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**ATTORNEYS FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF  
MIRANT AMERICAS GENERATION, LLC**

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

<b>In re</b>	)	<b>Chapter 11 Case</b>
	)	
<b>MIRANT CORPORATION, et al.,</b>	)	<b>Case No. 03-46590 (DML)</b>
	)	
<b>Debtors</b>	)	<b>Jointly Administered</b>

**MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF  
MIRANT AMERICAS GENERATION, LLC TO CONTINUE THE HEARING ON THE  
AMENDED APPLICATION OF THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF MIRANT AMERICAS GENERATION, LLC FOR AUTHORITY TO  
RETAIN MR. JAMES M. DONNELL AS ENERGY INDUSTRY CONSULTANT**

**TO: THE HONORABLE D. MICHAEL LYNN,  
UNITED STATES BANKRUPTCY JUDGE**

The Official Committee of Unsecured Creditors (the “MAGI Committee”) of Mirant Americas Generation, LLC (“MAGI”), by and through its undersigned counsel Cadwalader, Wickersham & Taft LLP and Cox & Smith Incorporated, hereby files this motion (the “Motion”) seeking a continuance of the hearing on the *Amended Application of the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC for Authority to Retain Mr. James M. Donnell as Energy Industry Consultant* (the “Application”). In support of the Motion, the MAGI Committee respectfully represents as follows:

1. A hearing on the Application is scheduled to be conducted before this Court on July 21, 2004 at 10:30 a.m. The MAGI Committee has not previously sought a continuance on this Application.

2. At the time that counsel for the MAGI Committee set the hearing on the Application, it was unaware that both of the co-chairs for the MAGI Committee would be unavailable to testify in support of the Application. In light of both the Debtors' objection and the objection by the Official Committee of Unsecured Creditors of Mirant Corporation (the "Mirant Committee"), the MAGI Committee believes that the testimony of either one or both of the co-chairs will be required. Therefore, the MAGI Committee requests a one week continuance of the hearing to July 28, 2004.

3. Counsel for the MAGI Committee has been in contact with counsel for the Debtors', the Mirant Committee, and the Official Committee of Equity Security Holders (the "Equity Committee") regarding continuing such hearing. None of the parties are opposed to the continuance.

4. The MAGI Committee does not seek continuance of this hearing for the purpose of undue delay or to prejudice any of the parties. The request to continue is sought solely to allow the Court to fully consider the merits of the Application. Therefore, the MAGI Committee requests that the Court continue the hearing on the Application to July 28, 2004 at 10:30 a.m.

WHEREFORE, the MAGI Committee respectfully requests that the Court grant a continuance of the hearing on the *Amended Application of the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC for Authority to Retain Mr. James M. Donnell as Energy Industry Consultant* to July 28, 2004 at 10:30 a.m. and for such other relief that the MAGI Committee may be entitled to.

Dated: July 19, 2004

Respectfully submitted,

COX & SMITH INCORPORATED  
112 E. Pecan Street, Suite 1800  
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By: /s/ Thomas Rice  
Deborah D. Williamson  
Texas State Bar No. 21617500  
Thomas Rice  
Texas State Bar No. 24025613

and

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**ATTORNEYS FOR THE OFFICIAL COMMITTEE  
OF UNSECURED CREDITORS OF MIRANT  
AMERICAS GENERATION, LLC**

**CERTIFICATE OF CONFERENCE**

I hereby certify that, on July 15, 2004, an attorney for the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC contacted counsel for the Debtors', Ian Peck, and the Mirant Committee, Jason Brookner, in an attempt to reach an agreement regarding the subject of the foregoing Motion. Each of the parties indicated that they are unopposed to the requested relief.

*/s/ Thomas Rice* \_\_\_\_\_  
Thomas Rice

**ATTORNEYS FOR THE OFFICIAL COMMITTEE  
OF UNSECURED CREDITORS OF MIRANT  
AMERICAS GENERATION, LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 19, 2004, a true and correct copy of this *Motion of the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC to Continue the Hearing on the Amended Application of the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC for Authority to Retain Mr. James M. Donnell as Energy Industry Consultant* has been sent via electronic mail to the parties listed below and via United States First Class Mail, postage prepaid, to the parties listed on the Official Shortened Service List (7/9/04).

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*/s/ Thomas Rice*

\_\_\_\_\_  
Thomas Rice

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

<b>In re:</b>	§	<b>Chapter 11</b>
	§	
<b>MIRANT CORPORATION, <u>et al.</u>,</b>	§	<b>Case No. 03-46590-DML-11</b>
	§	
<b>Debtors.</b>	§	<b>Jointly Administered</b>

**ORDER ON THE MOTION OF THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS OF MIRANT AMERICAS GENERATION, LLC  
TO CONTINUE THE HEARING ON THE AMENDED APPLICATION OF THE  
OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF MIRANT  
AMERICAS GENERATION, LLC FOR AUTHORITY TO RETAIN MR. JAMES M.  
DONNELL AS ENERGY INDUSTRY CONSULTANT**

*Came on for consideration the Motion of the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC to Continue the Hearing on the Amended Application of the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC for Authority to Retain Mr. James M. Donnell as Energy Industry Consultant (the “Motion”), seeking a continuance of the hearing on the Amended Application of the Official Committee of Unsecured Creditors of Mirant Americas Generation, LLC for Authority to Retain Mr. James M.*

*Donnell as Energy Industry Consultant* (the “Application”). The Court having considered the arguments of the parties, and sufficient cause having been shown, it is now therefore,

**ORDER, ADJUDGED and DECREED:**

1. The hearing on the Application is continued to July 28, 2004 at 10:30 a.m. CT before the Honorable D. Michael Lynn, United States Courthouse, 501 West Tenth Street, Fort Worth, Texas.

### END OF ORDER ###

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