

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

United States Courts
Southern District of Texas
ENTERED

NOV 15 2005

Michael N. Milby, Clerk of Court

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IN RE ENRON CORPORATION §
SECURITIES LITIGATION §

MDL DOCKET NO. 1446

-----§
This Document Relates To: §

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

CIVIL ACTION NO. H-01-3624
(Consolidated)

Plaintiffs, §

CLASS ACTION

v. §

ENRON CORP., et al., §

Defendants. §

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

Plaintiffs, §

v. §

KENNETH L. LAY, et al., §

Defendants. §
-----§

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Order on Emergency Motion to Stay Deposition of Rex T. Shelby [Docket No. 4148]

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JPMORGAN CHASE & CO., JP MORGAN §
SECURITIES, INC., JP MORGAN 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, and §
BARCLAYS CAPITAL INC., §

Cross-Claimants, §

v. §

ARTHUR ANDERSEN LLP, DAVID B. §
DUNCAN, RICHARD B. BUY, RICHARD §
A. CAUSEY, ANDREW S. FASTOW, §
MARK A. FREVERT, KEVIN P. §
HANNON, KEN L. HARRISON, JOSEPH §
M. HIRKO, STANLEY C. HORTON, §
STEVEN J. KEAN, MARK E. KOENIG, §
KENNETH L. LAY, JEFFREY §
MCMAHON, CINDY K. OLSON, LOU L. §
PAI, KENNETH D. RICE, JEFFREY K. §
SKILLING, JOSEPH W. SUTTON, and §
LAWRENCE GREG WHALLEY, §

Cross-Defendants, §
----- §

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LEHMAN BROTHERS HOLDINGS INC. §
and LEHMAN BROTHERS INC., §

Cross-Claimants, §

v. §

RICHARD B. BUY, RICHARD A. §
CAUSEY, ANDREW S. FASTOW, §
MARK A. FREVERT, KEVIN P. §
HANNON, KEN L. HARRISON, JOSEPH §
M. HIRKO, STANLEY C. HORTON, §
STEVEN J. KEAN, MARK E. KOENIG, §
KENNETH L. LAY, JEFFREY §
MCMAHON, CINDY K. OLSON, LOU L. §
PAI, KENNETH D. RICE, JEFFREY K. §
SKILLING, JOSEPH W. SUTTON, and §
LAWRENCE GREG WHALLEY, §

Cross-Defendants, §

----- §
JPMORGAN CHASE & CO., JP MORGAN §
SECURITIES, INC., JP MORGAN 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, and §
BARCLAYS CAPITAL INC., LEHMAN §
BROTHERS HOLDINGS INC., and §
LEHMAN BROTHERS INC., §

Third-Party Plaintiffs, §

v. §

[Caption continued on next page] §
TIMOTHY DESPAIN, BEN F. GILSAN, §

JR., KEVIN HOWARD, MICHAEL J. §
KOPPER, MICHAEL KRAUTZ, REX §
SHELBY, and SCOTT YEAGER, §
§
Third-Party Defendants. §
-----§

The Court, having considered the Emergency Motion to Stay Deposition of Rex T. Shelby and the arguments of counsel, the pleadings on file, and any other relevant matter, determines that the Motion should be GRANTED.

It is **ORDERED** that the Defendant Rex T. Shelby's Deposition scheduled for November 23, 2005 is STAYED as to Defendant Rex T. Shelby pending resolution of his Motion to Dismiss, the conclusion of his criminal trial, or a postponement of the October trial setting in the subject proceeding.

Rex T. Shelby's Deposition is reset for September 1, 2006, with a reservation of rights to make appropriate Motions based upon the status of the three events identified above.

Signed this 14th day of November, 2005.


UNITED STATES DISTRICT JUDGE