

United States Courts
Southern District of Texas
FILED

MAY 19 2005

~~Michael N. Milby, Clerk~~

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 JPMORGAN CHASE & CO., J.P. MORGAN :
 SECURITIES INC., JPMORGAN CHASE BANK, :
 N.A., CITIGROUP INC., CITIBANK, N.A., :
 CITIGROUP GLOBAL MARKETS INC., :
 CITIGROUP GLOBAL MARKETS LIMITED, :
 CREDIT SUISSE FIRST BOSTON LLC, CREDIT :
 SUISSE FIRST BOSTON (USA), INC., :
 PERSHING LLC, CANADIAN IMPERIAL BANK :
 OF COMMERCE, CIBC WORLD MARKETS :
 CORP., CIBC WORLD MARKETS PLC, :
 MERRILL LYNCH & CO., INC., MERRILL :
 LYNCH, PIERCE, FENNER & SMITH :
 INCORPORATED, BARCLAYS PLC, :
 BARCLAYS BANK PLC, BARCLAYS CAPITAL :
 INC., LEHMAN BROTHERS HOLDINGS INC., :
 and LEHMAN BROTHERS INC., :
 :
 Third-Party Plaintiffs, :
 :
 v. :
 :
 TIMOTHY DESPAIN, BEN F. GLISAN, JR., :
 KEVIN HOWARD, MICHAEL J. KOPPER, :
 MICHAEL KRAUTZ, REX SHELBY, and SCOTT :
 YEAGER, :
 :
 Third-Party Defendants. :
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United States Courts
Southern District of Texas
ENTERED

MAY 24 2005

Michael N. Milby, Clerk

PROPOSED ORDER

Pending before the Court is the Unopposed Motion for Extension of Time for Cross-Claimants to Respond to Cindy K. Olson’s and Steven J. Kean’s Motion to Dismiss Cross Claims, filed by JPMorgan Chase & Co., J.P. Morgan Securities Inc., JPMorgan Chase Bank, N.A., Citigroup Inc., Citibank, N.A., Citigroup Global Markets Inc. (formerly known as Salomon Smith Barney Inc.), Citigroup Global Markets Limited (formerly known as Salomon Brothers International Limited), Credit Suisse First Boston LLC (formerly known as Credit Suisse First Boston Corporation), Credit Suisse First Boston (USA), Inc., Pershing LLC (formerly known as Donaldson, Lufkin & Jenrette Securities Corporation), Canadian Imperial Bank of Commerce, CIBC World Markets Corp. (formerly known as CIBC Oppenheimer Corp.), CIBC World

Markets plc, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Barclays PLC, Barclays Bank PLC, Barclays Capital Inc., Lehman Brothers Holdings Inc., and Lehman Brothers Inc., (collectively, "Cross-Claimants"). The Unopposed Motion requests an extension until June 2, 2005 for the Cross-Claimants to respond to Cindy K. Olson's and Steven J. Kean's Motion to Dismiss Cross Claims submitted on April 29, 2005. The Court having considered the Unopposed Motion is of the opinion that it should be granted and it is therefore;

ORDERED that the Unopposed Motion is granted and Cross-Claimants have until June 2, 2005 to respond to Cindy K. Olson's and Steven J. Kean's Motion to Dismiss Cross Claims.

Signed at Houston, Texas, this rd 23 day of May, 2005.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE