

United States Department of Justice  
Office of the United States Trustee  
1100 Commerce, Room 976  
Dallas, Texas 75242 (214) 767-8967  
George F. McElreath  
TEXAS STATE BAR NO. 13581600

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**IN RE**

**MIRANT CORPORATION**

**DEBTORS**

§

§ Jointly Administered under

§ **CASE NO. 03-46590-DML-11**

§

§

§ **CHAPTER 11**

§

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**EX PARTE APPLICATION OF THE U.S. TRUSTEE  
TO APPROVE APPOINTMENT OF EXAMINER**

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NOW COMES the U.S. Trustee and files this Ex Parte Application to Approve the Appointment of an Examiner in the above entitled jointly administered cases pursuant to 11 U.S.C. §1104(b) and Bankruptcy Rule 2007.1(c). In support of this Application the U.S. Trustee would show as follows:

1. The above styled and numbered case was commenced by the filing of voluntary petitions under chapter 11 of the Bankruptcy Code on July 14/15, 2003.

2. On April 5, 2004, the court ordered the U.S. Trustee to appoint an Examiner for this case.

3. After consulting with Robin Phelan and Judith Elkin, attorneys for the debtor; Mark Thompson and Paul Silverstein, attorneys for the Mirant Corp. committee; Deborah Williamson and Greg Petrick, attorneys for the MAGI committee; Edward Weisfelner and Howard Siegel, attorneys for the Equity Committee; Scott Shelley, attorney for Citibank; Angela Dodd, Susan Sherrell, Marshall Gandy and Michael Adler, attorneys for the Securities and Exchange Commission; Stephen Youngman, attorney for General Electric Capital Corporation; Matthew

Troy, staff attorney for the U.S. Department of Justice, Civil Division; Paulina Jacobo, Assistant U.S. Attorney, Northern District of Texas; and numerous attorneys in the Executive Office for U.S. Trustees, the U.S. Trustee has selected William K. Snyder to serve as Examiner.

4. Except as disclosed in the verified statement accompanying this application, William K. Snyder has no connection with the debtor, creditors, parties in interest, their respective attorneys and accountants, the U.S. Trustee, or any person employed by the U.S. Trustee.

WHEREFORE, PREMISES CONSIDERED, the U.S. Trustee prays for an order approving the appointment of William K. Snyder as examiner of the above-referenced estate.

DATED: April 13, 2004

Respectfully submitted,  
WILLIAM T. NEARY  
UNITED STATES TRUSTEE

/s/George F. McElreath

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### **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document was mailed by first class, postage-prepaid, U.S. mail to the addresses listed on the attached matrix.

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