

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

United States Courts
Southern District of Texas
ENTERED

JUL - 2 2002

Michael N. Milby, Clerk of Court

In Re Enron Corporation
Securities, Derivative &
"ERISA Litigation

MDL-1446

THIS DOCUMENT RELATES TO:

H-02-1829

MARK NEWBY, ET AL.,

Plaintiffs

VS.

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

ENRON CORPORATION, ET AL.,

Defendants

STEPHEN PHILLIPS,
Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

VS.

MEMBER CASE NO. H-02-1829

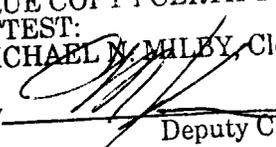
KENNETH L. LAY, ET AL.,

Defendants.

ORDER

Pursuant to the Notice filed by Plaintiff Stephen Phillips (instrument #42 in Member Case No. H-02-1829), the Court ORDERS that Plaintiff's individual claims against Separate Defendant New Power Holdings, Inc. in H-02-1829 are DISMISSED without prejudice under Federal Rule of Civil Procedure 41(a). Plaintiff reserves his right to participate as a member of any class claims subsequently filed against New Power Holdings,

TRUE COPY I CERTIFY
ATTEST:
MICHAEL N. MILBY, Clerk

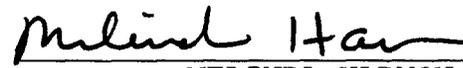
By  Deputy Clerk

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Inc.

SIGNED at Houston, Texas, this 28th day of June, 2002.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE