

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U. S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

In re: : CHAPTER 11
: :
MIRANT CORPORATION, *et al.*, : Case No. 03-46590 (DML)11
: : Jointly Administered
Debtors. :
: :
: :

ORDER DIRECTING APPOINTMENT OF EXAMINER

A party in interest having requested appointment of an examiner in these cases, and it appearing to the court that, notwithstanding the court's confidence in debtors their management and all other fiduciaries in these cases, appointment of an examiner is appropriate, in the best interests of these estates and their creditors, and required by the terms of 11 U.S.C. § 1104(c)(2); and it appearing to the court that such examiner's duties should, notwithstanding 11 U.S.C. §§ 1104 and 1106, include, in general, as more specifically defined by further order, and be limited to: (A) preliminary investigation of (1) potential causes of action, as identified to him by a party in interest, against insiders, past or present, of any of the debtors; (2) potential causes of action (other than pursuant to 11 U.S.C. § 547), as identified to him by a party in interest, against any member of a committee appointed in these cases under 11 U.S.C. § 1102; and (3) bases, as identified to him by a party in interest, for objection to or subordination of a claim or interest held by a member of a committee appointed in this case under 11 U.S.C. § 1102; (B) upon request of any debtor or debtor's representative or committee, ensuring that transactions among debtors or among debtors and their affiliates are fair and not prejudicial to the estates or creditors of any debtor; (C) coordinating discovery efforts of debtors and committees in these cases; and (D) facilitating, on request of a party in interest including the United States trustee, communications among the parties in these cases.

It is THEREFORE

ORDERED that the United States Trustee appoint, subject to the court's approval, a disinterested individual to serve as examiner in these cases, to undertake duties, consistent with the summary provided in this order, to be specified by further order of the court.

DATED: April 7, 2004



HONORABLE D. MICHAEL LYNN
UNITED STATES BANKRUPTCY JUDGE