

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF TEXAS  
 HOUSTON DIVISION

United States Courts  
 Southern District of Texas  
 ENTERED

In re ENRON CORPORATION SECURITIES  
 LITIGATION

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§ MDL Docket No. 1446

JAN 10 2005

Michael N. Milby, Clerk of Court

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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Civil Action No. H-01-3624  
 and Consolidated, Related  
 Coordinated Cases

**ORDER OF DISMISSAL OF ACTION WITH  
 PREJUDICE AS BETWEEN ICERS AND THE DB ENTITIES**

PURSUANT TO THE STIPULATION OF DISMISSAL OF ACTION WITH  
 PREJUDICE between plaintiff Imperial County Employees Retirement System (“ICERS”) and  
 defendants Deutsche Bank AG, Deutsche Bank Securities Inc. (formerly known as Deutsche  
 Bank Alex. Brown Inc. and with a predecessor known and named in the First Amended  
 Consolidated Complaint as DB Alex. Brown LLC), and Deutsche Bank Trust Company  
 Americas (formerly known as Bankers Trust Company) (collectively, the “DB Entities”), filed  
 with this Court on December 21, 2004, under Federal Rule of Civil Procedure Rule 41(a)(1)(ii),  
 which allows for voluntary dismissal of an action by stipulation of all parties thereto,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that all claims of ICERS, for itself alone, and the entirety of the action between ICERS and the DB Entities shall be and hereby are voluntarily dismissed with prejudice and without costs.

SIGNED at Houston, Texas, this 10<sup>th</sup> day of ~~December~~ <sup>January</sup>, 200~~5~~.

  
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MELINDA HARMON  
UNITED STATES DISTRICT JUDGE