACH, LLP
One Pennsylvania Plaza
New York, New York 10119-1065
Telephone: (212) 594-5300
Facsimile: (212) 868-1229
Attorneys for Lead Plaintiff, Attorneys for Amalgamated Bank, as Trustee for the Longview Collective Investment Fund, Longview Core Bond Index Fund and Certain Other Trust Accounts Individually and on behalf of Others Similarly Situated ALSO Movant The Office of the New York State Comptroller and the Regents of the University of California

BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, Pennsylvania 19103
Telephone: (215) 875-3000
Facsimile: (215) 875-4604
Attorneys for Plaintiff Staro Asset Management

Joseph Albert McDermott, III
3100 Richmond Avenue, Suite 403
Houston, Texas 77089
Telephone: (713) 527-9190
Facsimile: (713) 527-9633
Attorneys for Plaintiff Staro Asset Management

Roger B. Greenberg
SCHWARTZ, JUNELL, CAMPBELL & OATHOUT, LLP
Two Houston Center
909 Fannin, Suite 2000
Houston, Texas 77010
Telephone: (713) 752-0017
Facsimile: (713) 752-0327
rgreenberg@gpsolaw.com
***Attorney for Plaintiff Ariel Holdings, LLC and
The Regents of the University of California***

Thomas E. Bilek
HOEFFNER & BILEK, LLP
440 Louisiana, Suite 720
Houston, Texas 77002
Telephone: (713) 227-7720
Facsimile: (713) 227-9404

Attorneys for Plaintiffs Seth Abrams, James Brill, Elmar A. Brusch, Frank Anthony Cammarata, III, Robert J. Casey, II, Robert Christianson, Philip Clifford, Susan Copely, James J. Daley (Trustee – the James Daley IRA Rollover), Deutsche Asset Management, James Morton Elliott IRA, Steven Frank, Kenneth Franklin, Ernest Gottdiener, J. Michael Gottesman, Avigayil Greenberg, HBK Investments, Fathollah Hamedani, Ruth I. Horton, John P. McCarthy Money Purchase Plan, Andres J. Karcich with UGMA Parent and Natural Guardian, Danielle M. Karcich, Gary W. Kemper, Sidney Kessous, Izidor Klein, Michael Koroluk, Barbara D. Lee, Mahin S. Mashayekh, Dr. Robert Pearlstein, Warren Pinchuck, Naomi Raphael, Mark T. Spathes, The Central States Pension Fund

Robert C. Finkel
WOLF POPPER LLP
845 Third Avenue
New York, New York 10022
Telephone: (212) 759-4600
Facsimile: (212) 486-2093
Attorneys for Murray Van De Velde

Thomas G. Shapiro
SHAPIRO HABER & URMY LLP
75 State Street
Boston, Massachusetts 02109
Telephone: (617) 439-3939
Facsimile: (617) 439-0134
Attorneys for Murray Van De Velde

George M. Fleming
G. Sean Jez
FLEMING & ASSOCIATES, L.L.P.
1330 Post Oak Blvd., Suite 3030
Houston, Texas 77056
Telephone: (713) 621-7944
Facsimile: (713) 621-9638
enron@fleming-law.com

Attorney for Plaintiffs John Odam, Peggy Odam, Fred A. Rosen, Marian Rosen, Hal Moorman, Milton Tate (Co-Trustees for Mooreman Tate Mooreman & Urquhart Money Purchase Plan & Trust), Houston Federation of Teachers, Annie M. Banks, Larry D. Barnett, Robert Chazen, Clifford D. Gookin, Carl Herrin, Todd L. Johnson as Administrator for RJS & Affiliated Companies Pension Plan, David Jose, David H. Lowe, John Mason, Robin Saex, John Siemer, Elizabeth Siemer, Anthony G. Tobin, John E. Williams, Jane Bullock, Jane Barnhill, Don Reiland, Scott Borchart, Michael Mies, Virginiai Acosta, Jim Hevely, Mike Bauby, Robert Moran, Jack Turner, Marilyn Turner, Francis Ahlich, Harold Ahlich, Irving Babson, Mary Bain Pearson, Irene Delgado, Ruben Delgado, Preston Clayton, The Jose Plaintiffs, Fleming & Associates

Theodore C. Anderson
KILGORE & KILGORE, PLLC
3131 McKinney Ave., Suite 700 LB 103
Dallas, Texas 75204
Telephone: (214) 969-9099
Facsimile: (214) 953-0133

Neil Rothstein
Scott & Scott LLD
108 Norwich Ave., Suite 1700
Colchester, CT 06415
Telephone: (860) 537-5537
Facsimile: (860) 537-4432
Attorneys for Archdiocese of Milwaukee Supporting Fund, Inc.

Richard M. Frankel
HACKERMAN FRANKEL & MANELA
1122 Bissonnet
Houston, Texas 77005
Telephone: (713) 528-2500
Facsimile: (713) 528-2509
Attorney for Frank Wilson

Jonathan M. Plasse / Ira A. Schochet
David J. Goldsmith
GOODKING LABATON RUDOFF & SUCHAROW, LLP
100 Park Avenue, 12th Floor
New York, New York 10017-5563
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
Attorney for Ariel Holdings

Saul Roffe
SIROTA & SIROTA, LLP
110 Wall Street, 21st Floor
New York, New York 10005
Telephone: (212) 425-9055
Facsimile: (212) 425-9093
Attorney for Plaintiffs Allen Barkin and Beatrice Barkin

Sean F. Greenwood
910 Travis Street, Suite 2020
Houston, Texas 77002
Telephone: (713) 650-1200
Facsimile: (713) 650-1400
Attorney for Plaintiff Jerome F. Faquin

John G. Emerson, Jr.
THE EMERSON FIRM
830 Apollo Lane
Houston, Texas 77058
Telephone: (281) 488-8854
Facsimile: (281) 488-8867
Attorney for Plaintiffs Steve Lacey, Roy E. Rinard

Richard J. Zook
Thomas A. Cunningham
CUNNINGHAM, DARLOW, ZOOK & CHAPOTON, L.L.P.
600 Travis Street, Suite 1700
Houston, Texas 77002
Telephone: (713) 255-5500
Facsimile: (713) 659-4466
Attorney for Plaintiffs Mark Newby, Howard Bruce Klein, Kevin Kuesser, The State Retirement Systems Group, William Scoular

Martin D. Beirne, Jr.
BEIRNE, MAYNARD & PARSONS
1300 Post Oak Blvd., 24th Floor
Houston, Texas 77056
Telephone: (713) 623-0887
Facsimile: (713) 960-1527
Attorneys for Pulsifer & Associates

Martin D. Chitwood
CHITWOOD & HARLEY
2900 Promenade II
1230 Peachtree Road, N.E.
Atlanta, Georgia 30309
Telephone: (404) 873-3900
Facsimile: (404) 876-4476
Attorney for Plaintiff The State Retirement Systems Group

Ira M. Press
KIRBY, MCINERNEY & SQUIRE, L.L.P.
830 Third Avenue, 10th Floor
New York, New York 10022
Telephone: (212) 371-6600
Facsimile: (212) 751-2540
Attorney for Plaintiff Local 710 Pension Fund

R. Paul Yetter
YETTER & WARDEN
600 Travis Street, Suite 3800
Houston, Texas 77002
Telephone: (713) 632-8000
Facsimile: (713) 632-8002
Attorney for Plaintiff Florida State Board of Administration

Stephen D. Oestreich
SLOTNICK, SHAPIRO & CROCKER, LLP
100 Park Avenue, 35th Floor
New York, New York 10017
Telephone: (212) 687-5000
Facsimile: (212) 687-3080
Attorney for Turnberry Asset Management

Charles R. Parker
HILL, PARKER & ROBERSON, LLP
5300 Memorial, Suite 700
Houston, Texas 77007
Telephone: (713) 868-5581
Facsimile: (713) 868-1275
Attorney for Plaintiff NYC Funds

Thomas W. Sankey
SANKEY & LUCK, L.L.P.
600 Travis Street, Suite 6200
Houston, Texas 77002
Telephone: (713) 224-1007
Facsimile: (713) 223-7737
Attorney for Plaintiffs JMG Capital Partners LP, JMG Triton Offshore Fund Ltd., TQA Master Fund Ltd., TQA Master Plus Fund Ltd., George Nicoud

Sidney S. Liebesman
Jay W. Eisenhofer
GRANT & EISENHOFER PA
1220 N. Market Ste., Suite 500
Wilmington, Pennsylvania 19801
Telephone: (302) 622-7000
Facsimile: (302) 622-7100
Attorney for Plaintiffs Employees of Retirement System of Ohio, Teachers Retirement System of Ohio

Deborah R. Gross
LAW OFFICES OF BERNARD R. GROSS, P.C.
1515 Locust Street, 2nd Floor
Philadelphia, Pennsylvania 19102
Telephone: (215) 561-3600
Facsimile: (215) 561-3000
Attorney for Stoneridge Investment Partners, LLC

William B. Federman
FEDERMAN & SHERWOOD
120 North Robinson, Suite 2720
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-1560
Facsimile: (405) 239-2112
Attorney for Plaintiffs Victor Ronald Frangione, The Davidson Group

Ronald Joseph Kormanik
Michael D. Sydow
SYDOW, KROMANIK, CARRIGON & ECKERSON, L.L.P.
1111 Bagby, Suite 4700
Houston, Texas 77002
Telephone: (713) 225-7285
Facsimile: (713) 752-2199
Attorney for Plaintiff Private Asset Management

Jack E. McGehee
James V. Pianelli
Timothy D. Riley
MCGEHEE & PIANELLI, L.L.P.
1225 N. Loop West, Suite 810
Houston, Texas 77008
Telephone: (713) 864-4000
Facsimile: (713) 868-9393
Attorneys for Plaintiffs The Proposed Preferred Purchaser Lead Plaintiffs, Harold Karnes, Henry H. Steiner

James D. Baskin, III
BASKIN LAW FIRM
919 Congress Avenue, Suite 1000
Austin, Texas 78701
Telephone: (512) 381-6300
Facsimile: (512) 322-9280
Attorney for Plaintiffs Muriel P. Kaufman IRA, Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust, Michael P. Harney

Steven E. Cauley
Paul J. Geller
CAULEY, GELLER, BOWMAN & COATES
(P.O. Box 25438 75221-5438)
11311 Arcade Drive, Suite 200
Little Rock, Arkansas 72212
Telephone: (561) 750-3000
Facsimile: (561) 750-3364
Attorney for Plaintiffs William E. Davis, Roxann Davis, E. Bruce Chaney

Rose Ann Reeser, Deputy Chief
Consumer Protection Division
OFFICE OF THE ATTORNEY GENERAL – STATE OF TEXAS
(300 West Fifteenth Street, 78701)
P.O. Box 12548
Austin, Texas 78711-2548
Telephone: (512) 475-4632
Facsimile: (512) 477-4544
Attorney for Employees Retirement System of Texas, the Teacher Retirement System of Texas, the Texas Comptroller of Public Accounts, and the Texas Tomorrow Fund

Robin L. Harrison
CAMPBELL HARRISON & DANGLEY, LLP
4000 Two Houston Center
909 Fannin Street
Houston, Texas 77010
Telephone: (713) 752-2332
Facsimile: (713) 752-2330
rharrison@chd-law.com
Attorney for Pamela Tittle and the Tittle Plaintiffs

Jeffrey B. Kaiser
KAISER & MAY, L.L.P.
1440 Lyric Centre
440 Louisiana
Houston, Texas 77002
Telephone: (713) 227-3050
Facsimile: (713) 227-0488
Attorney for William Coy, Candy Mounter

James F. Marshall
JUDICIAL WATCH, INC.
2540 Huntington Drive, Suite 201
San Marino, California 91108-2601
Telephone: (626) 287-4540
Facsimile: (626) 287-2003
Attorney for Ralph A. Wilt, Jr.

Carolyn S. Schwartz
UNITED STATES TRUSTEE, REGION 2
33 Whitehall Street, 21st Floor
New York, New York 10004
Telephone: (212) 510-0500
Facsimile: (212) 668-2255
Trustee for Debtor Enron Corporation

Stephen D. Susman
Kenneth S. Marks
SUSMAN GODREY
1000 Louisiana, Suite 5100
Houston, Texas 77002-5096
Telephone: (713) 651-9633
Facsimile: (713) 653-7897
kmmarks@susmangodfrey.com
Attorney for Defendant Enron Corporation

Craig Smyser
SMYSER KAPLAN & VESELKA LLP
Bank of America Center
700 Louisiana, Suite 2300
Houston, Texas 77002
Telephone: (713) 221-2300
Facsimile: (713) 221-2320
csmyser@skv.com
Attorneys for Defendant Andrew S. Fastow

Rusty Hardin
Andrew Ramzel
RUSTY HARDIN & ASSOCIATES, P.C.
1201 Louisiana, Suite 3300
Houston, Texas 77002-5609
Telephone: (713) 652-9000
Facsimile: (713) 652-9800
rhardin@rustyhardin.com
aramzel@rustyhardin.com
Attorney for Defendants Arthur Anderson, LLP, John Niemann, William Swanson, Dean Swick, Tom Elsenbrook

Sharon Katz
DAVIS POLK & WARDWELL
450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 450-3633
skatz@dpw.com
Attorney for Defendants Arthur Anderson, LLP, John Niemann, William Swanson, Dean Swick, Tom Elsenbrook

Eric J.R. Nichols
BECK, REDDEN & SECREST
1221 McKinney Street, Suite 4500
Houston, Texas 77010
Telephone: (713) 951-3700
Facsimile: (713) 951-3720
enichols@brsfirm.com
Attorney for Defendants LJM Cayman, L.P., and Michael Kopper, and Chewco Investments

Jack C. Nickens
Paul D. Flack
NICKENS, LAWLESS & FLACK, L.L.P.
1000 Louisiana, Suite 5360
Houston, Texas 77002-5009
Telephone: (713) 571-7191
Facsimile: (713) 571-9652
trichardson@nlf-law.com

Attorney for Defendants Richard B. Buy, J. Clifford Baxter, Richard A. Causey, Mark A. Frevert, Stanley C. Horton, Joseph M. Hirko, Mark E. Koenig, Steven J. Kean, Jeffrey McMahon, Michael S. McConnell, J. Mark Metts, Cindy K. Olson, Kenneth D. Rice

Jack O'Neill
Jason C. Norwood
Clements O'Neill Pierce Wilson & Fulkerson, L.L.P.
Wells Fargo Plaza
1000 Louisiana Street, Suite 1800
Houston, Texas 77002-5009
Telephone: (713) 654-7607
Facsimile: (713) 654-7690
Attorneys for Joseph W. Sutton

Roger E. Zuckerman, Esquire
Deborah J. Jeffrey, Esquire
Zuckerman Spaeder, L.L.P.
1201 Connecticut Avenue, N.W.
Washington D.C. 20036-2638
Telephone: (202) 778-1800
Facsimile: (202) 882-8106
enron@zuckerman.com

Murray Fogler, Esquire
McDade Fogler Maines, L.L.P.
Two Houston Center
909 Fannin, Suite 1200
Houston, Texas 77010-1006
Telephone: (713) 654-4300
Facsimile: (713) 654-4343
mfogler@mfml.com
Attorneys for Defendant Lou L. Pai

J. Clifford Gunter, III
Abigail K. Sullivan
BRACEWELL & PATTERSON, L.L.P.
South Tower Pennzoil Plaza
711 Louisiana, Suite 2900
Houston, Texas 77002-2781
Telephone: (713) 223-2900
Facsimile: (713) 221-1212
asullivan@bracepatt.com
Attorney for Defendant James V. Derrick, Jr.

Robin C. Gibbs
Kathy D. Patrick
Jeremy L. Doyle
GIBBS & BRUNS, L.L.P.
1100 Louisiana, Suite 5300
Houston, Texas 77002
Telephone: (713) 650-8805
Facsimile: (713) 750-0903
jdoyle@gibbs-bruns.com

Attorney for Defendants Robert A. Belfer, Norman P. Blake, Ronnie C. Chan, John H. Duncan, Joe Foy, Wendy L. Gramm, Robert K. Jaedicke, Charles A. Lemaistre, John Mendelsohn, Frank Savage, Herbert Winokur, Jerome Meyer, Paulo V. Ferraz Pereira, John Wadeham

John J. McKetta, III
Helen Currie Foster
GRAVES, DOUGHERTY, HEARON & MOODY
515 Congress Avenue, Suite 2300
Austin, Texas 78701
Telephone: (512) 480-5600
Facsimile: (512) 478-1976
mmcketta@gdhm.com

Attorneys for Defendant Rebecca-Mark Jusbasche

William F. Martson, Jr.
Zachary W.L. Wright
TONKON TORP, L.L.P.
1600 Pioneer Tower
888 S.W. Fifth Avenue
Portland, Oregon 97204-2099
Telephone: (503) 221-1440
Facsimile: (503) 972-7407
enronservice@tonkon.com

Attorney for Defendant Ken L. Harrison

H. Bruce Golden
Randall C. Owens
GOLDEN & OWENS, LLP
1221 McKinney Street, Suite 3600
Houston, Texas 77010-20101
Telephone: (713) 223-2600
Facsimile: (713) 223-5002
golden@goldenowens.com

Attorneys for Defendant John A. Urquhart

Barry Flynn
LAW OFFICE OF BARRY G. FLYNN, P.C.
1300 Post Oak Blvd., Suite 750
Houston, Texas 77056
Telephone: (713) 840-7474
Facsimile: (713) 840-0311
bgflaw@mywavenet.com
Attorney for David Duncan

Jeffrey W. Kilduff
O'MELVENY & MYERS
1650 Tysons Blvd.
McLean, Virginia 22102
Telephone: (703) 287-2412
Facsimile: (703) 287-2404
Attorney for Defendant Jeffrey K. Skilling

Robert M. Stern
Elizabeth Baird
O'MELVENY & MYERS, LLP
555 13th Street, N.W., Suite 500 West
Washington, D.C. 20004-1109
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
rstern@omm.com
Attorney for Defendant Jeffrey K. Skilling

Ronald G. Woods
5300 Memorial, Suite 1000
Houston, Texas 77007
Telephone: (713) 862-9600
Facsimile: (713) 862-8738
Attorney for Jeffrey K. Skilling

Scott B. Schreiber
John Massaro
ARNOLD & PORTER
255 Twelfth Street, NW
Washington, D.C. 20004-1206
Telephone: (202) 942-5122
Facsimile: (202) 942-5999
enroncourtpapers@aporter.com
Attorney for Tom Bauer

Dennis H. Tracey, III
HOGAN & HARTSON LLP
100 Park Avenue
New York, New York 10017
Telephone: (212) 916-7210
Facsimile: (212) 918-3100
Attorney for Debra Cash

Amelia Rudolph
SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
Telephone: (404) 853-8000
Facsimile: (404) 853-8806
Attorney for Roger Willard

Billy Shepherd
CRUSE SCOTT HENDERSON & ALLEN, L.L.P.
600 Travis Street, Suite 3900
Houston, Texas 77002
Telephone: (713) 650-6600
Facsimile: (713) 650-1720
bshepherd@crusescott.com
Attorney for D. Stephen Goddard, Jr.

Michael Warden
Luisa Caro
SIDLEY, AUSTIN, BROWN & WOOD, L.L.P.
1501 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 736-8180
Facsimile: (202) 736-8711
mwarden@sidley.com
Attorney for D. Stephen Goddard, Jr.

John K. Villa
Mary G. Clark
George A. Borden
WILLIAMS & CONNOLLY, L.L.P.
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901
Telephone: (202) 434-5000
Facsimile: (202) 434-5029
jvilla@wc.com
Attorneys for Vinson & Elkins

James E. Coleman, Jr.
Diane M. Sumoski
CARRINGTON COLEMAN SLOMAN
& BLUMENTHAL, L.L.P.
200 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone: (214) 855-3000
Facsimile: (214) 855-1333
deakin@ccsb.com
Attorneys for Kenneth L. Lay

Linda L. Addison
FULBRIGHT & JAWORSKI, LLP
1301 McKinney, Suite 1500
Houston, Texas 77010-3095
Telephone: (713) 651-5628
Facsimile: (713) 651-5246
laddison@fulbright.com
Attorney for The Northern Trust Company & Northern Trust Retirement Consulting LLC

Steve W. Berman
HAGENS & BERMAN, LLP
1301 Fifth Avenue, Suite 2900
Seattle, Washington 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hagens-berman.com
Attorney for the Tittle Plaintiffs

Robert Hayden Burns
BURNS WOOLEY & MARSEGLIA
1111 Bagby, Suite 4900
Houston, Texas 77002
Telephone: (713) 651-0422
Facsimile: (713) 651-0817
hburns@bwmzlaw.com
Attorney for Defendant Kristina Mordaunt

Anthony C. Epstein
STEPTOE & JOHNSON, LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 429-3000
Facsimile: (202) 261-7507
aepstein@steptoe.com
Attorney for Philip J. Bazelides, Mary K. Joyce and James S. Prentice

Mark C. Hansen
Reid M. Figel
KELLOGG, HUBER, HANSEN, TODD & EVANS, PLLC
1615 M. Street, N.W., Suite 400
Washington, D.C. 20036
Telephone: (202) 326-7900
Facsimile: (202) 326-7999
mhansen@khhte.com
rfigel@khhte.com
Attorneys for Defendant Nancy Temple

Mark A. Glasser
KING & SPALDING
1100 Louisiana, Suite 4000
Houston, Texas 77002
Telephone: (713) 751-3200
Facsimile: (713) 751-3290
mkglasser@kslaw.com
Attorney for LJM II Co-Investment

Charles G. King
KING & PENNINGTON, LLP
7111 Louisiana Street, Suite 3100
Houston, Texas 77002
Telephone: (713) 225-8400
Facsimile: (713) 225-8488
cking@kandplaw.com
Attorney for Bank of America Corporation in Newby

Jeffrey C. King
HUGHES & LUCE, LLP
1717 Main Street, Suite 2800
Dallas, Texas 75201
Telephone: (214) 939-5900
Facsimile: (214) 939-6100
kingj@hughesluce.com
Attorney for Bruce Wilson

Eliot Lauer
CURTIS, MALLET-PREVOST, COLT & MOSLE, LLP
101 Park Avenue
New York, New York 10178-0061
Telephone: (212) 696-6000
Facsimile: (212) 697-1559
elauer@cm-p.com
Attorney for Defendant Michael C. Odom

Dr. Bonnee Linden, *Pro Se*
LINDEN COLLINS ASSOCIATES
1226 West Broadway, P.O. Box 114
Hewlett, New York 11557

James Marshall
LAW OFFICES OF JAMES MARSHALL
2540 Huntington Drive, Suite 201
San Marino, California 91108
Telephone: (626) 287-4540
Facsimile: (626) 237-2003
marshall@attglobal.net
Attorney for Wilt Plaintiffs

Andrew J. Mytelka
David LeBlanc
GREER, HERZ & ADAMS, LLP
One Moody Plaza, 18th Floor
Galveston, Texas 77550
Telephone: (409) 797-3200
Facsimile: (409) 766-6424
amytelka@greerherz.com
dleblanc@greerherz.com
Attorneys for Plaintiffs American National Insurance Company, American National Investment Accounts, Inc., SM&R Investments, Inc., American National Property and Casualty Company, Standard Life and Accident Insurance Company, Farm Family Life Insurance Company, Farm Family Casualty Insurance Company, National Western Life Insurance Company

John Murchison, Jr.
VINSON & ELKINS, LLP
2300 First City Tower
1001 Fannin
Houston, Texas 77002
Telephone: (713) 758-2222
Facsimile: (713) 758-2346
jmurchison@velaw.com

Gary A. Orseck
ROBBINS, RUSSELL, ENGLERT, ORSECK & UNTEREINER, LLP
1801 K. Street, N.W., Suite 411
Washington, D.C. 20006
Telephone: (202) 775-4500
Facsimile: (202) 775-4510
gorseck@robbinrussell.com
Attorney for Defendant Michael Lowther

KELLER ROHRBACK, LLP
1201 Third Avenue, suite 3200
Seattle, Washington 98101-3052
Telephone: (206) 623-1900
Facsimile: (206) 623-3384
Attorneys for the Tittle Plaintiffs

Henry F. Schuelke, III
JANIS, SCHUELKE & WECHSLER
1728 Massachusetts Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 861-0600
Facsimile: (202) 223-7230
hsschuelke@janisschuelke.com
Attorney for Defendant Ben Glisan

Jacalyn Scott
WILSHIRE SCOTT & DYER, P.C.
1221 McKinney, Suite 3000
Houston, Texas 77010
Telephone: (713) 651-1221
Facsimile: (713) 651-0020
iscott@wsd-law.com
Attorney for CitiGroup, Inc. and Salomon Smith Barney, Inc.

Richard Mithoff
MITHOFF & JACKS
One Allen Center, Penthouse
500 Dallas
Houston, Texas 77002
Telephone: (713) 654-1122
Facsimile: (713) 739-8085
enronlitigation@mithoff-jacks.com
Attorney for J.P. Morgan Chase & Co.

John W. Spiegel
Kevin S. Allred
Ronald L. Olson
MUNGER, TOLLES & OLSON, L.L.P.
355 S. Grand Avenue, 35th Floor
Los Angeles, California 90071
Telephone: (213) 683-9146
Facsimile: (213) 683-5146
enron@mto.com
Attorneys for Kirkland & Ellis

Alan N. Salpeter
Michele L. Odorizzi
Mark McLaughlin
Andrew D. Campbell
MAYER, BROWN, ROWE & MAW
190 South LaSalle Street
Chicago, Illinois 60603
Telephone: (312) 782-0600
Facsimile: (312) 701-7711
asalpeter@mayerbrown.com
modorizzi@mayerbrown.com
mmclaughlin@mayerbrown.com

William K. Knull, III
MAYER, BROWN, ROWE & MAW
700 Houston Street, Suite 3600
Houston, Texas 77002-2730
Telephone: (713) 221-1651
Facsimile: (713) 224-6410
cibc-newby@mayerbrown.com
Attorneys for Defendant Canadian Imperial Bank of Commerce

Barry Adams
ABRAMS, SCOTT & BICKLEY, L.L.P.
600 Travis, Suite 6601
Houston, Texas 77002
Telephone: (713) 228-6601
Facsimile: (713) 228-6605
babrams@asbtexas.com
Attorney for Barclays PLC

Tom P. Allen
MCDANIEL & ALLEN
1001 McKinney Street, 21st Floor
Houston, Texas 77002
Telephone: (713) 227-5001
Facsimile: (713) 227-8750
tallen@mcdanielallen.com
Attorneys for Defendant Ben G. Glisen

Edward Morgan Carstarphen, III
ELLIS, CARSTARPHEN, DOUGHERTY & GOLDENTHAL
720 North Post Oak, Suite 330
Houston, Texas 77024
Telephone: (713) 647-6800
Facsimile: (713) 647-6884
emc@ecdglaw.com
Attorneys for Investors Partner Life Ins. Co., John Hancock Life Insurance Co., John Hancock Variable Life Insurance Company

Bruce D. Angiolillo
Thomas C. Rice
Jonathan K. Youngwood
David Woll
John Roesser
SIMPSON THACHER & BARTLETT
425 Lexington Avenue
New York, New York 10017-3954
Telephone: (212) 455-2000
Facsimile: (212) 455-2502
bangiolillo@stblaw.com
trice@stblaw.com
jyoungwood@stblaw.com
dwill@stblaw.com
jroesser@stblaw.com
Attorneys for Defendant J.P. Morgan & Chase Co.

James N. Benedict
Mark A. Kirsch
James F. Moyle
CLIFFORD CHANCE ROGERS & WELLS, LLP
200 Park Avenue, Suite 5200
New York, New York 10166
Telephone: (212) 878-8000
Facsimile: (212) 878-8375
james.benedict@cliffordchance.com
mark.kirsch@cliffordchance.com
james.moyle@cliffordchance.com
Attorneys for Defendant Alliance Capital Management

David Braff
Anthony M. Candido
Adam R. Brebner
SULLIVAN & CROMWELL
125 Broad Street
New York, New York 10004-2498
Telephone: (212) 558-4000
Facsimile: (212) 558-3588
enronpapers@sullcrom.com
Attorneys for Defendant Barclays Bank PLC

Lawrence Byrne
Owen C. Pell
Lance Croffoot-Suede
WHITE & CASE, L.L.P.
1155 Avenue of the Americas
New York, New York 10036
Telephone: (212) 819-8200
Facsimile: (212) 354-8113
lbyrne@whitecase.com
opell@whitecase.com
lcroffoot-suede@whitecase.com
Attorneys for Defendant Duetsche Bank AG

Richard W. Clary
Julie A. North
Karen A. Demasi
CRAVATH, SWAINE & MOORE
Worldwide Plaza
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
rclary@cravath.com
jnorth@cravath.com
kdemasi@cravath.com
Attorneys for Defendant Credit Suisse First Boston Corp.

Michael Connelly
CONNELLY, BAKER, WOTRING & JACKSON
700 Louisiana, Suite 1850
Houston, Texas 77002
Telephone: (713) 980-1700
Facsimile: (713) 980-1701
mconnelly@connellybaker.com
Attorney for Kirkland & Ellis

Harvey Greenfield
LAW FIRM OF HARVEY GREENFIELD
60 E. 42nd Street, Suite 2001
New York, New York 10165
Telephone: (212) 949-5500
Facsimile: (212) 949-0049
harvey.greenfield@verizon.net
Attorney for Morgan Krim

Ronald E. Cook
COOK & ROACH
1111 Bagby, Suite 2650
Houston, Texas 77002
Telephone: (713) 652-2800
Facsimile: (713) 652-2029
rcook@cookroach.com
Attorney for Defendant Capital Management, L.P.

John W. Keker
KEKER & VAN NEST
710 Sansome Street
San Francisco, California 94111-1704
Telephone: (415) 391-5400
Facsimile: (415) 397-7188
jwk@kvn.com
Attorney for Andrew S. Fastow

Lawrence D. Finder
George W. Bramblett, Jr.
HAYNES & BOONE, L.L.P.
1000 Louisiana, Suite 4300
Houston, Texas 77002
Telephone: (713) 547-2006
Facsimile: (713) 547-2600
finderl@haynesboone.com
brambleg@haynesboone.com
Attorney for Defendant Credit Suisse First Boston Corporation

Chuck A. Gall
James W. Bowen
JENKENS & GILCHRIST
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799
Telephone: (214) 855-4338
Facsimile: (214) 855-4300
cgall@jenkens.com
jbowen@jenkens.com
Attorney for Defendant J.P. Morgan & Chase Co.

Kelley M. Klaus
MUNGER TOLLES & OLSON
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071
Telephone: (213) 683-9100
Facsimile: (213) 687-3702
kklausm@mto.com
Attorney for Defendant Kirkland & Ellis

Gregory A. Markel
Ronit Setton
Nancy I. Ruskin
BROBECK, PHLEGER & HARRISON, LLP
1633 Broadway, 47th Floor
New York, New York 10019
Telephone: (212) 581-1600
Facsimile: (212) 586-7878
bofa@brobek.com
Attorneys for Defendant Bank of America Corp.

Paul Bessett
Brobeck, Phleger & Harrison LLP
4801 Plaza on the Lake
Austin, Texas 78746
Telephone: (512) 330-4000
Facsimile: (512) 330-4001
bofa@brobek.com
Attorney for Defendant Bank of America Corp.

Fredrick F. Neid
ASSISTANT ATTORNEY GENERAL
2115 State Capitol
Lincoln, Nebraska 65809-8920
Telephone: (402) 471-2682
Facsimile: (402) 471-3835
fneid@notes.state.ne.us
Attorney for Nebraska Investment Council & the Public Employees Retirement Systems of the State of Nebraska

David L. Carden
Hugh R. Whiting
Robert C. Micheletto
Brian A. Troyer
JONES, DAY, REAVIS & POGUE
222 East 41st Street
New York, New York 10017-6702
Telephone: (212) 326-3939
Facsimile: (212) 755-7306
dcarden@jonesday.com
hrwhiting@jonesday.com
rmicheletto@jonesday.com
btroyer@jonesday.com
Attorneys for Lehman Brothers

Gary Benjamin Pitts
PITTS & ASSOCIATES
8866 Gulf Freeway, Suite 117
Houston, Texas 77017-6528
Telephone: (713) 910-0555
Facsimile: (713) 910-0594
castles96@aol.com
Attorney for Peter M. Norris, et al.

Brad S. Karp
Mark F. Pomerantz
Richard A. Rosen
Michael E. Gertzman
Claudia Hammerman
Jonathan Hurwitz
Robyn F. Tarnofsky
PAUL, WEISS, RIFKIND, WHARTON & GARRISON
1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
bkarp@paulweiss.com
mpomerantz@paulweiss.com
rrosen@paulweiss.com
mgertzman@paulweiss.com
hammerman@paulweiss.com
jhurwitz@paulweiss.com
Attorneys for Defendant CitiGroup, Inc. and Salomon Smith Barney, Inc.

Benard V. Preziosi, Jr.
CURTIS, MALLETT-PREVOST, COLT & MOSLE, LLP
101 Park Avenue
New York, New York 10178-0061
Telephone: (212) 696-6000
Facsimile: (212) 697-1559
bpreziosi@cm-p.com
Attorney for Defendant Michael C. Odom

Elizabeth T. Parker
Pepper Hamilton LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103
Telephone: (215) 981-4142
Facsimile: (215) 981-4756
parkere@pepperlaw.com

Stephen J. Crimmins
Pepper Hamilton LLP
600 Fourteenth Street, NW
Washington, DC 20005-2004
Telephone: (202) 220-1208
Facsimile: (202) 220-1665
crimminss@pepperlaw.com
Attorneys for Kevin P. Hannon