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, Plaintiff, *- against -* HOUSEHOLD INTERNATIONAL, INC., ET AL., Defendants.	Lead Case No. 02-C-5893 (Consolidated) <u>CLASS ACTION</u> Judge Ronald A. Guzman

**DEFENDANTS'
MOTION PURSUANT TO FED. R. CIV. P. 37(C) TO EXCLUDE
THE TESTIMONY OF JAMES C. BERNSTEIN**

Defendants Household International, Inc. and its former officers and directors William F. Aldinger, David A. Schoenholz and Gary Gilmer ("Defendants") hereby move pursuant to Federal Rule of Civil Procedure 37(c) for an Order precluding Plaintiffs from offering for any purpose, at trial or otherwise, the testimony of James C. Bernstein for the reasons stated in the accompanying Memorandum of Law.

In addition, with Plaintiffs' consent, Defendants request that the Court endorse the attached Stipulation and [Proposed] Order Regarding Briefing Schedule, dated January 29, 2009.

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Dated: January 30, 2009

New York, New York

CAHILL GORDON & REINDEL LLP

By: __/s/ Thomas J. Kavaler_____
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Attorneys for Defendants Household International, Inc, Household Finance Corporation, William F. Aldinger, David A. Schoenholz, Gary Gilmer and J. A. Vozar

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

---x
:
LAWRENCE E. JAFFE PENSION PLAN, On :
BEHALF OF ITSELF AND ALL OTHERS SIMILARLY :
SITUATED, : Lead Case No. 02-C-5893
: (Consolidated)
Plaintiff, :
: CLASS ACTION
- *against* - :
: Judge Ronald A. Guzman
HOUSEHOLD INTERNATIONAL, INC., ET AL., : Magistrate Judge Nan R. Nolan
:
Defendants. :
:
---x

STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE

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WHEREAS, pursuant to the schedule set by the Court regarding the Pretrial Order, the parties are to file motions *in limine* (including motions to exclude or limit expert testimony under the standards set forth in *Daubert* or otherwise) by January 30, 2009;

WHEREAS, the parties intend to file such motions on January 30, 2009;

WHEREAS, the parties are to appear before this Court for an initial final Pretrial Conference on February 17, 2009 at 10:00am and wish to have the motions fully submitted to the Court at that time;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action, through their undersigned counsel of record, that the following briefing schedule apply to the motions filed on January 30:

1.   Responses due on Tuesday, February 10;

2.   Replies due on Friday, February 13.

DATED: January 29, 2009   Respectfully submitted,

                                                  CAHILL GORDON & REINDEL LLP

                                                  By: _____

                                                  Thomas J. Kavaler
                                                  Peter Sloane
                                                  Patricia Farren
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Attorneys for Plaintiff

*   *   *   *   *   *

APPROVED AND HEREBY ORDERED THIS ___ day of ____, 2009.

_____

Honorable Ronald A. Guzman,
United States District Judge

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