

**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.)	
_____)	

**NOTICE OF MOTION TO COMPEL RESPONSES TO SECOND SET OF
INTERROGATORIES FROM HOUSEHOLD DEFENDANTS**

TO: Counsel on the Attached Service List

PLEASE TAKE NOTICE that on February 15, 2006, at 9:00 a.m., we shall appear before the Honorable Nan R. Nolan, or any judge sitting in her stead, in Courtroom 1858 of the United States District Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Chicago, Illinois, and then and there present the following documents:

The Class' Memorandum in Support of Motion to Compel Responses to Second Set of Interrogatories from Household Defendants

Declaration of D. Cameron Baker Evidencing Compliance with Local Rule 37.2 and in Support of the Class' Motion to Compel Responses to Second Set of Interrogatories from Household Defendants

Appendix of Electronic Authorities in Support of the Class' Motion to Compel Responses to Second Set of Interrogatories from Household Defendants

copies of which are hereby served upon you.

Pursuant to the Court's instructions at the August 24, 2005 status conference, plaintiffs provide further information regarding the above motion as follows:

1. On September 21, 2005, plaintiffs served the Household defendants with the Second Set of Interrogatories ("Interrogatories").
2. On October 24, 2005, the Household defendants served their objections and responses, expressly refusing to answer each of the Interrogatories on the grounds that plaintiffs had exceeded 25 interrogatories.
3. This Court rejected defendants' methodology for calculating the number of interrogatories propounded by Order dated November 10, 2005. Additionally, each party may propound up to 82 interrogatories.
4. Despite numerous lengthy extensions granted by plaintiffs, the Household defendants continue to stall the discovery process persisting in their refusal to answer the Interrogatories, specifically Nos. 4-12 and 18.

5. Plaintiffs, thus, have no choice but to file this motion because defendants have refused to provide responsive information to Interrogatory Nos. 4-12 and 18 based on improper and invalid objections of relevance and burden.

6. The parties have met and conferred regarding these responses. Rather than engaging in productive discussions, defendants are using the meet and confer process to needlessly stall discovery. The meet and confer process, which is detailed in the Declaration of D. Cameron Baker submitted herewith, included both correspondence and telephonic conferences. The parties did not reach any agreement on these responses.

7. As required by the Court on August 24, 2005, plaintiffs have discussed the filing of this motion with defendants and parties have agreed to the following briefing schedule:

January 20, 2006: The Class files its Motion to Compel Responses to Second Set of Interrogatories from Household Defendants;

February 3, 2006: Defendants file their response; and

February 13, 2006: The Class files its reply.

DATED: January 20, 2006

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CERTIFICATE OF SERVICE

I, D. Cameron Baker, one of the attorneys for plaintiffs, hereby certify that I caused the following documents:

Notice of Motion to Compel Responses to Second Set of Interrogatories from Household Defendants

Motion to Compel Responses to Second Set of Interrogatories from Household Defendants

The Class' Memorandum in Support of Motion to Compel Responses to Second Set of Interrogatories from Household Defendants

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Appendix of Authorities in Support of the Class' Motion to Compel Responses to Second Set of Interrogatories from Household Defendants

to be served upon all counsel on the attached service list by sending a copy in pdf format (without appendix) by electronic mail and by United States Mail this 20th day of January, 2006:

/s/ D. Cameron Baker
D. Cameron Baker