

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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: In re: : Chapter 11
: :
ENRON CORP., ET AL., : Case No. 01-16034 (AJG)
: :
Debtors. : Jointly Administered
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THE OFFICIAL COMMITTEE OF :
UNSECURED CREDITORS OF ENRON, :
CORP. ET AL., :
: :
Plaintiff, :
: Adversary Proceeding
v. :
: No. 02-8061(A)
MICHAEL J. KOPPER and :
LJM2 CAPITAL MANAGEMENT, LP, :
: :
Defendants. :
: :
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**ORDER GRANTING EMERGENCY MOTION OF THE OFFICIAL COMMITTEE
OF UNSECURED CREDITORS FOR TEMPORARY RESTRAINING ORDER,
HEARING ON PRELIMINARY INJUNCTION AND OTHER RELIEF**

Upon the annexed sworn declaration of Luc A. Despina, Esq. sworn to on August 26, 2002, and the complaint (the "Complaint")¹ of the Official Committee of Unsecured Creditors (the "Committee") of Enron Corp. and its affiliated debtors and debtors in possession (collectively, "Enron" or the "Debtors"), and the

¹ Capitalized terms used herein and not defined herein shall have the meaning ascribed to such terms in the Emergency Motion attached hereto.

proceedings herein, and good and sufficient cause appearing therefore,

IT IS HEREBY ORDERED THAT:

(a) Kopper and LJM2, their agents, servants, employees, and attorneys-in-fact, and those persons in active concert or participation with any of them, and each of them, hereby are temporarily restrained and enjoined from taking any action with respect to any of the funds held in the Charles Schwab account number 3962-3986 in the name of LJM2;

(b) Kopper, his agents, servants, employees, and attorneys-in-fact, and those persons in active concert or participation with any of them, and each of them, hereby are temporarily restrained and enjoined from transferring or otherwise causing the forfeiture of \$8 million in accordance with any agreement between Kopper and the United States Securities and Exchange Commission or the United States Department of Justice (subparagraphs (a) and (b) herein collectively referred to as the "Proceeds");

(c) A date and time for a hearing on the Committee's motion for a preliminary injunction restraining and enjoining Kopper and LJM2, their attorneys, agents and employees, and attorneys-in-fact, and those persons in active concert or participation with any of them, and each

of them, pending final judgment in this adversary proceeding, from taking any further action with respect to the Proceeds shall be set at the hearing scheduled below;

(d) The Committee may move for summary judgment as to the claims set forth in their Complaint on August 28, 2002;

(e) Defendants are required to respond to the Committee's Complaint and to the Committee's motion for summary judgment within three (3) business days of service; and

ORDERED that a hearing on the matters set forth in subparagraphs (a), (b), (c), (d), and (e) herein is scheduled for Wednesday, August 28, 2002 at 2:00 p.m., N.Y. time before the Honorable Arthur J. Gonzalez at the United States Bankruptcy Court, One Bowling Green, New York, New York 10004; and it is further

ORDERED that until the conclusion of the hearing on the matters set forth in subparagraphs (a) and (b) herein, as scheduled by this Order, Kopper and LJM2, their attorneys, agents and employees, and attorneys-in-fact, and those persons in active concert or participation with any of them, and each of them, shall be temporarily restrained and enjoined from transferring or otherwise forfeiting the Proceeds, and it is further

ORDERED that telephonic notice, and service by facsimile or by hand, of this Order and the papers upon which it is based upon (a) the Office of the United States Trustee, 31 Whitehall Street, New York, New York 10004, (b) counsel to Kopper and LJM2, Dechert, Price & Rhoads, 4000 Bell Atlantic Tower, 1717 Arch Street, Philadelphia, Pennsylvania 19103, Attn: David M. Howard, Esq. (c) the United States Securities and Exchange Commission, 450 Fifth Street N.W., Washington, DC 20549-0911, Attn: Steven M. Cutler, Esq., Linda Chatman Thomsen, Esq., Charles J. Clark, Esq. and Luis R. Mejia, Esq., and Northeast Regional Office, 233 Broadway, 13th Floor, New York, New York 10279, Attn: Alistaire Bambach, Esq. and Neil Jacobson, Esq., (d) the United States Department of Justice, 100 Church St., New York, New York 10007, Attn: Neil S. Binder, Esq. and Elizabeth Wolstein, Esq., and (e) Weil, Gotshal & Manges, LLP, 767 Fifth Avenue, New York, NY 10153, Attn: Martin Bienenstock, Esq., on or before 12:00 noon N.Y. time on August 26, 2002, shall be deemed good and sufficient service; and it is further

ORDERED that responsive papers, if any, must be (i) in writing stating the basis therefore with particularity; (ii) served, by facsimile or by hand, for receipt upon Milbank, Tweed, Hadley & M^cCloy LLP, counsel

for the Committee, 1 Chase Manhattan Plaza, New York, New York 10005, Attn: Luc A. Despins, Esq.; Weil, Gotshal & Manges, LLP, 767 Fifth Avenue, New York, NY 10153, Attn: Martin Bienenstock, Esq. and the United States Trustee, 33 Whitehall Street, New York, New York 10004; and (iii) filed, together with proof of service, with the Clerk of the United States Bankruptcy Court with a copy to the Chambers of the undersigned not later than 10:00 a.m. on August 28, 2002.

Dated: New York, New York
August 26, 2002
Issued: 10:30 a.m.

/s/ Arthur J. Gonzalez
United States Bankruptcy Judge