

JUN 08 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	:	MDL Docket No. 1446
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This Document Relates To:	:	
	:	
MARK NEWBY, et al., Individually and	:	
On Behalf of All Others Similarly Situated,	:	Civil Action No. H-01-3624
	:	<b>(Consolidated)</b>
Plaintiffs,	:	<u>CLASS ACTION</u>
v.	:	
	:	
ENRON CORP., et al.,	:	
	:	
Defendants.	:	
-----	X	
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.	:	
-----	X	

[Caption continued on next page]

**ORDER FOR SECOND EXTENSION OF TIME FOR THE FINANCIAL  
 INSTITUTIONS TO MOVE AGAINST OR ANSWER ARTHUR ANDERSEN LLP'S  
 (INSTR. # 3414) AND DAVID B. DUNCAN'S (INSTR. # 3417) COUNTERCLAIMS FOR  
 CONTRIBUTION AND INDEMNIFICATION**

----- X  
JPMORGAN CHASE & CO., J.P. MORGAN :  
SECURITIES INC., JPMORGAN 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. :

----- X  
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. :  
----- X

JPMORGAN CHASE & CO., J.P. MORGAN	X
SECURITIES INC., JPMORGAN 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, BARCLAYS CAPITAL	:
INC., LEHMAN BROTHERS HOLDINGS INC.,	:
and LEHMAN BROTHERS INC.,	:
	:
Third-Party Plaintiffs,	:
	:
v.	:
	:
TIMOTHY DESPAIN, BEN F. GLISAN, JR.,	:
KEVIN HOWARD, MICHAEL J. KOPPER,	:
MICHAEL KRAUTZ, REX SHELBY, and SCOTT	:
YEAGER,	:
	:
Third-Party Defendants.	:
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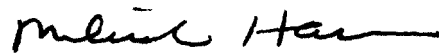
**ORDER**

Pending before the Court is the Unopposed Motion for Second Extension of Time for the Financial Institutions to Move Against or Answer Arthur Andersen LLP’s (Instr. # 3414) and David B. Duncan’s (Instr. # 3417) Counterclaims for Contribution and Indemnification (“Unopposed Motion”), filed by Credit Suisse First Boston LLC (formerly known as Credit Suisse First Boston Corporation), Credit Suisse First Boston (USA), Inc., Pershing LLC (formerly known as Donaldson, Lufkin & Jenrette Securities Corporation), JPMorgan Chase & Co., J.P. Morgan Securities Inc., JPMorgan Chase Bank, N.A., Citigroup Inc., Citibank, N.A., Citigroup Global Markets Inc. (formerly known as Salomon Smith Barney Inc.), Citigroup Global Markets Limited (formerly known as Salomon Brothers International Limited), Canadian

Imperial Bank of Commerce, CIBC World Markets Corp. (formerly known as CIBC Oppenheimer Corp.), CIBC World Markets plc, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Barclays PLC, Barclays Bank PLC, and Barclays Capital Inc. (collectively, the "Financial Institutions"). The Unopposed Motion requests an extension until June 20, 2005, for the Financial Institutions to move against or answer Arthur Andersen LLP's and David B. Duncan's Counterclaims for Contribution and Indemnification, submitted on May 2, 2005, and May 3, 2005, respectively. The Court, having considered the Unopposed Motion, is of the opinion that it should be granted and it is therefore

ORDERED that the Unopposed Motion is granted and the Financial Institutions have until June 20, 2005, to move against or answer Arthur Andersen LLP's and David B. Duncan's Counterclaims for Contribution and Indemnification.

Signed at Houston, Texas, this 7<sup>th</sup> day of June, 2005.



MELINDA HARMON  
UNITED STATES DISTRICT JUDGE