

JAN 13 2005

Michael W. Milby, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES  
LITIGATION

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§ Civil Action No. H-01-3624  
§ (Consolidated)

§  
§ CLASS ACTION

This Document Relates To:

MARK NEWBY, et al., Individually and On  
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

ENRON CORP., et al.,

Defendants.

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THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA, et al., Individually and On Behalf  
of All Others Similarly Situated,

Plaintiffs,

vs.

KENNETH L. LAY, et al.,

Defendants.

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[Caption continued on following page.]

**ORDER DISMISSING KEN HARRISON FOR 1934 ACT CLAIMS**



The Court has considered the Agreed Motion for Voluntary Dismissal of Ken Harrison solely as to claims under the Securities Exchange Act of 1934 (the "1934 Act") in the above-captioned actions.

The Court finds that the Agreed Motion should be GRANTED. Lead Plaintiff's 1934 Act claims against Harrison are hereby DISMISSED from the above-captioned actions, including, without limitation, any and all claims under Securities and Exchange Commission Rule 10b-5 and Sections 10(b), 20(a) and 20A of the 1934 Act. Each party shall bear its own fees and expenses.

\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: January 13, 2005 Melinda Harmon  
THE HONORABLE MELINDA HARMON  
UNITED STATES DISTRICT JUDGE