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January 12, 2007

Securities & Exchange Commission  
FOIA/PA Office  
100 F Street NE  
Mail Stop 5100  
Washington, D.C. 20549

Via e-mail and U.S. Mail

Re: Freedom of Information Request

Pursuant to the federal Freedom of Information Act, 5 U.S.C. Sec. 552, the Foundation for Taxpayer and Consumer Rights (FTCR) requests copies of all records pertaining to the Securities and Exchange Commission's consideration of a request by investment bank Merrill Lynch & Co. to intervene in the Enron Corporation Securities Litigation on the bank's behalf, as follows:

1. Any writings or correspondence<sup>1</sup> to or from Merrill Lynch & Co. and their representatives and Chairman Christopher Cox, General Counsel Brian Cartwright, or other representatives of the Securities and Exchange Commission, between August 1, 2005 and the present date;
2. Agendas, lists of attendees and minutes which reflect meetings between Chairman Cox or his representatives, and Merrill Lynch and theirs, including Christopher Cox's schedule or appointment calendar, between August 1, 2005 and the present date;
3. Agendas, lists of attendees and minutes which reflect meetings between General Counsel Cartwright or his representatives, and Merrill Lynch and theirs, including Brian Cartwright's schedule or appointment calendar, between August 1, 2005 and the present date;

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<sup>1</sup> As used in this letter, includes those that are printed, typed, hand-written, facsimiles or computer generated electronic records.

4. Any records pertaining to Cox or Cartwright's participation in discussions with Merrill Lynch, including any evidence concerning any decision to recuse themselves from participation, between August 1, 2005 and the present date.

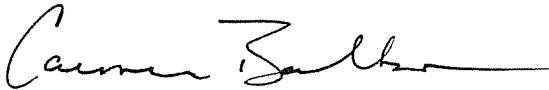
The Foundation for Taxpayer and Consumer Rights is a non-profit, non-partisan consumer advocacy organization and this request is made for non-commercial use in the public interest. As the information which is the subject of this request is of primary benefit to the public to understand the regulatory actions of government, we ask that you waive all search and duplication fees.

We request electronic records, on CD-ROM or other media, to the extent that any of this information is available in electronic format. To the extent they are not, we request paper copies.

If this request is denied in whole or in part, we ask that you justify all deletions fully in writing by reference to specific exemptions of the statute. We reserve the right to appeal your decision to withhold any information.

We expect a response within 20 business days, as the statute requires. If you have any questions concerning the scope of our Freedom of Information request, please contact the undersigned at (310) 392-0522 ext. 324.

Sincerely,



Carmen Balber  
Consumer Advocate

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