

**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.)	
_____)	

**LEAD PLAINTIFFS' MOTION FOR LEAVE TO FILE *INSTANTER* BRIEF IN EXCESS
OF 15 PAGES RE PLAINTIFFS' OPPOSITION TO DEFENDANTS' OMNIBUS
MOTION *IN LIMINE* TO EXCLUDE OR LIMIT 14 CATEGORIES OF EVIDENCE**

Lead plaintiffs respectfully request that this Court allow lead plaintiffs to file their Opposition to Defendants' Omnibus Motion *in Limine* to Exclude or Limit 14 Categories of Evidence in excess of 15 pages. In support thereof, lead plaintiffs state as follows:

1. The local rules imposed a 15-page limit on briefs. *See* LR 7.1.

2. The subject of lead plaintiffs' opposition is to respond to the legal and factual arguments raised in defendants' 105 page omnibus motion *in limine*. Defendants' omnibus motion *in limine* is, in effect, 14 separate and distinct motions *in limine*.

3. The factual and legal issues raised by defendants' motion are numerous and require detailed analysis. In order to properly address this complex subject and the numerous factual and legal issues relating to these issues, and in order to be more efficient and avoid duplication, plaintiffs have consolidated their opposition to defendants' omnibus motion *in limine*. Accordingly, a memorandum in excess of 15 pages but no more than 91 pages is necessary.

WHEREFORE, for the foregoing reasons, lead plaintiffs respectfully request that the Court grant their leave to file their Opposition to Defendants' Omnibus Motion *in Limine* to Exclude or Limit 14 Categories of Evidence in excess of fifteen pages.

DATED: February 10, 2009

Respectfully submitted,

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DECLARATION OF SERVICE BY ELECTRONIC 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 Diego, State of California, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 655 West Broadway Suite 1900, San Diego, California 92101.

2. That on February 10, 2009, declarant served by electronic mail and by U.S. Mail to the parties the **LEAD PLAINTIFFS' MOTION FOR LEAVE TO FILE *INSTANTER* BRIEF IN EXCESS OF 15 PAGES RE PLAINTIFFS' OPPOSITION TO DEFENDANTS' OMNIBUS MOTION *IN LIMINE* TO EXCLUDE OR LIMIT 14 CATEGORIES OF EVIDENCE.**

The parties' email addresses are as follows:

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and by U.S. Mail to:

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I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of February, 2009, at San Diego, California.

/s/ Teresa Holindrake

TERESA HOLINDRAKE

**PLAINTIFFS' OPPOSITION TO DEFENDANTS' OMNIBUS MOTION *IN LIMINE* TO
EXCLUDE OR LIMIT 14 CATEGORIES OF EVIDENCE**

(filed under seal pursuant to court order)

*Restricted Document Pursuant to L.R. 26.2 Filed Under Seal
Pursuant to Protective Order Dated November 5, 2004 and the
Minute Order Dated October 10, 2006 (Docket 704)*