

San Diego Case Status Report

- *To:* Alias <rgibbs@gibbs-bruns.com>
 - *Subject:* San Diego Case Status Report
 - *From:* Richard Sanders <richard.sanders@cw-test.com>
 - *Date:* Mon, 06 Apr 2009 13:24:28 +0000
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----- Forwarded by Richard B Sanders/HOU/ECT on 11/30/2000 05:10 PM -----

"Fergus, Gary S." <GFergus@brobeck.com>

11/30/2000 05:00 PM

To: "Richard B. Sanders Esq. (E-mail)" <richard.b.sanders@enron.com>, rgibbs@gibbs-bruns.com, Robert.C.Williams@enron.com, msmith1@enron.com

cc: "Lamb, Daniel G." <DLamb@brobeck.com>

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Here are the results of our efforts so far:

Discussions with Local Counsel:

Here is the list of firms and individuals that we have contacted as well as the results of conflict checks and availability. In short, There are some conflict issues with several of the firms. One firm was directly conflicted. Another has as one of its partners, the wife of Len Simon, the lead plaintiff's counsel in our case. Assuming that conflicts can be resolved, we have five different lawyers available to be interviewed on Monday.

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Economic Experts

Local

Retained: Carey P. Mack, Bruno & Mack

The best testifying expert in town, economic accounting damages. Relates best to San Diego jury. Not an anti-trust model building type of expert.

Tom Lambert

Solo (he is checking conflict list right now. If no conflict, he is willing to work for us.)

Broadshatzer, Wallace, Spoon & Yip

Roberta Spoon (on vacation)

National

Charles River

Gordon Rausser will be meeting with CEO of

Enron, Ken Lay on other matters on Friday 10:00a.m. in Houston on another matter. They are very interested in being retained. They are doing conflict check. He is willing to stop by and see you if that would be helpful.

NERA

Waiting for response

Non-testifying Consultants

Larry Ruff

RETAINED: to assist in reviewing EPMI data.

Procedural Issues:

We are investigating to see whether there are any California defendants to consider removal. Because we attended the press conference (momentarily and obtained a copy of the complaint) we should assume that the removal clock is ticking.

News Reports

We have identified a service that has recorded the news reports about this lawsuit. There are 28 hits so far for TV reports. It will cost \$300 per clip to obtain them. Do you know if Enron is getting these clips from the public relations firm? Should we get them?

Anti-Trust Law School Professors.

We have identified Tom Campbell (ran against Diane Feinstein for Senate. We have a number for him in Washington good until tomorrow. He was former Director Competitive Compliance Division FTC, has Harvard Ph.D. in Economics. Should we contact him?

Thanks

Gary

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