

United States Courts  
Southern District of Texas  
ENTERED

APR 7 2005

Michael N. Milby, Clerk of Court

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

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In Re ENRON CORPORATION  
SECURITIES LITIGATION

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MDL-1446

This Document Relates to  
MARK NEWBY, ET AL.,  
Plaintiffs,

v.

ENRON CORPORATION, ET AL.,  
Defendants.

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CIVIL ACTION NO. H-01-3624  
AND CONSOLIDATED CASES

ROBERT A. BELFER, ET AL.,  
Third-Party Plaintiffs,

v.

ASSOCIATED ELECTRIC & GAS  
INSURANCE SERVICES, LTD., ENERGY  
INSURANCE MUTUAL, LTD.,  
Third-Party Defendants,

AND

FEDERAL INSURANCE COMPANY, ET AL.,  
Third-Party Defendants.

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FEDERAL INSURANCE COMPANY, ET AL.,  
Third-Party Counterclaim Plaintiffs,

v.

ROBERT A. BELFER, ET AL.,  
Third-Party Counterclaim Defendants

**AMENDED SCHEDULING ORDER**

CLERK, U. S. DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
FILED  
6-5-02  
MICHAEL N. MILBY, CLERK  
BY DEPUTY *Headman*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

JUN 06 2002

Michael N. Milby, Clerk

MARK NEWBY, *et al.*

Plaintiffs,

vs.

ENRON CORPORATION., *et al.*

Defendants.

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Civil Action No. H-01-3624 ✓

PAMELA M. TITTLE, on behalf of  
herself and a class of persons  
similarly situated

Plaintiffs,

vs.

ENRON CORPORATION., *et al.*

Defendants.

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Civil Action No. H-01-3913

**ORDER REGARDING SERVICE OF PAPERS AND NOTICE OF HEARINGS VIA  
INDEPENDENT WEBSITE**

**IT IS ORDERED THAT**, all pleadings and other papers required to be served in the *Title* and *Newby* actions pursuant to Rule 5 of the Federal Rules of Civil Procedure or the Court's Local Rules (except document productions) shall be served in the following manner:

1. Liaison Counsel for Plaintiffs, Jerri Hardaway of Milberg, Weiss, Bershad Hynes & Lerach, LLP and Liaison Counsel for Defendants, Joanna Hamrick of Nickens, Lawless & Flack, LLP, shall prepare and maintain a website to be used by the parties to this case to post all filings with the Court and notices and orders issued by the Court. The URL of the site shall be <http://www.esl3624.com>.

819



2. Only authorized persons shall have access to the website. Authorized persons shall include (i) Judge Melinda Harmon, (ii) other judges presiding over similar cases who have accepted the invitation of Judge Harmon to coordinate with *Tittle* and *Newby*, (iii) attorneys of record in *Tittle* and *Newby*, (iv) attorneys whose names appear on any list provided by Judge Harmon to Liaison Counsel of attorneys interested in various states cases which are coordinated for pre-trial, settlement and/or discovery purposes with *Newby* and *Tittle*, (v) associates, clerks and support staff of the above. To gain access to the website, each person shall provide to the Liaison Counsel the following information:

Name  
Position  
Firm Name  
Party Represented  
Email Address  
Voice Telephone Number  
Fax Telephone Number

Once this information has been received by the Liaison Counsel, a user ID and Password necessary to access the website will be emailed to the address provided.

3. An email notice of any newly posted materials on the website shall be forwarded to each person who has authorized access to the website.

4. Notices and Orders from the Court shall be scanned into a ".pdf" format and posted immediately upon receipt by Liaison Counsel. Adobe Acrobat Reader 5.0 will be available for download on the website without cost.

5. On the day any document is filed with the Court, a copy of that document shall be sent to Liaison Counsel by email of the document file to [serve@esl3624.com](mailto:serve@esl3624.com), (either a word-processing file or an image scanned into ".PDF" format). Exhibits not a part of the actual document shall be scanned into ".PDF" format as well and if voluminous, may be filed as a

separate document. Documents will be posted within one (1) hour of receipt. All documents on the system will be identified by (1) the precise title of the document; (2) the name of the filing firm; (3) the party represented; and (4) the date the document was filed. The system shall contain an index of all documents served in this litigation subsequent to the date of this Order, which will be searchable and sortable according to methods that provide useful access to the documents.

6. Any document electronically served pursuant to this Order shall be deemed served as of the date and time it is transmitted to Liaison Counsel pursuant to Paragraph 5. Any document transmitted to Liaison Counsel shall certify in the Certificate of Service that a true and correct copy was electronically served to counsel of record.

Until further notice, no documents that are filed under seal shall be served via the system but shall be served in accordance with the Federal Rules of Civil Procedure and any applicable local rules.

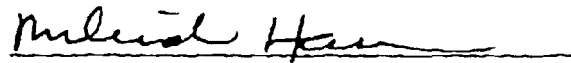
7. If Liaison Counsel receives notification of a failed email, then the filing party shall be informed and service shall be accomplished by other means as provided in the Federal Rules of Civil Procedure.

8. This Order applies to parties currently named in these actions. In the event that new parties are added to either the *Newby* or *Tittle* action after the date of this Order ("Additional Parties"), such Additional Parties are not subject to this Order until the Court is notified of their consent to the terms of the Order. Counsel must serve all Additional Parties with each pleading or other paper in accordance with the Federal Rules of Civil Procedure until such time as those Additional Parties become subject to this Order. Parties not in agreement with this Order who were subject to the Agreed Motion Regarding Service of Papers and Notice of Hearings filed

March 28, 2002 shall be served in accordance with that order. Parties not subject to the March 28, 2002 order shall be served in accordance with the Federal Rules of Civil Procedure.

9. Whenever a hearing is scheduled in either the *Newby* or *Title* actions with less than 48 hours advance notice, the party requesting the hearing shall immediately notify all parties via the website of the date, time, call-in information (if any) and subject matter of the hearing.

Signed at Houston, Texas this 5<sup>R</sup> day of June, 2002 at 8:58 o'clock p.m.

  
MELINDA HARMON  
UNITED STATES DISTRICT JUDGE

**EXHIBIT "A"**  
**SERVICE LIST**

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