

**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.)	
_____)	

MOTION FOR PROTECTIVE ORDER

Plaintiffs, by and through their attorneys, respectfully move the Court for a protective order pursuant to Fed. R. Civ. P. 26(c)(1)(D). This motion is based upon the Notice of Motion and the Memorandum of Law in Support thereof, the pleadings and records on file in this case, and such other matters and arguments as the Court may consider.

Pursuant to Local Rule 37.2 and Fed. R. Civ. P. 26(c)(1), plaintiffs' counsel hereby certifies that after good faith consultation with defendants' counsel by telephone, the parties were unable to reach accord on this dispute. On January 21, 2011 at 1:30 p.m. Pacific Standard Time, Michael Dowd, Spencer Burkholz and Maureen Mueller, counsel for plaintiffs, and Thomas Kavalier, Patricia Farren, R. Ryan Stoll, Mark Rakoczy and Luke DeGrand, counsel for defendants, met and conferred regarding this matter. On January 24, 2011 at 12:00 p.m. Pacific Standard Time, Michael Dowd, Spencer Burkholz, Daniel Drosman and Maureen Mueller, counsel for plaintiffs, and Thomas Kavalier, Patricia Farren, R. Ryan Stoll and Mark Rakoczy, counsel for defendants, met and conferred again, but were unable to reach resolution.

Accordingly, plaintiffs request that the Court enter an order clarifying and limiting defendants' Phase II discovery. Specifically, plaintiffs' request an order (1) limiting defendants to interrogatory and document requests that address whether institutional class members had any material non-public information, and whether they knew of the fraud and still purchased Household stock; (2) allowing for depositions only upon a threshold showing from the responses to the interrogatory and document requests that the institutional class member had material non-public information and still purchased Household stock knowing it was inflated; (3) prohibiting defendants from seeking discovery regarding reliance issues such as the "truth-on-the-market" defense already rejected by the jury; (4) disallowing any discovery regarding any "firewall" policy separating analyst and investment decisions; (5) disallowing any discovery of trading strategies or models absent a showing that the institutional class member knew Household's stock was inflated due to defendants'

false statements and still purchased the stock; and (6) limiting the relevant period for discovery to March 22, 2001 through October 11, 2002. Plaintiffs also request that a deposition protocol be established that limits defendants' questioning at any depositions to the issue of whether plaintiff did not rely upon price at all in buying or selling Household common stock.

DATED: January 25, 2011

Respectfully submitted,

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