

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
ILLINOIS EASTERN DIVISION**

LAWRENCE E. JAFFE PENSION PLAN,)	
on Behalf of Itself and All Others Similarly)	
Situated,)	
)	Case No. 02-C-5893
)	
Plaintiff,)	
)	
v.)	Judge Jorge L. Alonso
)	
HOUSEHOLD INTERNATIONAL, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**AGREED MOTION TO WITHDRAW PARTIAL SUMMARY JUDGMENT
MOTIONS AND TO ENTER STIPULATION AS TO RELIEF REQUESTED**

Defendants David A. Schoenholz, Gary Gilmer, and William F. Aldinger (collectively “Individual Defendants”) hereby move this Court to withdraw their respective motions for partial summary judgment (the “Motions”), Docket Nos. 2106, 2110, and 2112. Individual Defendants have reached an agreement with Plaintiffs’ counsel regarding the relief sought by the Motions, and that agreement is reflected in the attached Exhibit A (the “Stipulation”). In light of the Stipulation, Individual Defendants’ Motions are moot and should be withdrawn.

Dated: March 16, 2016

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EXHIBIT A

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HOUSEHOLD INTERNATIONAL, INC., <i>et al.</i> ,)	
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Defendants.)	

**STIPULATION OF THE PARTIES REGARDING INDIVIDUAL
DEFENDANTS' MOTIONS FOR PARTIAL SUMMARY JUDGMENT**

Defendants David A. Schoenholz (“Schoenholz”), Gary Gilmer (“Gilmer”), and William F. Aldinger (“Aldinger”) (collectively “Individual Defendants”) and Plaintiffs (together the “Parties”) hereby agree that the following stipulated facts be accepted for purposes of retrial in light of the first jury’s verdict and the Seventh Circuit’s May 21, 2015 ruling:

Schoenholz:

1. Schoenholz did not make the statements contained in the December 4, 2001 Goldman Sachs Presentation (Statement No. 23) (*see* Jury Verdict Form, Table A at 18 [Dkt. No. 1611]; Order on issues to be retried [Dkt. No. 2042]); *Glickenhau & Co. v. Household Int’l, Inc.*, 787 F.3d 408, 428 (7th Cir. 2015), reh’g denied (July 1, 2015) (“*Glickenhau*”);
2. Schoenholz made the statements attributed to him in various company press releases (Statement Nos. 16, 18, 21, 24, 29, 36, and 37), and he did so recklessly (*see* Jury Verdict Form, Table A [Dkt. No. 1611]; Order on issues to be retried [Dkt. No. 2042]); *Glickenhau*, 787 F.3d at 429;

Gilmer:

3. Gilmer did not make the statements contained in various SEC filings (Statement Nos. 15, 17, 20, 22, 27, 32, and 38), press releases (Statements Nos. 16, 18, 21, 24, 29, 36, and 37), or the April 9, 2002 Financial Relations Conference (“FRC”) Presentation (Statement No. 28) or December 4, 2001 Goldman Sachs Presentation (Statement No. 23) (*see* Jury Verdict Form, Table A [Dkt. No. 1611]; Order on issues to be retried [Dkt. No. 2042]); *Glickenhau*s, 787 F.3d at 429;

Aldinger:

4. Aldinger did not make the statements contained in the April 9, 2002 FRC Presentation (Statement No. 28) (*see* Jury Verdict Form, Table A at 21 [Dkt. No. 1611]; Order on issues to be retried [Dkt. No. 2042]); *Glickenhau*s, 787 F.3d at 426-28;

5. Aldinger made the statements attributed to him in various company press releases (Statement Nos. 16, 18, 21, 24, 29, 36, and 37), and he did so recklessly (*see* Jury Verdict Form, Table A [Dkt. No. 1611]; Order on issues to be retried [Dkt. No. 2042]); *Glickenhau*s, 787 F.3d at 426-28; and

6. The Parties’ stipulations are set forth in the following table¹:

Statement No.	Description	Schoenholz	Gilmer	Aldinger
16	04/18/01 Press Release	X		X
18	07/18/01 Press Release	X		X
21	10/17/01 Press Release	X		X
23	12/04/01 Goldman Pres.			X
24	01/16/02 Press Release	X		X
28	04/09/02 FRC Pres.	X		
29	04/17/02 Press Release	X		X
36	07/17/02 Press Release	X		X
37	08/14/02 Press Release	X		X

¹ An “X” indicates that the Defendant made the alleged Statement, whereas the absence of an “X” indicates that the Defendant did not make that Statement. Schoenholz and Aldinger acted recklessly with respect to each Statement they made.

7. The Parties' stipulations are not intended to disturb the jury's verdict with respect to Question Nos. 6, 7, and 8 of the Jury Verdict Form.

Dated: March 16, 2016

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 16, 2016 he electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send a notice of electronic filing to all CM/ECF participants.

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