



and related reports. These documents reflect Moody's internal processes, and are therefore proprietary and/or commercially sensitive.

2. All Moody's documents designated as confidential which contain proprietary and/or commercially sensitive information, and the contents reflected therein, (a) shall be used solely in connection with *In Re Enron Corporation Securities, Derivative and "ERISA" Litigation* (including all consolidated and coordinated cases); *In re Enron Corp.* (including any adversary proceedings therein), and any other pending Enron-related litigation (collectively the "Enron Litigation"), and shall not be disclosed to anyone other than counsel of record in those cases, employees of counsel of record, employees of parties in the Enron Litigation for the purposes of assisting or consulting with counsel in those Actions or in preparation for or during their depositions or trial testimony, nonparty witnesses during their depositions or trial testimony, experts retained by parties in the Enron Litigation and the court-ordered mediator in these actions, each of whom shall restrict use and disclosure of such documents, written discovery, and information as provided in this paragraph; and (b) shall not be filed with any court, except under seal or after seeking a court order permitting filing under seal, without first obtaining the consent of Moody's.

3. Nothing herein, however, shall prevent the Investment Bank Defendants from objecting to or challenging Moody's designation of the documents produced pursuant to subpoena as confidential (including but not limited to seeking appropriate relief from the Court).

SIGNED at Houston, Texas this 9th day of February, 2005.

*Melinda Harmon*

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HONORABLE MELINDA HARMON  
UNITED STATES DISTRICT JUDGE