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ATTORNEYS FOR THE DEBTORS AND DEBTORS-IN-POSSESSION

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

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

**REQUEST FOR EMERGENCY AND/OR EXPEDITED
CONSIDERATION OF MOTION OF THE DEBTORS PURSUANT
11 U.S.C. § 362(d) TO MODIFY THE AUTOMATIC STAY SOLELY
TO ALLOW CERTAIN APPELLATE PROCEEDINGS TO PROCEED**

On August 1, 2003, Mirant Corporation and certain of its subsidiaries and affiliates (collectively, the “Debtors”) filed the Motion of the Debtors Pursuant to 11 U.S.C. § 362(d) of to Modify the Automatic Stay Solely to Allow Certain Appellate Proceedings to Proceed (the “Motion”). The Debtors hereby request expedited and/or emergency consideration of the Motion.

The Debtors request that the Court hear the Motion on an emergency basis concurrently with the final hearing on the Debtors’ Emergency Motion of the Debtors for Interim and Final Order (I) Pursuant to 11 U.S.C. § 364(c)(2) and Federal Rule of Bankruptcy Procedure 4001(c)(2) Authorizing the Debtors to Obtain Interim and Final Postpetition Secured Credit (II) Pursuant to Federal Rule of Bankruptcy Procedure 9019 Approving Compromise Between the

Debtors and GE Capital Financial, Inc., and (III) Scheduling a Final Hearing (the “Credit Motion”) on Friday, August 8, 2003 at 9:00 a.m. in Fort Worth, Texas.

Mirant Corporation, along with Mirant Americas Energy Marketing, LP, Mirant California, LLC, Mirant Delta, LLC, Mirant Potrero, LLC, Mirant California Investments, Inc., and Mirant Americas, Inc. (the “Mirant Defendants”) – all Debtors jointly administered herein – are involved in several prepetition actions regarding the sale of wholesale energy and capacity (collectively, the “Actions”). The Actions are now on appeal and the Debtors are confident of their ability to succeed on appeal and wish to continue with those appeals. In any event, modification of the stay to allow such appeals to continue to final determination will likely result in a complete resolution of the appellate issues.¹ The Debtors require emergency consideration of the Motion so that the Debtors may continue as soon as possible with the expeditious resolution of the Actions.

Accordingly, the Debtors request that the Court enter an order setting a hearing on the Motion on Friday, August 8, 2003 at 9:00 a.m. in Fort Worth, Texas.

¹ However, the Motion does limit the requested stay modification in that the Debtors request that in the event the appellate court remands any or all of the Actions to the District Court that the stay remain in effect.

Respectfully submitted this 1st day of August, 2003.

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By: /s/ Robin E. Phelan

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ATTORNEYS FOR THE DEBTORS AND
DEBTORS-IN-POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has authorized BSI as service agent to cause to serve a true and correct copy of the foregoing Request upon all parties on the Limited Service List via United States first class mail, postage prepaid, on the 1st day of August, 2003 in accordance with the Federal Rules of Bankruptcy Procedure.

/s/ Robin E. Phelan

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

_____)	
In re)	Chapter 11 Case
)	
MIRANT CORPORATION, <i>et al.</i> ,)	Case No. 03-46590-DML
)	Joint Administration Pending
Debtors.)	

**ORDER EXPEDITING CONSIDERATION OF MOTION OF THE DEBTORS
PURSUANT TO 11 U.S.C. § 362(d) TO MODIFY THE AUTOMATIC STAY SOLELY
TO ALLOW CERTAIN APPELLATE PROCEEDINGS TO PROCEED**

Came before the Court for consideration the Request for Emergency and/or Expedited Consideration (the "Request") of the Motion of the Debtors Pursuant to 11 U.S.C. § 362(d) of to Modify the Automatic Stay Solely to Allow Certain Appellate Proceedings to Proceed (the "Motion") filed by Mirant Corporation and certain of its subsidiaries and affiliates (collectively, the "Debtors"). After considering the Request and the representations made therein, the Court finds that the Request has merit and should be granted. It is therefore, hereby

ORDERED that the Request is granted in full and in all respects; and it is further

ORDERED that hearings on the Motion is set for Friday, August 8, 2003 at 9:00 a.m. in Fort Worth, Texas; and it is further

ORDERED that the Debtors shall serve immediately a copy of this Order on all parties upon whom the Debtors served the Motion.

Signed this ____ day of August, 2003.

Honorable D. Michael Lynn
United States Bankruptcy Judge