

Enron Examiner Reports

NBA.049

Finding aid prepared by Leslie O'Neill.

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University of Pennsylvania, Biddle Law Library, National Bankruptcy Archives

2014

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Summary Information

Repository	University of Pennsylvania: Biddle Law Library: National Bankruptcy Archives
Creator	Batson, Neal
Title	Enron Examiner Reports
Call number	NBA.049
Date [inclusive]	2002-2004
Extent	1 discs
General Physical Description note	The Enron Examiner Reports are digital records and are available via electronic access.
Language	English
Language of Materials note	English
Abstract	Enron Corporation was an American energy, commodities, and services company based in Houston, Texas. Enron began as a pipeline company in Houston in 1985, and later, under the direction of former Chairman Kenneth L. Lay, Enron expanded into an energy broker, trading electricity and other commodities. Enron filed for bankruptcy protection in the Southern District of New York during late 2001 and selected Weil, Gotshal & Manges as its bankruptcy counsel. The collection is largely comprised of the interim reports of Neal Batson, the Court Appointed Examiner.

Cite as:

[Identification of item], in the Enron Examiners Report, National Bankruptcy Archives, NBA.049, Biddle Law Library, University of Pennsylvania Law School, Philadelphia, PA.

Biography/History

Enron Corporation was an American energy, commodities, and services company based in Houston, Texas. Enron began as a pipeline company in Houston in 1985, and later, under the direction of former Chairman Kenneth L. Lay, Enron expanded into an energy broker, trading electricity and other commodities. Prior to its bankruptcy on December 2, 2001, Enron employed approximately 20,000 staff and was one of the world's major electricity, natural gas, communications, and pulp and paper companies. Enron filed for bankruptcy protection in the Southern District of New York during late 2001 and selected Weil, Gotshal & Manges as its bankruptcy counsel. In May of 2002, Neal Batson was appointed by the United States Department of Justice to serve as the Examiner for Enron Corp., and was authorized to investigate various aspects of the company. The case filed by Enron was one of the most visible and complex Chapter 11 cases in American history. The investigation ran through December 2003, in part because of the timing constraints imposed by Section 546(a) of the Bankruptcy Code. Enron ended its bankruptcy during November 2004, in agreement to follow a court-approved plan of reorganization. A new board of directors changed the name of Enron to Enron Creditors Recovery Corp., and emphasized reorganizing and liquidating certain operations and assets of the pre-bankruptcy Enron. On September 7, 2006, Enron sold Prisma Energy International Inc., its last remaining business, to Ashmore Energy International Ltd. (now AEI).

Scope and Contents

This collection is largely comprised of the interim reports of Neal Batson, the Court Appointed Examiner. The First Interim Report is noted as the main report, while the Second and Third Interim Reports include extensive appendices related to items such as transactions, roles of officers & organizations, and legal standards. The Final Report of Neal Batson also heavily documents Batson's findings and includes material related to roles of those involved, including attorneys and the banks. Also within the collection are the reports of the Debtors' Key Employee Retention Program (KERP) and the National Energy Production Corporation (NEPCO). Documents detailing the termination and wrap-up of Enron close out the collection. As Examiner, Batson filed four reports in respect of the investigation into the accounting techniques utilized by Enron. The first report was filed in September 2002, the second report in January 2003, the third report in June 2003, and the fourth and final report in November 2003. It should be noted

by researchers that the use of the word “filed” in this context is somewhat simplified in that with respect to the second, third, and fourth reports, the Examiner was required to address certain procedural issues relating to the attorney-client privilege, confidential document designations by producing parties , and concerns raised by the Department of Justice (DOJ). Additionally, The Department of Justice was continuing its own investigation into the activities of Enron and its counterparts during this timeframe. Researchers should note that the filed reports are the reports available to the public on the Public Access to Court Electronic Records (PACER) online service and the actual date of filing may vary from the month of “issuance” of the report for these procedural reasons.

Administrative Information

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Access Restrictions

The archives reserves the right to restrict access to materials of sensitive nature. Please contact the department for further information.

Use Restrictions

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Accruals note

Received from Dennis J. Connolly of Alston & Bird, LLP, in 2014 April.

Processing Information note

Processed by Leslie O'Neill, 2014 June.

Related Materials

Related collections

The National Bankruptcy Archives at the University of Pennsylvania Law School also holds an extensive oral history of Neal Batson conducted by Hon. Randall Newsome on October 31, 2013. To listen to the oral history and review the transcripts, researchers may visit:

<https://www.law.upenn.edu/library/archives/bankruptcy/oral-histories.php#batson>

Controlled Access Headings

CORPORATE NAME(S)

- Enron Corporation.
- Merrill Lynch.
- Northern Natural Gas Company.

PERSONAL NAME(S)

- Andersen, Arthur

SUBJECT(S)

- Bankruptcy
- Chapter 11
- Commodities
- Energy
- Reorganization

Collection Inventory

FIRST INTERIM REPORT OF NEAL BATSON, COURT APPOINTED EXAMINER, 2002 SEPTEMBER 21.

First Interim Report of Neal Batson, Court Appointed Examiner, Main Report., 2002 September 21.

SECOND INTERIM REPORT OF NEAL BATSON, COURT APPOINTED EXAMINER, 2003 JANUARY 21.

Second Interim Report of Neal Batson, Court Appointed Examiner, Main Report., 2003 January 21.

Second Interim Report: Appendix A (Certain Defined Terms).

Second Interim Report: Appendix B (Accounting Standards), 2003.

Second Interim Report: Appendix C (Legal Standards), 2003.

Second Interim Report: Appendix D (Enron's Disclosure of its SPEs), 2003.

Second Interim Report: Appendix E (Prepay Transactions), 2003.

Second Interim Report: Appendix F (Miscellaneous Transactions), 2003.

Second Interim Report: Appendix G (Whitewing Transaction), 2003.

Second Interim Report: Appendix H (Marlin Transaction), 2003.

Second Interim Report: Appendix I (Minority Interest Transactions), 2003.

Second Interim Report: Appendix J (Tax Transactions), 2003.

Second Interim Report: Appendix K (Forest Products Transactions), 2003.

Second Interim Report: Appendix L (Related Party Transactions), 2003.

Second Interim Report: Appendix M (FAS 140 Transactions), 2003.

Second Interim Report: Appendix N (Bammel Transactions), 2003.

Second Interim Report: Appendix O (JEDI II Transactions), 2003.

Second Interim Report: Appendix P (Avoidance Actions), 2003.

Second Interim Report: Appendix Q (Schedules Depicting Impact of Enron's Six Accounting Techniques), 2003.

THIRD INTERIM REPORT OF NEAL BATSON, COURT APPOINTED EXAMINER, 2003 JUNE 30.

Third Interim Report of Neal Batson, Court Appointed Examiner, 2003 June 20.

Third Interim Report: Appendix A (Certain Defined Terms), 2003.

Third Interim Report: Appendix B (Legal Standards), 2003.

Third Interim Report: Appendix C (Role of Enron's Officers), 2003.

Third Interim Report: Appendix D (Role of Citigroup and its Affiliates), 2003.

Third Interim Report: Appendix E (Role of JP Morgan Chase and its Affiliates), 2003.

Third Interim Report: Appendix F (Role of Barclays and its Affiliates), 2003.

Third Interim Report: Appendix G (Role of BT/Deutsche and its Affiliates), 2003.

Third Interim Report: Appendix H (Role of CIBC and its Affiliates), 2003.

Third Interim Report: Appendix I (Role of Merrill Lynch and its Affiliates), 2003.

Third Interim Report: Appendix J (Avoidance Actions), 2003.

FINAL REPORT OF NEAL BATSON, COURT APPOINTED EXAMINER, 2003 NOVEMBER 4.

Final Report of Neal Batson, Court Appointed Examiner, Main Report, 2003 November 4.

Final Report: Appendix A (Certain Defined Terms), 2003.

Final Report: Appendix B, part 1 (Role of Andersen), 2003.

Final Report: Appendix B, part 2, 2003.

Final Report: Appendix C (Role of Enron's Attorneys), 2003.

Final Report: Appendix D (Roles of Lay, Skilling and Outside Directors), 2003.

Final Report: Appendix E (Role of Royal Bank of Scotland (RBS) and its Affiliates), 2003.

Final Report: Appendix F (Role of Credit Suisse First Boston, Inc. (CSFB) and its Affiliates), 2003.

Final Report: Appendix G (Role of Toronto Dominion and its Affiliates), 2003.

KERP Report. Recommendation of Neal Batson, Court Appointed Examiner, with respect to certain

proposed releases in connection with the Debtors' Key Employee Retention Program (KERP), 2003 September 24.

NEPCO Report. Report of Neal Batson, Court Appointed Examiner, in connection with the examination of National Energy Production Corporation (NEPCO) pursuant to court order dated December 6, 2002., 2003 April 7.

ENRON WRAPUP ORDERS, 2003-2004.

Controlled Access Headings

SUBJECT(S)

- Bankruptcy

Motion of Neal Batson, The Enron Corporation Examiner. with respect to certain procedural issues in connection with the termination of the Enron Corp Examination, 2003 November 4.

Order Granting Motion of Neal Batson, the Enron Corp. Examiner, with respect to certain procedural issues in connection with the termination of the Enron Corp. Examination., 2003 December 17.

Supplemental Order Granting Motion of Neal Batson, the Enron Corp. Examiner, with respect to certain procedural issues in connection with the termination of the Enron Corp. Examination., 2003 December 18.

Order Granting Motion of Neal Batson, the Enron Corp. Examiner, with respect to certain procedural issues in connection with the termination of the Enron Corp. Examination., 2004 February 19.

Notice of Filing Proposed Order Granting Motion of Neal Batson, the Enron Corp. Examiner, with respect to certain procedural issues in connection with the termination of the Enron Corp. Examination., 2004 February 26.

Order Granting Motion of Neal Batson, the Enron Corp. Examiner, with respect to certain procedural issues in connection with the termination of the Enron Corp. Examination., 2004 October 5.