

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LAWRENCE E. JAFFE PENSION PLAN, ON
BEHALF OF ITSELF AND ALL OTHERS SIMILARLY
SITUATED,

Plaintiff,

- *against* -

HOUSEHOLD INTERNATIONAL, INC., ET AL.,

Defendants.

Lead Case No. 02-C-5893
(Consolidated)

CLASS ACTION

Judge Ronald A. Guzman
Magistrate Judge Nan R. Nolan

**THE HOUSEHOLD DEFENDANTS' RESPONSE TO
PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF
DOCUMENTS BY DEFENDANTS' EXPERTS PURSUANT
TO PLAINTIFFS' SUBPOENAS**

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Corporation, William F. Aldinger, David A.
Schoenholz, Gary Gilmer and J. A. Vozar*

This memorandum is respectfully submitted on behalf of Defendants Household International, Inc., Household Finance Corp., William F. Aldinger, David A. Schoenholz, Gary Gilmer and J.A. Vozar (collectively, “Defendants”), in response to Plaintiffs’ motion to enforce subpoenas belatedly issued to Defendants’ experts in this district and elsewhere.

BACKGROUND

Plaintiffs’ motion relates to three subpoenas they served on Defendants’ expert witnesses during the week of February 4, 2008 — months after knowing the identity of these witnesses and receiving their reports. The first subpoena is addressed to Dr. Robert E. Litan (whose identity was disclosed to Plaintiffs on October 24, 2007) and was issued by the district court for the Western District of Missouri. The second is addressed to John L. Bley (whose identity was disclosed to Plaintiffs on December 10, 2007) and was issued by the district court for the Western District of Washington. To the best of Defendants’ knowledge, Plaintiffs have made no effort to seek enforcement of these subpoenas by the issuing courts.

The third subpoena is addressed to Carl LaSusa (whose identity was disclosed to Plaintiffs on October 22, 2007). Although that subpoena was issued in this district, it does not appear that Plaintiffs attempted to meet and confer with Mr. LaSusa’s personal attorney before — nor, to Defendants knowledge, any time since — seeking to involve the Court in their self-made discovery problem.¹

¹ Mr. LaSusa is represented by Craig A. Varga, of Varga Berger Ledsky Hayes & Casey in connection with Plaintiffs’ subpoena.

All three subpoenas demand production of a wide range of material going substantially beyond the scope of production allowed in the parties' Stipulation Regarding Expert Discovery (the "Stipulation"), and are facially overreaching even passing their departure from that agreement.² Untimeliness and overreaching of the subpoenas aside, Plaintiffs' motion is not properly before this Court. As it relates to the Litan and Bley subpoenas, Fed. R. Civ. P. 45 requires resolution of objections by the issuing courts. As it relates to the LaSusa subpoena, Plaintiffs' motion should be denied for failure to meet and confer with the respondent's counsel of record, and in no event should the motion as to the LaSusa subpoena be resolved until Mr. LaSusa's counsel has been heard.

ARGUMENT

A. The Litan and Bley Subpoenas Are Not Properly Before This Court

It is axiomatic that a court does not have jurisdiction to hear disputes that are not properly before it. Federal Rule of Civil Procedure 45 provides in pertinent part: "[i]f an objection [to a subpoena] is made . . . the serving party may move *the issuing court* for an order compelling production or inspection." Fed. R. Civ. P. 45(c)(2)(B)(i) (emphasis added).³

Plaintiffs, however, failed to apprise the Court that both the Litan and Bley subpoenas were issued outside of this jurisdiction. Nor did Plaintiffs see fit to include the subpoenas with their papers — an unusual omission that suggests a deliberate effort to obfuscate their

² A copy of the Stipulation is attached hereto as Exhibit 1.

³ Objections to Plaintiffs' subpoenas were served on Plaintiffs within 14 days of service of the subpoena, pursuant to Federal Rule of Civil Procedure 45(c)(2)(B).

source.⁴ As this motion as it relates to the Litan and Bley subpoenas is not properly before this Court, Defendants respectfully submit that the Court should disregard Plaintiffs' demand for relief against those respondents.

B. *Plaintiffs' Motion to Enforce the LaSusa Subpoena Should be Denied*

1. *Mr. LaSusa's Counsel Should be Heard on His Objections*

Plaintiffs failed to apprise the Court that Mr. LaSusa is represented by his personal counsel in connection with responding to the subpoena — a fact clearly known to Plaintiffs at the time they filed their motion. The meet and confer conducted by the parties and referenced in Plaintiffs' brief took place before Mr. LaSusa's response to Plaintiffs' subpoena was served⁵ — a point Defendants made clear to Plaintiffs during the meet and confer — and without the participation of Mr. LaSusa's counsel, Craig A. Varga, Esq. It is Defendants' understanding that, to this day, Plaintiffs have still not requested to meet and confer with Mr. Varga regarding his objections to the subpoena. Plaintiffs, as is their wont, also failed to apprise the Court of these facts, no doubt hoping to imply that the LaSusa subpoena and related objections were encompassed by the parties' meet and confer, that all necessary parties participated in that meet and confer, and that any outstanding issues were ripe for resolution by the Court. Clearly, that is not the case, and Mr. LaSusa's counsel should be allowed the opportunity to be heard on Mr. LaSusa's objections to the subpoena.

⁴ Defendants attach hereto the subpoenas served on Robert E. Litan and John L. Bley as Exhibits 2 and 3, respectively.

⁵ Objections to Plaintiffs' subpoena were served on Plaintiffs within 14 days of service of the subpoena, pursuant to Federal Rule of Civil Procedure 45(c)(2)(B).

2. The Subpoena Violates the Letter and Spirit of the Stipulation Regarding Expert Discovery

“Rule 26(a)(2) controls the timing and scope of disclosure of expert discovery.”

Lekkas v. Mitsubishi Motors Corp., No. 97 C 6070, 2005 WL 2989899, at *1 (N.D. Ill. Nov. 3, 2005). Prior to the beginning of expert discovery, the parties agreed to enter into the Stipulation Regarding Expert Discovery, whose purpose was to “modify the provisions of Fed. R. Civ. P. 26(a)(2)(B) with respect to required disclosures relating to persons retained to provide expert testimony (‘Testifying Experts’) and *to limit the scope of discoverable information relating to such experts’ opinions*” (Stipulation ¶ 1 (emphasis added)).

Plaintiffs devote almost their entire brief to a tortured *ex post* effort to read the italicized language out of the Stipulation, when its plain language makes clear that the Stipulation covers the universe of what is to be provided in expert discovery. Plaintiffs’ suggestion that Defendants “should have” itemized every conceivable item it wished to be undiscoverable (Pl. Br. at 4) is as unnecessary as it is impractical, given the very language of paragraph 2 which expressly identifies the only material to be produced.⁶ Plaintiffs’ argument that the subpoenas are “narrowly tailored” (Pl. Br. at 3) is equally unconvincing. For example, one of Plaintiffs’ demands in the subpoenas called for “[a]ll documents concerning or relating to Household’s predatory lending practices, including, but not limited to, misrepresenting interest rates, improper use of discount points, concealing prepayment penalties, up-selling loans, ‘insurance packing,’ or

⁶ Plaintiffs’ “support” for this position comes in the form of claiming that the Stipulation “does not expressly authorize most of what is typical in expert discovery, including . . . asking the expert about their prior publications/testimony” (Pl. Br. at 5), an argument completely belied by paragraph 2 of the Stipulation which expressly provides for the production of “a list of all publications authored by the expert witness within the preceding 10 years” (Stipulation ¶ 2(d)) and “a listing of any case or proceeding in which the expert has testified as an expert at trial, hearing, or deposition within the preceding four years.” (Stipulation ¶ 2(e)).

any other non-compliance with federal or state consumer protection laws” — a request that not only flies in the face of the Stipulation’s provision that a party identify only those documents “relied upon” by the experts (Stipulation ¶ 2(b)), but also demonstrates that the subpoenas are yet another attempt by Plaintiffs to make an end-run around the January 31, 2007 fact discovery cut-off.

Plaintiffs’ rhetoric aside, the Stipulation executed by the parties after extensive negotiation clearly and unambiguously defines the bounds of the permissible scope of material an expert is required to produce, and Plaintiffs should not be permitted to evade its explicit terms. This case will never be ready for summary judgment if Plaintiffs can unilaterally change the ground rules for their benefit after Defendants have fully complied.

3. Plaintiffs’ Alleged Need for Immediate Relief is Not Credible

The Court should also not be misled by Plaintiffs’ insistence that they require “immediate” relief. Plaintiffs were aware that Mr. LaSusa would serve as an expert for Defendants at least as early as October 22, 2007, when he submitted a statement in support of Defendants’ motion for an extension of time to disclose their expert reports. They likewise were aware that Dr. Litan would appear for Defendants at least as early as October 24, 2007, when he also submitted a statement in support of the request for a reasonable adjournment. They learned the opinions of all three experts in detail no later than December 10, 2007, when Defendants’ expert reports were served. Plaintiffs nevertheless waited nearly two months after receiving those reports before serving expansive subpoenas.⁷ Under these circumstances, and especially given

⁷ Dr. Litan was served on February 7, 2008, Mr. Bley on February 6, 2008, and Mr. LaSusa on February 8, 2008. By then these experts’ depositions had already been scheduled.

Plaintiffs' blatant disregard of the governing Stipulation and the dictates of Rule 45, Plaintiffs' tired mantra that *Defendants* are somehow fomenting delay is ludicrous.

Even passing for the moment Plaintiffs' spurious argument that somehow the parties' Stipulation Regarding Expert Discovery was not *really* meant to cover expert discovery, Plaintiffs' unexplained and unjustified delay and failure to comply with the rules governing subpoena practice suggests that Plaintiffs' goal is not to obtain information supposedly "useful for these expert's [sic] depositions" (Pl. Br. at 3), but rather to drag out their oppressive discovery program even further while again trying to place the blame for their own delay on Defendants. This procedurally irregular motion should be stricken or summarily denied. Whether or not Plaintiffs elect to pursue their subpoenas by appropriate means, and irrespective of the outcome, Defendants oppose the postponement or continuation of the depositions of any of their experts by reason of Plaintiffs' belated and improper demands.

CONCLUSION

For the foregoing reasons, the Court should strike or deny Plaintiffs' motion in its entirety.

Dated: February 28, 2008
New York, New York

Respectfully submitted,

CAHILL GORDON & REINDEL LLP

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Exhibit 1

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LAWRENCE E. JAFFE PENSION PLAN, On)	Lead Case No. 02-C-5893
Behalf of Itself and All Others Similarly)	(Consolidated)
Situated,)	
) <u>CLASS ACTION</u>
Plaintiff,)	
) Judge Ronald A. Guzman
vs.)	Magistrate Judge Nan R. Nolan
)
HOUSEHOLD INTERNATIONAL, INC., et)	
al.,)	
)
Defendants.)	
)
<hr/>	

STIPULATION REGARDING EXPERT DISCOVERY

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action, through their undersigned counsel of record, as follows:

1. The purpose of this Stipulation is to modify the provisions of Fed. R. Civ. P. 26(a)(2)(B) with respect to required disclosures relating to persons retained to provide expert testimony (“Testifying Experts”) and to limit the scope of discoverable information relating to such experts’ opinions as follows:

2. Consistent with Fed. R. Civ. P. 26(a)(2)(B), except as modified or limited by this Stipulation, the parties will serve on the dates established by the Court: (a) the report of any and each Testifying Expert; (b) a list that identifies, either by Bates number, deposition exhibit number, or by page(s) of a deposition transcript, all case-related materials relied upon by each Testifying Expert in forming his or her opinions and copies of all other documents, data, or other information relied upon by each Testifying Expert, including academic literature and other authorities relied upon; (c) the compensation to be paid for the study and testimony, including any applicable hourly rate or lump sum payment(s); (d) the qualifications of each Testifying Expert, including a list of all publications authored by the expert witness within the preceding 10 years; and (e) a listing of any case or proceeding in which the expert has testified as an expert at trial, hearing, or deposition within the preceding four years. Documents, data or other information shall be produced in the same form or format in which they were considered by the Testifying Expert.

3. To the extent that a Testifying Expert is in the possession, custody, or control of copies of the Testifying Expert’s reports and testimony (if any) in cases listed in response to subpart (e) above (“Prior Reports and Testimony”) such copies shall also be provided with the Testifying Expert’s report, except where such Prior Reports and Testimony are subject to a protective or confidentiality order. If a party believes any Prior Reports and Testimony falls under one of these categories, that party must inform the requesting party in writing at the time the Testifying Expert’s

report is provided, and specifically identify the reason for non-production applicable to each document withheld. The requesting party then has the option to move to compel for the production of such documents should the need arise, which motion shall not be opposed by the other party without good cause.

4. The following categories of data, information, and documents need not be disclosed by any party, and pursuant to this Stipulation, are outside the scope of permissible discovery (including deposition questions): (1) the content of communications between counsel and experts (including non-testifying experts) and (2) notes, drafts or other types of preliminary work created by, or for, or at the direction of experts (including non-testifying experts). The foregoing exclusions from discovery will not apply to any communication or documents upon which a Testifying Experts relies as a basis for his or her opinions/reports.

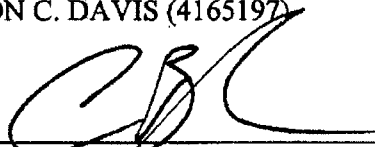
5. Nothing in this Stipulation, however, shall be construed to prevent deposition questions relating to the substance and any modification of the Testifying Expert's opinions (including alternative theories, methodologies, variables, or assumptions that the expert may or may not have considered in formulating her or his opinions or in preparing her or his report).

6. This Stipulation shall not be construed to preclude reasonable questions at deposition concerning a Testifying Expert's compensation, the hours the Testifying Expert expended in preparing his or her report and testimony, and frequency and duration of meetings with counsel regarding his or her report.

This Stipulation may be executed in counterparts, and will be effective when executed by both parties.

DATED: March 30, 2007

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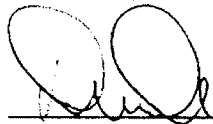
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Exhibit 2

Issued by the
UNITED STATES DISTRICT COURT

WESTERN

DISTRICT OF

MISSOURI

LAWRENCE E. JAFFE PENSION PLAN
V.
HOUSEHOLD INTERNATIONAL, INC., et al

SUBPOENA IN A CIVIL CASE

CASE NUMBER: 02-C-5893

Pending in Northern District of Illinois

Robert E. Litan
TO: The Ewing Marion Kauffman Foundation
4801 Rockhill Rd.
Kansas City, MO 64110-2046

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
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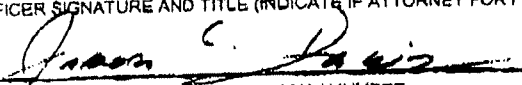
YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):
See Schedule A attached hereto

PLACE Hostetler & Associates, 8001 Conser St., Ste 200, Overland Park, KS 66204	DATE AND TIME February 20, 2008 9:00 a.m.
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b) (6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE February 5, 2008
--	--------------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Jason Davis, Coughlin Stoia Geller Rudman & Robbins LLP ATTORNEYS FOR PLAINTIFFS
160 Pine Street, Suite 2600, San Francisco, CA 94111 (415) 288-4545

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in

person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or (iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

SCHEDULE A
(ROBERT E. LITAN DOCUMENT REQUESTS)

I. DEFINITIONS

Unless otherwise stated, the terms set forth below are defined as follows:

1. The terms "you" or "your" shall refer to Robert E. Litan, and his employees, agents, attorneys, accountants, advisors and all other persons acting or purporting to act on his behalf.

2. The term "documents" has the same meaning as "[w]ritings and recordings," which is defined in Rule 1001(1) of the Federal Rules of Evidence, including any electronically stored documents, *including e-mails*, preliminary versions, drafts or revisions, and is used as broadly as allowed under the Federal Rules of Civil Procedure.

3. The term "Household" shall refer to defendant Household International, Inc., any of its subsidiaries, including, but not limited to, Household Financial Corporation, Beneficial Corporation, Household Realty Corporation, Household Bank (SB), N.A., Beneficial National Bank USA, Household Retail Services, Inc., Household Bank (Nevada), N.A., Household Finance, Household Mortgage Services, Household Bank, fsb, Household's business units, divisions or affiliates (foreign and domestic), predecessors, successors and any present and former officers, directors, employees, agents or members of the Board of Directors of Household, its attorneys, accountants, advisors and all other persons acting or purporting to act on its behalf.

4. The terms "person" or "persons" shall refer to natural persons, proprietorships, governmental agencies, corporations, partnerships, trusts, joint ventures, groups, associations, organizations and all other entities.

5. The term "communication" shall refer to every manner or means of disclosure, transfer or exchange of information (in the form of facts, ideas, inquiries or otherwise), whether orally, electronically, by document, telecopier, mail, personal delivery or otherwise.

6. The term "concerning" shall mean relating to, referring to, describing, evidencing, regarding or constituting.

7. The terms "refer" or "relate" or "referring" or "relating" shall mean all documents which comprise, explicitly or implicitly refer to, or were created, generated or maintained as a result of the subject matter of the request, including, without limitation, all documents which reflect, record, memorialize, embody, discuss, evaluate, consider, review or report on the subject matter of the request.

8. The term "meeting" shall refer to the contemporaneous presence of any natural persons (including by telephone) for any purpose, whether or not such presence was by chance or prearranged, and whether or not the meeting was formal or informal or occurred in connection with some other activity.

9. The terms "policy" or "policies" as used herein shall refer to any rule, procedure, directive, practice, or course of conduct, whether formal or informal, written or unwritten, recorded or unrecorded.

10. The following rules of construction shall apply to all discovery requests:

(a) The terms "all" and "each" shall be construed as all and each;

(b) The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope;

(c) "Including" shall be construed to mean "without limitation"; and

(d) The use of the singular form of any word includes the plural and vice versa.

II. INSTRUCTIONS

1. In responding to these requests, you shall produce all responsive documents which are in your possession, custody or control, or in the possession, custody or control of your predecessors,

successors, parents, subsidiaries, divisions or affiliates, or any of your respective directors, partners, associates, managing directors, officers, managing agents, agents, employees, attorneys, accountants or other representatives. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.

2. Pursuant to the Federal Rules of Civil Procedure, you are to produce for inspection and copying original documents as they are kept in the usual course of business, or you shall organize and label them to correspond with the categories in these requests. All non-identical copies which differ from the original or from the other copies produced for any reason, including, but not limited to, the making of notes thereon, are to be produced.

3. If any document requested herein is stored on or in a computer data storage device or media, produce the data in computer-usable form (*e.g.*, CDs, diskettes or tapes), and printouts if they exist.

4. Documents attached to each other should not be separated.

5. If any responsive document was, but is no longer in your possession or subject to your control, state whether it is or has been: (a) missing or lost; (b) destroyed; (c) transferred voluntarily or involuntarily to others; or (d) otherwise disposed of, and in each instance identify the name and address of its current or last known custodian, and the circumstances surrounding such disposition.

6. If any document responsive to these requests is withheld under a claim of privilege or upon any other ground, as to each such document, identify the privilege being asserted and provide the following information in sufficient detail to permit the Court to rule on your claim:

(a) The date, author, primary addressee and secondary addressees or persons copied, including the relationship of those persons to the client and/or author of the document;

(b) A brief description sufficient to identify the type, subject matter and purpose of the document;

(c) All persons to whom its contents have been disclosed; and

(d) The party who is asserting the privilege.

7. If a portion of any document responsive to these requests is withheld under the claim of privilege pursuant to Instruction 6, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.

8. In responding to these requests, you shall produce all responsive documents available at the time of production.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Identify the source of each document produced by identifying: (a) the person(s) who possessed the document; (b) the job position or title of any such individuals; and (c) the division and department where each document was located. If you are unable to determine the individual(s) who possessed the document, identify the department and division where the document was located when produced.

11. You are to produce each document requested herein in its entirety without deletion or excision (except as qualified by the preceding Instructions concerning privilege) regardless of whether you consider the entire document to be relevant or responsive to the request.

12. Where a document is not produced in full or is produced in redacted form, so indicate on the document. State with particularity the reason it is not being produced in full, and describe to the best of your knowledge, information and belief, and with as much particularity as possible, those portions of the document which are not being produced or are being redacted.

13. You are requested to provide an appropriate affidavit attesting to the authenticity of the documents produced.

III. RELEVANT TIME PERIOD

All requests herein refer to the period from January 1, 1998 to the date of the attached subpoena (the "Relevant Time Period"), unless otherwise specifically indicated, and shall include all documents and information that relate to such period, even though prepared or published outside of the Relevant Time Period.

IV. DOCUMENTS REQUESTED

REQUEST NO. 1:

All documents concerning or relating to any reports, articles or other materials generated by you for the American Bankers Association.

REQUEST NO. 2:

All documents concerning or relating to any payments or any form of compensation made by the public relations firm Edelman (or any of its affiliates), or Household, or the American Bankers Association (or any of its affiliates) to you from 1980 through today.

REQUEST NO. 3:

All documents (including all billing statements, reports, contracts, work product, presentations, power points, memoranda, e-mails, correspondence and notes) concerning or relating to any services provided to Household other than in this litigation.

REQUEST NO. 4:

All documents concerning or relating to your statement to the National Home Equity Mortgage Association that existing federal law "not only addresses predatory lending through various means, but recent enforcement activity indicates that the authorities are taking the problem very seriously."

REQUEST NO. 5:

All documents you relied upon for your report "A Prudent Approach to Preventing 'Predatory' Lending" that you wrote on behalf of the American Bankers Association and all drafts and communications relating to this report.

REQUEST NO. 6:

All documents you relied upon for your report "Financial Privacy, Consumer Prosperity, and the Public Good: Maintaining the Balance" and all drafts and communications relating to this report.

REQUEST NO. 7:

All documents you relied upon for your report "Managing Credit Card Risks Without Unwanted Side-Effects" and all drafts and communications relating to this report.

REQUEST NO. 8:

All documents you relied upon for your report "The GAAP Gap: Corporate Disclosure in the Internet Age" and all drafts and communications relating to this report.

REQUEST NO. 9:

All documents you relied upon for your report "The Community Reinvestment Act After Financial Modernization: A Baseline Report" and all drafts and communications relating to this report.

REQUEST NO. 10:

All documents you relied upon for your report "Unintended Consequences: The Risks Of Premature State Regulation of Predatory Lending" and all drafts and communications relating to this report.

REQUEST NO. 11:

All documents concerning or relating to your May 14, 2002, testimony before the Subcommittee on Capital Markets, Insurance and Government-Sponsored Enterprises of the House Financial Services Committee.

REQUEST NO. 12:

All documents constituting, concerning or relating to any statements provided by you before any public committee or governmental agency regarding any lending practices or loan products.

REQUEST NO. 13:

All documents concerning or relating to any meeting between you, on the one hand, and Household, and on the other hand, any of its employees and/or representatives such as the public relations firm Edelman.

REQUEST NO. 14:

All documents concerning or relating to Household's predatory lending practices and policies, including, but not limited to, misrepresenting interest rates, improper use of discount points, concealing prepayment penalties, up-selling loans, "insurance packing," or any other non-compliance with federal or state consumer protection laws.

T:\Cases\SF\Household Int\SCH00048951_Litai.doc

Exhibit 3

AO 88 (Rev. 1/84) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

WESTERN

DISTRICT OF

WASHINGTON

LAWRENCE E. JAFFE PENSION PLAN
V.

SUBPOENA IN A CIVIL CASE

HOUSEHOLD INTERNATIONAL, INC., et al

CASE NUMBER: 02-C-5893

pending in Northern District of Illinois

John L. Bley
TO: Foster Pepper PLLC
1111 Third Avenue, Suite 3400
Seattle, WA 98101

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------


YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):
See Schedule A attached hereto

PLACE Yamaguchi Obien Mangio, LLC, 520 Pike Street, Suite 1320, Seattle, WA 98101	DATE AND TIME March 7, 2008 9:00 a.m.
--	---

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b) (6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE February 5, 2008
--	--------------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Jason Davis, Coughlin Stoia Geller Rudman & Robbins LLP ATTORNEYS FOR PLAINTIFFS
100 Pine Street, Suite 2600, San Francisco, CA 94111 (415) 288-4545

(See Rule 46, Federal Rules of Civil Procedure, Parts C & D on Reverse)

¹ If action is pending in district other than district of issuance, state district under case number.

AO 86 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE	PLACE
SERVED	
SERVED ON (PRINT NAME)	MANNER OF SERVICE
SERVED BY (PRINT NAME)	TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____ DATE	_____ SIGNATURE OF SERVER
	_____ ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in

person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

**SCHEDULE A
(JOHN L. BLEY DOCUMENT REQUESTS)**

I. DEFINITIONS

Unless otherwise stated, the terms set forth below are defined as follows:

1. The terms "you" or "your" shall refer to John L. Bley, and his employees, agents, attorneys, accountants, advisors and all other persons acting or purporting to act on his behalf.

2. The term "documents" has the same meaning as "[w]ritings and recordings," which is defined in Rule 1001(1) of the Federal Rules of Evidence, including any electronically stored documents, *including e-mails*, preliminary versions, drafts or revisions, and is used as broadly as allowed under the Federal Rules of Civil Procedure.

3. The term "Household" shall refer to defendant Household International, Inc., any of its subsidiaries, including, but not limited to, Household Financial Corporation, Beneficial Corporation, Household Realty Corporation, Household Bank (SB), N.A., Beneficial National Bank USA, Household Retail Services, Inc., Household Bank (Nevada), N.A., Household Finance, Household Mortgage Services, Household Bank, fsb, Household's business units, divisions or affiliates (foreign and domestic), predecessors, successors and any present and former officers, directors, employees, agents or members of the Board of Directors of Household, its attorneys, accountants, advisors and all other persons acting or purporting to act on its behalf.

4. The terms "person" or "persons" shall refer to natural persons, proprietorships, governmental agencies, corporations, partnerships, trusts, joint ventures, groups, associations, organizations and all other entities.

5. The term "communication" shall refer to every manner or means of disclosure, transfer or exchange of information (in the form of facts, ideas, inquiries or otherwise), whether orally, electronically, by document, telecopier, mail, personal delivery or otherwise.

6. The term "concerning" shall mean relating to, referring to, describing, evidencing, regarding or constituting.

7. The terms "refer" or "relate" or "referring" or "relating" shall mean all documents which comprise, explicitly or implicitly refer to, or were created, generated or maintained as a result of the subject matter of the request, including, without limitation, all documents which reflect, record, memorialize, embody, discuss, evaluate, consider, review or report on the subject matter of the request.

8. The term "meeting" shall refer to the contemporaneous presence of any natural persons (including by telephone) for any purpose, whether or not such presence was by chance or prearranged, and whether or not the meeting was formal or informal or occurred in connection with some other activity.

9. The terms "policy" or "policies" as used herein shall refer to any rule, procedure, directive, practice, or course of conduct, whether formal or informal, written or unwritten, recorded or unrecorded.

10. The following rules of construction shall apply to all discovery requests:

(a) The terms "all" and "each" shall be construed as all and each;

(b) The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope;

(c) "Including" shall be construed to mean "without limitation"; and

(d) The use of the singular form of any word includes the plural and vice versa.

II. INSTRUCTIONS

1. In responding to these requests, you shall produce all responsive documents which are in your possession, custody or control, or in the possession, custody or control of your predecessors,

successors, parents, subsidiaries, divisions or affiliates, or any of your respective directors, partners, associates, managing directors, officers, managing agents, agents, employees, attorneys, accountants or other representatives. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.

2. Pursuant to the Federal Rules of Civil Procedure, you are to produce for inspection and copying original documents as they are kept in the usual course of business, or you shall organize and label them to correspond with the categories in these requests. All non-identical copies which differ from the original or from the other copies produced for any reason, including, but not limited to, the making of notes thereon, are to be produced.

3. If any document requested herein is stored on or in a computer data storage device or media, produce the data in computer-usable form (e.g., CDs, diskettes or tapes), and printouts if they exist.

4. Documents attached to each other should not be separated.

5. If any responsive document was, but is no longer in your possession or subject to your control, state whether it is or has been: (a) missing or lost; (b) destroyed; (c) transferred voluntarily or involuntarily to others; or (d) otherwise disposed of, and in each instance identify the name and address of its current or last known custodian, and the circumstances surrounding such disposition.

6. If any document responsive to these requests is withheld under a claim of privilege or upon any other ground, as to each such document, identify the privilege being asserted and provide the following information in sufficient detail to permit the Court to rule on your claim:

(a) The date, author, primary addressee and secondary addressees or persons copied, including the relationship of those persons to the client and/or author of the document;

- (b) A brief description sufficient to identify the type, subject matter and purpose of the document;
- (c) All persons to whom its contents have been disclosed; and
- (d) The party who is asserting the privilege.

7. If a portion of any document responsive to these requests is withheld under the claim of privilege pursuant to Instruction 6, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.

8. In responding to these requests, you shall produce all responsive documents available at the time of production.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Identify the source of each document produced by identifying: (a) the person(s) who possessed the document; (b) the job position or title of any such individuals; and (c) the division and department where each document was located. If you are unable to determine the individual(s) who possessed the document, identify the department and division where the document was located when produced.

11. You are to produce each document requested herein in its entirety without deletion or excision (except as qualified by the precoding instructions concerning privilege) regardless of whether you consider the entire document to be relevant or responsive to the request.

12. Where a document is not produced in full or is produced in redacted form, so indicate on the document. State with particularity the reason it is not being produced in full, and describe to the best of your knowledge, information and belief, and with as much particularity as possible, those portions of the document which are not being produced or are being redacted.

13. You are requested to provide an appropriate affidavit attesting to the authenticity of the documents produced.

III. RELEVANT TIME PERIOD

All requests herein refer to the period from January 1, 1998 to the date of the attached subpoena (the "Relevant Time Period"), unless otherwise specifically indicated, and shall include all documents and information that relate to such period, even though prepared or published outside of the Relevant Time Period.

IV. DOCUMENTS REQUESTED

REQUEST NO. 1:

All documents concerning or relating to any payments or any form of compensation made by Household to you from 2001 through today.

REQUEST NO. 2:

All documents (including all billing statements, reports, contracts, work product, presentations, power points, memoranda, e-mails, correspondence and notes) concerning or relating to any services provided to Household (other than in this litigation) or on its behalf in connection with Household's lending practices or loan products.

REQUEST NO. 3:

All documents constituting, concerning or relating to any statements provided by you before any public committee or governmental agency.

REQUEST NO. 4:

All documents constituting, concerning or relating to any reports or presentations you either wrote or helped write while at the Washington Department of Financial Institutions.

REQUEST NO. 5:

All documents constituting, concerning or relating to any reports, communications or presentations you have written or made concerning lending practices or loan products.

REQUEST NO. 6:

All documents concerning or relating to any reports, communications or presentations you have written or made concerning "payday" lending practices or loan products.

REQUEST NO. 7:

All documents concerning or relating to Household's predatory lending practices, including, but not limited to, misrepresenting interest rates, improper use of discount points, concealing prepayment penalties, up-selling loans, "insurance packing," or any other non-compliance with federal or state consumer protection laws.

T:\Cases\SI\Household Int\NSC1100048956_Bley.doc

Exhibit 4

From: WOU

02/05/2008 18:21 #074 P.002/009

AJ 88 (Rev. 1/94) Subpoena In a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

LAWRENCE E. JAFFE PENSION PLAN
v.

SUBPOENA IN A CIVIL CASE

HOUSEHOLD INTERNATIONAL, INC., et al

CASE NUMBER: 02-C-5893

Carl A. LaSusa
TO: 6346 North Mobile Avenue
Chicago, IL 60646

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

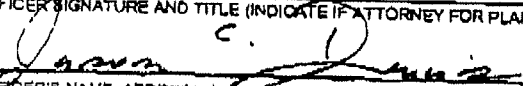
YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):
See Schedule A attached hereto

PLACE Miller Law LLC, Lori A. Fanning, 115 S. LaSalle Street, Suite 2910, Chicago, IL 60603	DATE AND TIME February 28, 2008 9:00 a.m.
--	---

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b) (6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE February 5, 2008
--	--------------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Jason Davis, Coughlin Stoia Geller Rudman & Robbins LLP ATTORNEYS FOR PLAINTIFFS
100 Pine Street, Suite 2600, San Francisco, CA 94111 (415) 288-4545

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

If action is pending in district other than district of issuance, state district under case number.

AO 88 (Rev 1/04) Subpoena in a Civil Case

PROOF OF SERVICE	
DATE	PLACE
SERVED	
SERVED ON (PRINT NAME)	MANNER OF SERVICE
SERVED BY (PRINT NAME)	TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____ DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in

person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party. Or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

**SCHEDULE A
(CARL A. LASUSA DOCUMENT REQUESTS)**

I. DEFINITIONS

Unless otherwise stated, the terms set forth below are defined as follows:

1. The terms "you" or "your" shall refer to Carl A. LaSusa, and his employees, agents, attorneys, accountants, advisors and all other persons acting or purporting to act on his behalf.
2. The term "documents" has the same meaning as "[w]ritings and recordings," which is defined in Rule 1001(1) of the Federal Rules of Evidence, including any electronically stored documents, *including e-mails*, preliminary versions, drafts or revisions, and is used as broadly as allowed under the Federal Rules of Civil Procedure.
3. The term "Household" shall refer to defendant Household International, Inc., any of its subsidiaries, including, but not limited to, Household Financial Corporation, Beneficial Corporation, Household Realty Corporation, Household Bank (SB), N.A., Beneficial National Bank USA, Household Retail Services, Inc., Household Bank (Nevada), N.A., Household Finance, Household Mortgage Services, Household Bank, fsb, Household's business units, divisions or affiliates (foreign and domestic), predecessors, successors and any present and former officers, directors, employees, agents or members of the Board of Directors of Household, its attorneys, accountants, advisors and all other persons acting or purporting to act on its behalf.
4. The terms "person" or "persons" shall refer to natural persons, proprietorships, governmental agencies, corporations, partnerships, trusts, joint ventures, groups, associations, organizations and all other entities.
5. The term "communication" shall refer to every manner or means of disclosure, transfer or exchange of information (in the form of facts, ideas, inquiries or otherwise), whether orally, electronically, by document, telecopier, mail, personal delivery or otherwise.

6. The term "concerning" shall mean relating to, referring to, describing, evidencing, regarding or constituting.

7. The terms "refer" or "relate" or "referring" or "relating" shall mean all documents which comprise, explicitly or implicitly refer to, or were created, generated or maintained as a result of the subject matter of the request, including, without limitation, all documents which reflect, record, memorialize, embody, discuss, evaluate, consider, review or report on the subject matter of the request.

8. The term "meeting" shall refer to the contemporaneous presence of any natural persons (including by telephone) for any purpose, whether or not such presence was by chance or prearranged, and whether or not the meeting was formal or informal or occurred in connection with some other activity.

9. The terms "policy" or "policies" as used herein shall refer to any rule, procedure, directive, practice, or course of conduct, whether formal or informal, written or unwritten, recorded or unrecorded.

10. The following rules of construction shall apply to all discovery requests:

(a) The terms "all" and "each" shall be construed as all and each;

(b) The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope;

(c) "Including" shall be construed to mean "without limitation"; and

(d) The use of the singular form of any word includes the plural and vice versa.

II. INSTRUCTIONS

1. In responding to these requests, you shall produce all responsive documents which are in your possession, custody or control, or in the possession, custody or control of your predecessors,

successors, parents, subsidiaries, divisions or affiliates, or any of your respective directors, partners, associates, managing directors, officers, managing agents, agents, employees, attorneys, accountants or other representatives. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.

2. Pursuant to the Federal Rules of Civil Procedure, you are to produce for inspection and copying original documents as they are kept in the usual course of business, or you shall organize and label them to correspond with the categories in these requests. All non-identical copies which differ from the original or from the other copies produced for any reason, including, but not limited to, the making of notes thereon, are to be produced.

3. If any document requested herein is stored on or in a computer data storage device or media, produce the data in computer-usable form (e.g., CDs, diskettes or tapes), and printouts if they exist.

4. Documents attached to each other should not be separated.

5. If any responsive document was, but is no longer in your possession or subject to your control, state whether it is or has been: (a) missing or lost; (b) destroyed; (c) transferred voluntarily or involuntarily to others; or (d) otherwise disposed of, and in each instance identify the name and address of its current or last known custodian, and the circumstances surrounding such disposition.

6. If any document responsive to these requests is withheld under a claim of privilege or upon any other ground, as to each such document, identify the privilege being asserted and provide the following information in sufficient detail to permit the Court to rule on your claim:

(a) The date, author, primary addressee and secondary addressees or persons copied, including the relationship of those persons to the client and/or author of the document;

(b) A brief description sufficient to identify the type, subject matter and purpose of the document;

(c) All persons to whom its contents have been disclosed; and

(d) The party who is asserting the privilege.

7. If a portion of any document responsive to these requests is withheld under the claim of privilege pursuant to Instruction 6, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.

8. In responding to these requests, you shall produce all responsive documents available at the time of production.

9. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession it was located and, where applicable, the natural person in whose possession it was found and the business address of each document's custodian(s).

10. Identify the source of each document produced by identifying: (a) the person(s) who possessed the document; (b) the job position or title of any such individuals; and (c) the division and department where each document was located. If you are unable to determine the individual(s) who possessed the document, identify the department and division where the document was located when produced.

11. You are to produce each document requested herein in its entirety without deletion or excision (except as qualified by the preceding Instructions concerning privilege) regardless of whether you consider the entire document to be relevant or responsive to the request.

12. Where a document is not produced in full or is produced in redacted form, so indicate on the document. State with particularity the reason it is not being produced in full, and describe to the best of your knowledge, information and belief, and with as much particularity as possible, those portions of the document which are not being produced or are being redacted.

13. You are requested to provide an appropriate affidavit attesting to the authenticity of the documents produced.

III. RELEVANT TIME PERIOD

All requests herein refer to the period from January 1, 1998 to the date of the attached subpoena (the "Relevant Time Period"), unless otherwise specifically indicated, and shall include all documents and information that relate to such period, even though prepared or published outside of the Relevant Time Period.

IV. DOCUMENTS REQUESTED

REQUEST NO. 1:

All documents concerning or relating to any payments or any form of compensation made by Household to you from 2003 through today.

REQUEST NO. 2:

All documents (including all billing statements, reports, contracts, work product, presentations, power points, memoranda, e-mails, correspondence and notes) concerning or relating to services provided to Household (other than in this litigation) or on its behalf in connection with Household's lending practices or loan products.

REQUEST NO. 3:

All documents constituting, concerning or relating to any statements provided by you before any public committee or governmental agency.

REQUEST NO. 4:

All documents constituting, concerning or relating to any reports or presentations you either wrote or helped write while at the Illinois Department of Financial Institutions.

From: WCUJ

02/05/2008 18:22 #074 P.009/009

REQUEST NO. 5:

All documents constituting, concerning or relating to any reports, communications or presentations you have written or made concerning lending practices or loan products.

REQUEST NO. 6:

All documents concerning or relating to Household's predatory lending practices, including, but not limited to, misrepresenting interest rates, improper use of discount points, concealing prepayment penalties, up-selling loans, "insurance packing," or any other non-compliance with federal or state consumer protection laws.

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