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17 Attorneys for Specially Appearing Defendant
18 CenterPoint Energy, Inc.

19 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
20 IN AND FOR COUNTY OF SAN DIEGO

21 Coordination Proceeding Special Title (Rule 1550(b))

22 **NATURAL GAS ANTI-TRUST CASES I, II, III, IV, &
23 V**

24 This Document Relates To:

25 **THE PRICE INDEXING CASES ONLY**

FILED
Clerk of the Superior Court

APR 03 2008

By: K SANDOVAL, Deputy

TRANSACTION 18926107

TRANSACTION 19303269

JUDICIAL COUNCIL
COORDINATION PROCEEDINGS
NOS. 4221, 4224, 4226 and 4228

~~Proposed~~ Order Dismissing
Specially Appearing Defendant
CenterPoint Energy, Inc. for Lack of
Personal Jurisdiction

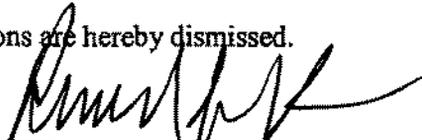
Judge: Hon. Ronald S. Prager
Dept.: 71

1 In the above-captioned coordinated actions, Specially Appearing Defendant CenterPoint
2 Energy, Inc. ("CenterPoint") moved to quash service of process for lack of personal jurisdiction. On
3 November 14, 2006, this Court denied CenterPoint's motion to quash and on December 15, 2006,
4 CenterPoint filed a petition for writ of mandate with the Fourth Court of Appeal, Division One. On
5 December 12, 2007, the Court of Appeal granted CenterPoint's petition and ordered this Court to
6 vacate its earlier order and to enter a new order granting CenterPoint's motion. *See CenterPoint*
7 *Energy, Inc. v. Sup. Ct.*, (2007) 157 Cal. App. 4th 1101, 1125. The remittitur was issued on February
8 11, 2008, returning jurisdiction to this Court. In accordance with the Court of Appeal's order, this
9 Court concludes that CenterPoint should be dismissed for lack of personal jurisdiction. Therefore,

10 THE COURT ORDERS that its November 14, 2006 order denying CenterPoint's motion to
11 quash is hereby vacated.

12 THE COURT FURTHER ORDERS that all claims and causes of action asserted against
13 CenterPoint in the above-captioned coordinated actions are hereby dismissed.

14 Dated: ~~March~~, 2008



Hon. Ronald S. Prager
Judge of the Superior Court

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16 APR 03 2008
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

3 I am employed in the County of San Francisco, State of California. I am over the age of
4 18 and not a party to the within action; my business address is: 580 California Street, Suite
5 1500, San Francisco, CA 94104. On March 10, 2008, I served the foregoing document(s)
6 described as: [PROPOSED] ORDER DISMISSING SPECIALLY APPEARING DEFENDANT
CENTERPOINT ENERGY, INC. FOR LACK OF PERSONAL JURISDICTION on the
interested party(ies) below, using the following means:

7 Barry Himmelstein, Esq.
8 Lieff Cabraser Heimann & Bernstein, LLP
9 Embarcadero Center West
275 Battery Street, Suite 3000
San Francisco, CA 94111-3339

10 Nancy Fineman, Esq.
11 Cotchett, Pitre, Simon & McCarthey
840 Malcolm Road, Suite 200
12 Burlingame, CA 94010
Telephone: 650.697.6000

13 BY PERSONAL SERVICE I delivered such envelope(s) by hand to the offices of the addressee(s).

14 BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to
15 the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection
16 and mailing, following our ordinary business practices. I am readily familiar with the firm's
17 practice of collection and processing correspondence for mailing. On the same day that
correspondence is placed for collection and mailing, it is deposited in the ordinary course of
business with the United States Postal Service, in a sealed envelope with postage fully prepaid at
Dallas, Texas.

18 BY OVERNIGHT DELIVERY I enclosed the document(s) in an envelope or package provided by an
19 overnight delivery carrier and addressed to the respective address(es) of the party(ies) stated
20 above. I placed the envelope or package for collection and overnight delivery at an office or a
regularly utilized drop box of the overnight delivery carrier.

21 BY MESSENGER SERVICE I served the documents by placing them in an envelope or package
22 addressed to the respective address(es) of the party(ies) stated above and providing them to a
professional messenger service for service.

23 BY FAX Based on an agreement of the parties to accept service by fax transmission, I faxed the
24 documents to the respective fax number(s) of the party(ies) as stated above. No error was
reported by the fax machine that I used. A copy of the record of the fax transmission(s), which I
printed out, is attached.

25 BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the
26 parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent
27 to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a
reasonable time after the transmission, any electronic message or other indication that the
28 transmission was unsuccessful.

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(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 10, 2008 at San Francisco, California.

Karen Koo
[Print Name of Person Executing Proof]

Karen Koo.