

United States Courts  
Southern District of Texas  
ENTERED

NOV 07 2005

Michael N. Milby, Clerk of Court

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

In Re ENRON CORPORATION	§	
SECURITIES, DERIVATIVE &	§	MDL 1446
"ERISA" LITIGATION,	§	
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MARK NEWBY, ET AL.,	§	
	§	
Plaintiffs	§	
	§	
VS.	§	CIVIL ACTION NO. H-01-3624
	§	AND CONSOLIDATED CASES
ENRON CORPORATION, ET AL.,	§	
	§	
Defendants	§	
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PAMELA M. TITTLE, on behalf of	§	
herself and a class of persons	§	
similarly situated, ET AL.,	§	
	§	
Plaintiffs	§	
	§	
VS.	§	CIVIL ACTION NO. H-01-3913
	§	CONSOLIDATED CASES
ENRON CORP., an Oregon	§	
Corporation, ET AL.,	§	
	§	
Defendants.	§	

**ORDER**

Pending before the Court are *Newby* Lead Plaintiff's amended motion to certify class (#1445 in H-01-3624) and *Tittle* Plaintiffs' motion for class certification (#447 in H-01-3913). Because extensive briefing has been filed regarding both motions over the past few years, because partial settlements have been approved defining a class, because relevant new court decisions have issued, and because information gleaned during discovery may have modified the class structure sought by Plaintiffs, the Court


ORDERS that Plaintiffs in each action shall file by November 30, 2005, a summary of no more than five pages identifying the issues still viable that need to be addressed. If

any proposed subclasses are to be dropped, Plaintiffs shall so indicate. If any party wishes to supplement the current record, it shall file a motion for leave with a copy of the proposed supplement. Do not reiterate matters already raised and briefed. The Court further

ORDERS that counsel in the *Tittle* action shall appear for a class certification hearing on January 12, 2006 at 1:30 p.m. in Courtroom 9C. In addition, the Court

ORDERS that counsel in the *Newby* action shall appear for a class certification hearing on January 17, 2006 at 9:30 a.m.

SIGNED at Houston, Texas, this 4<sup>th</sup> day of November, 2005.

  
MELINDA HARMON  
UNITED STATES DISTRICT JUDGE