# UNITED STATES DISTRICT COURT

#### NORTHERN DISTRICT OF ILLINOIS

# **EASTERN DIVISION**

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

### APPENDIX OF EXHIBITS IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' OMNIBUS MOTION IN LIMINE TO EXCLUDE OR LIMIT 14 CATEGORIES OF EVIDENCE

| Description   |
|---|
| Household International's Form 10-K/A filed with the Securities and Exchange Commission on March 20, 2003.  |
| Order to Desist and Refrain From Further Violations of the California Finance<br>Lenders Law in <i>In the Matter of the California Corporations Commissioner v.</i><br><i>Household Finance Corp.</i> (03454086-03454107) |
| State of Nebraska Dep't of Banking and Finance, Installment Loans, Report of Examination, July 25, 2001 (HHS 02857595-02857638) [redacted]  |
| State of Colorado, Uniform Consumer Credit Code, Report of Examination,<br>Aug. 1, 2002 (HHS 02420863-02420891) [redacted]  |
| May 31, 2002 letter from Illinois Dept. of Financial Institutions (HHS 03447192-03447194) [redacted]  |
| July 18, 2002 Kansas State Bank Commissioner letter (HHS 03441182-<br>03441205) [redacted]  |
| Minnesota Dept. of Commerce Financial Examinations Division, Compliance<br>Report (HHS 03442191-03442216) [redacted]  |
| FDIC Issues and Findings, Aug. 27, 2001 (FDIC-0682-0752) [redacted]   |
| Office of Thrift Supervision, Dept. of the Treasury, Special Compliance<br>Examination, June 5, 2002 (HHS-OTS-000058-000148) [redacted]   |
| Aug. 16 2001 Antoinette Nacarelli email attaching Responsible Lending<br>Summit – Update on Issues/Solutions (HHS03208091-03208093) [redacted]  |
| Aug. 28, 2002 Stephen Hicks emails discussing problems with consumer complaints not being properly logged into Household's system (HHS3438549C-03438550C) [redacted]  |
| Excerpts from the April 9, 2008 deposition of Charles Cross [redacted]  |
| Rebuttal Report Of Catherine A. Ghiglieri [redacted]  |
| Expert Report of Catherine Ghiglieri [redacted]   |
| Feb. 27, 2002 email from Megan Hayden attaching Reuters article<br>(HHS029388910-911) [redacted]  |
| Third Amended Complaint in <i>Luna v. Household Finance Corp.</i> , No. CS-02-0116-RHW (E.D. Wash. May 22, 2002 (HHS 02496574-617)  |
| Expert Report of Daniel Fischel   |
| Excerpts from the Jan. 11, 2007 deposition of Gary Gilmer [redacted]  |
| Excerpts from the Jan. 29, 2007 deposition of William Aldinger [redacted]   |
| Feb. 18, 2002 National Mortgage News article  |
| Excerpts from Household Int'l' Form 10-K for the period ended 12/31/01  |
| KPMG Meeting with Household Management on Washington State and Other  |
|   |

| Exhibit | Description   |
|---------|---|
|         | Regulatory Matters (HI KPMG 025974-76) [redacted]   |
| 23      | Washington Department of Financial Institute's Expanded Report of<br>Examination [redacted]   |
| 24      | Jan. 6, 2001 Carla Madura memo to Robin Allcock re November and December<br>2000 AG, BBB & Regulatory Complaints, Allcock depo ex. 63 (HHS<br>02140682-85) [redacted] |
| 25      | Carla Madura Memo to Robin Allcock re March & April 2001 AG, BBB & Regulatory Complaints, Allcock depo ex. 65 (HS 03208011-17) [redacted]                             |
| 26      | Severance Agreement [redacted]  |
| 27      | Excerpts from the April 6, 2005, deposition of Elaine Markel [redacted]   |
| 28      | Excerpts from the March 8, 2006 deposition of Curt Cunningham [redacted]  |
| 29      | Excerpts from the June 28, 2006 deposition of Richard Peters [redacted]   |
| 30      | Excerpts from the deposition of Douglas Friedrich [redacted]  |
| 31      | Excerpts from the March 28, 2006 deposition of Per Ekholdt [redacted]   |
| 32      | Excerpts from the Feb. 28, 2007 and March 1, 2007 deposition transcripts of Dave Schoenholz [redacted]  |
| 33      | Excerpts from the deposition of Charles Cross taken in <i>Luna v. Household</i><br><i>Finance Corp.</i> , No. 02-1635 (W.D. Wash.) [redacted]                         |
| 34      | Declaration of Charles Cross taken in <i>Luna v. Household Finance Corp.</i> , No. 02-1635 (W.D. Sept. 19, 2002 Wash.)  |
| 35      | Gilmer memo to Distribution re Initiatives to Accelerate Growth of the US consumer Finance (HHS 02861365-71) [redacted]   |
| 36      | May 28,1999 Kahr memo to Joe Vozar, re Late Fees; Parity Act;<br>Communications (HHS 03243158-63) [redacted]  |
| 37      | May 8, 1999 Kahr memo to Dick Shafer, re Project 7 (PBP, HHS 03243102-05)<br>[redacted]   |
| 38      | Paul Creatura Note to Gary Gilmore (HHS 02861137-389) [redacted]  |
| 39      | Gilmer memo to Aldinger re December and YTD Operating Results (HHS 02904320-41) [redacted]  |
| 40      | Randy Raup memo re Minutes of February 1999 Senior Management Meeting,<br>HHS 02861372 [redacted]   |
| 41      | Excerpt from Dec. 22, 2006 deposition transcript of Thomas Detelich<br>[redacted]   |
| 42      | Excerpts from the Rebuttal Report of Daniel Fischel   |
| 43      | Excerpts from the July 28, 2006 deposition of Paul Creatura [redacted]  |

| Exhibit | Description  |
|---------|--|
| 44      | Consumer Finance May depo ex. 33, WF 00219-238 [redacted]  |
| 45      | Diane Krall email to Hal Arneson re Message from Les Biller, May depo ex.<br>30, WF 000778-80 [redacted]   |
| 46      | June 24, 2002 Mary Hicks memo to David Schoenholz re Whiskey Reage<br>Calculations, May Depo Ex. 21 (HHS 02914861-62) [redacted]   |
| 47      | Project Whiskey attendance list (HHS 03472680-691) [redacted]  |
| 48      | Todd May email to Dick Kovacevich re Project Blazer, May depo ex. 25,<br>WF001531 [redacted]   |
| 49      | Excerpts from the May 1, 2007 deposition of Todd May [redacted]  |
| 50      | Accounting Principles Board Opinion 20   |
| 51      | <i>In re Sunbeam Sec. Litig.</i> , No. 98-8258-CIV, Brief of the United States<br>Securities and Exchange Commission as <i>Amicus Curiae</i> Regarding Defendants'<br>Motions <i>in Limine</i> to Exclude Evidence of the Restatement and Restatement<br>Report at 2 (S.D. Fla. filed Jan. 31, 2002) |
| 52      | Excerpt from the Expert Report of Harris Devor   |
| 53      | Dennis Hueman's Resume, Hueman Depo Ex. 1  |
| 54      | Excerpts from the Nov. 7, 2006 deposition testimony of Dennis Hueman [redacted]  |
| 55      | Declaration of Curtis A. Howrey [redacted]   |
| 56      | Excerpts from the Dec. 22, 2006 deposition testimony of Thomas Datelich [redacted]   |
| 57      | Transcription of HFC videotape [redacted]  |
| 58      | August 2002 Forbes article "Home Wrecker" [redacted]   |
| 59      | June 18, 2001 O'Han email, depo ex. 56 HHS 03418265-76 [redacted]  |
| 60      | May 24, 2001 O'Han memo, Datelich depo ex. 47, HHS 02868232-33<br>[redacted]   |
| 61      | Excerpts from the May 24, 2006 deposition testimony of Robert O'Han<br>[redacted]  |
| 62      | Jan. 1, 2002 02 Kahr memo to Colip, HHS00123888 [redacted]   |

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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 APPENDIX OF EXHIBITS IN SUPPORT OF 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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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

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# EXHIBITS 3-15, 18-19, 23-33, 35-41, 43-49, 54-62 Separately 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)