

**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.)	
)
HOUSEHOLD INTERNATIONAL, INC., et)	
al.,)	
)
Defendants.)	
_____)	

JOINT MOTION TO SUPPLEMENT THE RECORD ON APPEAL

On November 13, 2013, defendants filed their Notice of Appeal from the judgment entered by the district court on October 17, 2013. The parties understood that the clerk of the District Court would then transmit the entire District Court record (with certain exceptions) to the Court of Appeals in accordance with Seventh Circuit Rule 10.

That has not happened, however. On January 8, 2014, the Court of Appeals entered an order in response to three motions relating to documents filed under seal in this Court. In the January 8 order, the Court of Appeals indicated that certain documents in the District Court record were not in the possession of the Court of Appeals. Thereafter, the parties attempted to determine which documents had been transmitted to the Court of Appeals and which documents had not been transmitted.

The parties have since learned that the Clerk did not transmit any of the items contained in Docket Nos. 1 through 1718. The parties jointly contacted the Clerk of the Court's office on January 21, 2014 to obtain a better understanding of the state of the record. A Deputy Clerk confirmed that Items 1 through 1718 had not been transmitted to the Court of Appeals. We were further advised that the Deputy Clerk who transmitted the record to the Court of Appeals subsequently retired after that transmittal. While we were unable to speak directly to the Deputy Clerk who transmitted the record, it is clear to the parties that the omitted documents should have been transmitted, so we assume their omission was inadvertent. In any event, the Clerk's office indicated that an Order of this Court would be necessary in order for the issue to be corrected.

In light of the foregoing, plaintiffs and defendants jointly request that this Court enter an Order directing the Clerk of the Court to supplement the record on appeal with Docket items 1-1718, to the extent that any of the items are not expressly excluded by Seventh Circuit Rule 10(a).

DATED: January 22, 2014

Respectfully submitted,

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DATED: January 22, 2014

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DECLARATION OF SERVICE

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 W. Broadway, Suite 1900, San Diego, California 92101.

2. That on January 22, 2014, declarant served by electronic mail and by U.S. Mail to the parties the following documents:

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The parties’ e-mail addresses are as follows:

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I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of January, 2014, at San Diego, California.

Deborah S. Granger

DEBORAH S. GRANGER