

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Ronald A. Guzman	Sitting Judge if Other than Assigned Judge	Nan R. Nolan
CASE NUMBER	02 C 5893	DATE	2/17/2006
CASE TITLE	JAFFE vs. HOUSEHOLD INTERNATIONAL INC et al		

DOCKET ENTRY TEXT

Hearing held on three issues: (1) Plaintiffs' motion to compel re Rule 30(b)(6) deposition on Housemail topic [388] is granted in part and denied in part as stated in open court. (2) Plaintiffs' motion to compel responses to second set of interrogatories [379] granted in part, denied in part, and continued in part as stated in open court; and (3) Plaintiffs' request for a status conference [408] is granted. Status hearing is set for March 9, 2006 at 10:00 am. Representatives from the OCC, OTS, and FDIC are directed to appear and advise the court as to the agencies positions regarding plaintiffs' use of these documents in this litigation.

■ [For further details see text below.]

Docketing to mail notices.

01:30

STATEMENT

1. Motion to Compel Rule 30(b)(6) Deposition

Plaintiffs' motion to compel re Rule 30(b)(6) deposition is granted in part and denied in part as stated in open court. Plaintiffs to serve their three interrogatories by 2/17/06; Defendants to respond by 2/24/06.

2. Motion to Compel Responses to Second Set of Interrogatories

Plaintiffs' motion to compel responses to second set of interrogatories is granted in part, denied in part, and entered and continued in part as stated in open court. During extensive oral argument, Plaintiffs agreed to limit Interrogatory No. 4 to individuals responsible for training in the Mortgage Services department of the Consumer Lending business unit. Defendants are to identify all such individuals for the Class Period (1997-October 2002). The court reserves ruling as to whether Defendants must produce post-Class Period information.

Defendants have already produced the revenue and net income information requested in Interrogatory Nos. 5-8(a) relating to finance charges, discount points, and prepayment of penalties for the Class Period. Defendants have also produced revenue and net income information relating to the sale of single premium credit life insurance for 1999 through October 2002; information for 1997 and 1998 need not be produced as overly burdensome.

With respect to Interrogatory No. 6, Plaintiffs have agreed to accept discount point information separate from origination fees for closed-end loans only. Defendants are to produce this information. Following extensive oral argument regarding Interrogatory Nos. 5-8(b) and 9-12, Plaintiffs stated that they would accept by way of response charts that were generated for the Attorneys General covering the years

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1999 through 2001. Defendants are also to determine the cost of producing similar charts for the years 1997, 1998 and 2002. Defendants to notify Plaintiffs regarding the cost of such production and, upon Plaintiffs' agreement to share that cost, Defendants to produce the charts.

3. Request for Status Conference

Plaintiffs requested a status conference to discuss Defendants' inadvertent production of privileged documents belonging to the Office of the Comptroller ("OCC"), the Office of Thrift Supervision ("OTS"), and the Federal Deposit Insurance Corporation ("FDIC"). Plaintiffs are to deliver the documents under seal to this court by 2/16/06. Status conference scheduled for 3/9/06 at 10:00; representatives from OCC, OTS, and FDIC to appear and advise the court as to the agencies' positions regarding Plaintiffs' use of these documents in this litigation.

Telephone conference held to discuss additional correspondence submitted by parties relating to request for status conference [Doc. 408]. For the reasons stated in open court, Plaintiffs to deliver hard copies of documents to the court by 2/21/06 at 5:00 p.m. Plaintiffs to work with law firm's technical support personnel to delete any documents that have been uploaded onto computer hard drives. Plaintiffs' counsel to submit by 2/21/06 a certification that she has notified all members of the law firm that use of any of these documents in any form is prohibited until the court resolves this issue. Parties to advise the court by 2/17/06 whether they can appear along with representatives from OCC, OTS, and FDIC on 2/27/06 at 1:30 for a conference on this matter.

Defendants to submit a statement describing the documents at issue by 2/22/06. Both parties to submit any relevant legal authority by 2/22/06.