

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

United States Courts
Southern District of Texas
ENTERED

MAR - 8 2005

Michael N. Milby, Clerk of Court

MARK NEWBY, et al

Plaintiffs,

V.

CIVIL ACTION NO. H-01-3624
(Consolidated)

ENRON CORPORATION., et al

Defendants.

ORDER

WHEREAS, the Court has considered the **Petition of Interested Party** filed by **State Street Bank & Trust Company** ("State Street"), the independent fiduciary of the Enron Savings Plan, the Enron ESOP and the Enron Cash Balance Plan (collectively, the "Enron Plans"), and determined the Petition is meritorious, it is therefore:

ORDERED that:

State Street's Petition of Interested Party is **GRANTED**, and State Street Bank & Trust Company is hereafter permitted to appear before the Court as an interested party in the consolidated *Newby v. Enron Corp.* litigation, to fulfill its independent fiduciary duties owed to the Enron Plans and their respective participants and beneficiaries, who are members of the putative *Newby* class and various proposed settlement classes in *Newby*.

Signed March 8, 2005.



The Honorable Melinda F. Harmon

United States District Judge Presiding

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