

**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. )	
_____ )	

**DECLARATION OF DIANA Y. SCHNEIDER IN SUPPORT OF THE CLASS' MOTION  
FOR AUTHORIZATION PURSUANT TO THE WALSH ACT FOR ISSUANCE OF  
SUBPOENA FOR ANDREW KAHR**

**REDACTED VERSION**

I, Diana Y. Schneider declare the following:

1. I am an in-house investigator employed by Lerach Coughlin Stoia Geller Rudman & Robbins, LLP in San Francisco, California.

2. This declaration outlines the efforts I have taken on behalf of the Class to locate and subpoena Andrew Kahr.

3. On May 3, 2006, at the request of a Household case attorney, I located the primary residence for Andrew Seth Kahr at 102 Willet Circle, Watsonville, CA 95076 using the LexisNexis database. Mr. Kahr claimed a homeowner's tax exemption on this property at the time of the locate request, which specified that this was his primary residence. A new assessor's property tax record is now available on LexisNexis which indicates as of July 2006, Mr. Kahr still claims a homeowner's tax exemption on this residence. Santa Cruz Tax Assessor rolls also indicate Mr. Kahr is claiming a \$7,000 tax exemption on this property for the 2006/2007 tax period. His total property tax for the 2006/2007 year amounts to \$7,012.54.

4. On May 25, 2006, I was notified that a process server attempted to serve Mr. Kahr at 102 Willett Circle in Watsonville, but the residence was located behind a locked and monitored gate. The gate guard allegedly informed the process server that he believed this residence was a vacation home for Mr. Kahr, and that he had not seen Mr. Kahr in months.

5. On May 26, 2006, I sent the process server to 633 Post Street, # 30 in San Francisco. This address was found in the Accurint database, which reflected that this address had been used by Mr. Kahr as recently as January 2006. The process server was unsuccessful in this service attempt, as the address was occupied by a mailbox rental service. The same day, I instructed the process server to attempt service again at Mr. Kahr's primary residence at 102 Willet Circle, in Watsonville. This service attempt was unsuccessful as neither Mr. Kahr, nor anybody else, showed up at the residence.

6. On June 1, 2006, I contacted a private investigator to attempt service on Mr. Kahr at 102 Willett Circle in Watsonville, or any additional addresses the private investigator could locate. The process server made multiple service attempts on Mr. Kahr between June 1, 2006 and July 18, 2006, when it was determined that Mr. Kahr was not living in the United States.

7. Media information, as well as a confirmation made by one of the private investigator's agents in Paris, indicated that Mr. Kahr spends part of the year in Paris, and that he was currently residing at Et 1 67 Rue Grenelle 75007, Paris, France. The private investigator located the telephone number for Andrew Kahr in Paris, France: 33 8-72-42-75-27. A local agent in Paris working for the private investigator called this same phone number on July 18, 2006, at which time he spoke with a gentleman who identified himself as Andrew Kahr. Mr. Kahr confirmed for the agent that his address was Et 1 67 Rue Grenelle 75007 Paris, France.

8. Based on the information that Mr. Kahr spends only part of his time in Paris, I continued to attempt service at Mr. Kahr's primary residence on 102 Willet Circle in Watsonville, and also another residence owned by Mr. Kahr at 1040 Lombard Street in San Francisco. Eleven attempts to serve Mr. Kahr were made by the private investigator between September 23, 2006 and October 4, 2006.

9. On November 30, an attorney from the Household case informed me that the Court had ordered the Class to file its motion for permission to serve the subpoena on Mr. Kahr in France. In order to confirm that Mr. Kahr would not voluntarily appear in the United States to be deposed, I proceeded with the following actions:

(a) On the morning of December 1, 2006, I made several calls to the phone number which had previously been confirmed by an outside private investigator as the home telephone number for Andrew Kahr in Paris, France: 33 8-72-42-75-27. Each time, an answering

machine with a female's greeting (in French) picked up the call. No messages were left on the answering machine;

(b) Later in the morning, I called the same phone number, 33 8-72-42-75-27. On approximately the third ring, a female answered the phone at which point I asked to speak with Andrew Kahr. The female asked me to repeat the name, and upon hearing it again she said that nobody with that name was at her number; and

(c) I immediately contacted the private investigator to inform him that the phone number his agent had previously confirmed as Mr. Kahr's, was no longer a good number. He agreed to perform some database searches and said he would inform me of his findings. The private investigator subsequently informed me that as of last month, his databases reflected that Mr. Kahr has had his phone number removed from the databases, and possibly disconnected.

10. On the morning of December 1, 2006, I also contacted the private investigator and requested that he attempt service at the property Mr. Kahr claims as his primary residence at 102 Willet Circle, in Watsonville, CA, with the hope that Mr. Kahr had returned to the United States. This service attempt, and subsequent attempts made over the weekend December 2-3, 2006, were unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4th day of December, 2006, at San Francisco, California.

  
DIANA Y. SCHNEIDER