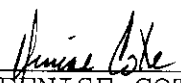


be the methodology that they argued from the beginning Nye should have employed.

The Underwriter Defendants request an opportunity to depose Nye. That request is granted. The Lead Plaintiff shall make Nye available for deposition in New York for two hours. The deposition may take place in the days that immediately precede his trial testimony.

SO ORDERED:

Dated: New York, New York
March 15, 2005



DENISE COTE
United States District Judge