

**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.)	
_____)	

**DECLARATION OF LORI A. FANNING IN SUPPORT OF LEAD PLAINTIFFS'
MOTION TO STRIKE DEFENDANTS' MOTION FOR CONTEMPT FOR FAILURE
TO COMPLY WITH LOCAL RULES 37.1 & 37.2, OR IN THE ALTERNATIVE, A
REQUEST FOR AN EVIDENTIARY HEARING PURSUANT TO LOCAL RULE 37.1**

I, Lori A. Fanning, declare as follows:

1. I am an attorney with Miller Law LLC, liaison counsel in the above-entitled action. I have personal knowledge of the matter stated herein and, if called upon, I could and would competently testify thereto.

2. On February 25, 2008, I participated in a telephonic conference call with the parties and Allison Engel, Law Clerk to the Honorable Judge Nan R. Nolan. Attending the call on behalf of lead plaintiffs and the Class was D. Cameron Baker; and on behalf of defendants were Adam Deutsch and Landis Best and another attorney from Ms. Best's firm.

3. During the course of that conference call, among other things discussed, Ms. Best attempted to argue the merits of a motion regarding the return of an alleged privileged document – a motion that had not yet been filed by defendants.

4. Mr. Baker objected to the fact that Ms. Best was arguing the merits of a motion that defendants had neither noticed, nor filed. Mr. Baker informed the participants that he was traveling and that he would be sending defense counsel a letter on the issue midweek. He further stated that he was hopeful that defendants would concur with the views expressed in that letter, and decide to drop the issue.

5. In response to Mr. Baker's objection, Ms. Engel instructed the parties to continue to meet and confer on the issue.

6. Consistent with his representation, Mr. Baker wrote a letter to defendants on the issue on February 28, 2008.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 13th day of March, 2008, at Chicago, Illinois.



LORI A. FANNING

DECLARATION OF SERVICE BY E-MAIL AND BY U.S. MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on March 13, 2008, declarant served by electronic mail and by U.S. Mail to the parties: **DECLARATION OF LORI A. FANNING IN SUPPORT OF LEAD PLAINTIFFS' MOTION TO STRIKE DEFENDANTS' MOTION FOR CONTEMPT FOR FAILURE TO COMPLY WITH LOCAL RULES 37.1 & 37.2, OR IN THE ALTERNATIVE, A REQUEST FOR AN EVIDENTIARY HEARING PURSUANT TO LOCAL RULE 37.1.** The parties' email addresses are as follows:

TKavaler@cahill.com PSloane@cahill.com PFarren@cahill.com LBest@cahill.com DOwen@cahill.com	NEimer@EimerStahl.com ADeutsch@EimerStahl.com MMiller@MillerLawLLC.com LFanning@MillerLawLLC.com
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and by U.S. Mail to:

Lawrence G. Soicher, Esq.
Law Offices of Lawrence G. Soicher
110 East 59th Street, 25th Floor
New York, NY 10022

David R. Scott, Esq.
Scott & Scott LLC
108 Norwich Avenue
Colchester, CT 06415

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of March, 2008, at San Francisco, California.

/s/ Marcy Medeiros

MARCY MEDEIROS