

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LAWRENCE E. JAFFE PENSION PLAN, On) Behalf of Itself and All Others Similarly) Situating,) Plaintiff,) vs.) HOUSEHOLD INTERNATIONAL, INC., et) al.,) Defendants.) _____))	Lead Case No. 02-C-5893 (Consolidated) <u>CLASS ACTION</u> Honorable Jorge L. Alonso
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**PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION *IN LIMINE* NO. 1 TO
EXCLUDE EVIDENCE NOT RELEVANT TO CAUSATION OR INFLATION**

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I. INTRODUCTION

In this securities fraud case, the jury will be tasked with determining whether defendants' fraud caused plaintiffs' economic loss and, if so, the amount of per share damages to which plaintiffs are entitled. The jury will also be asked to allocate responsibility for plaintiffs' economic loss among the four defendants. Despite the fact that evidence of defendants' fraud is clearly relevant to the issues that must be determined at the retrial, defendants seek to sterilize all evidence of defendants' fraud from this case. Defendants should not be permitted to do so, and their overly narrow view of what evidence is relevant to the issues that must be retried should be rejected.¹

II. ARGUMENT

A. The Court's Prior Evidentiary Rulings on the Categories of Evidence Defendants Seek to Exclude Are the Law of the Case and Should Not Be Disturbed

To begin, defendants' motion is an improper attempt to relitigate the evidentiary rulings Judge Guzmán made before the first trial. Under the law of the case doctrine, "when a court decides upon a rule of law, that decision should continue to govern the same issues in subsequent stages of the same case." *Redfield v. Continental Cas. Corp.*, 818 F.2d 596, 605 (7th Cir. 1987). The doctrine also "reflects the rightful expectation of litigants that a change of judges mid-way through a case will not mean going back to square one" and gives rise to a presumption "that earlier rulings will stand" which may be overcome only for "compelling reasons (such as new controlling law or clear error)." *Best v. Shell Oil Co.*, 107 F.3d 544, 546 (7th Cir. 1997).

Prior to the first trial, defendants filed an "omnibus" motion *in limine* seeking to exclude 14 separate categories of evidence. *See* Dkt. Nos. 1330, 1344. Nearly all of the categories of evidence defendants now seek to exclude were part of defendants' omnibus motion. Judge Guzmán denied defendants' motion in large part, holding that much of the evidence would be admissible at trial. *See* Dkt. No. 1516. Defendants have failed to demonstrate any compelling reason why this Court should revisit Judge Guzmán's prior rulings. Because defendants cannot overcome the presumption that the

¹ Plaintiffs have filed a motion *in limine* to permit plaintiffs to present evidence of the fraud. *See* Dkt. No. 2133.

Court's prior rulings are the law of the case, the *in limine* rulings from the first trial should apply at the retrial and defendants' request to exclude the categories of evidence previously found admissible should be denied.² See, e.g., *Mays v. Springborn*, No. 01-cv-1254, 2014 WL 1420232, at *1-*2 (C.D. Ill. Apr. 11, 2014).

B. Evidence Regarding Defendants' Fraud Is Relevant to the Issues that Must Be Determined at the Retrial

Evidence is relevant if "it has *any* tendency to make a fact more or less probable than it would be without the evidence" and "the fact is of consequence in determining the action." Fed. R. Evid. 401 (emphasis added). The Federal Rules define relevance "broadly" and the threshold for establishing that evidence is relevant under Rule 401 is "low." *United States v. McKibbins*, 656 F.3d 707, 711 (7th Cir. 2011); *United States v. Boswell*, 772 F.3d 469, 475 (7th Cir. 2014). Further, "[s]ince "most relevant evidence is, by its very nature, prejudicial,"" the evidence must be "*unfairly* prejudicial to require exclusion." *Boswell*, 772 F.3d at 476 (emphasis in original, citations omitted); *United States v. Thompson*, 359 F.3d 470, 479 (7th Cir. 2004). The district court has broad discretion in determining the relevancy of evidence. *Thompson*, 359 F.3d at 478-79. Here, the nine categories of evidence defendants seek to exclude are relevant to the issues that will be retried, and defendants' conclusory claims of "prejudice" do not rise to the level of *unfair* prejudice required to warrant exclusion.³

Although the retrial is limited to the issues of loss causation, damages and proportionate responsibility, the jury will still need to have a complete understanding of defendants' fraudulent conduct, including the reasons why defendants' statements were false or misleading, in order to fully

² As set forth herein and in Plaintiffs' Motion *In Limine* to Request that the Court Apply Evidentiary Rulings from the First Trial to the Retrial (MIL No. 3) (Dkt. No. 2135), plaintiffs believe that the Court should reconsider Judge Guzmán's ruling with respect to the SEC Consent Order now that defendants have been found liable for false statements and omissions about Household's reaging.

³ Defendants contend that the irrelevance of this evidence is demonstrated by the fact that Fischel does not rely on it in his expert reports. Defs' Mem. at 3-4 (Dkt. No. 2145). Defendants ignore the fact that evidence can be relevant to loss causation, even if it is not put in through an expert. In fact, the Seventh Circuit observed such evidence supported plaintiff's loss causation claims. *Glickenhau*, 787 F.3d at 413, 420. Moreover, plaintiffs intend to call their other two experts, Catherine Ghiglieri and Harris Devor, to testify at trial. See Plaintiffs' Witness List (Exhibit D-1 to [Proposed] Final Pretrial Order) (Dkt. No. 2151). Both Ghiglieri and Devor relied on many of the exhibits defendants seek to exclude in forming their opinions.

understand the issues they will be asked to resolve. It is imperative that the jury understand the connection between the practices that were concealed by defendants' false statements and omissions and the leakage period disclosures. In addition, following the Seventh Circuit's decision, whether certain information is fraud-related or unrelated to the fraud will be a key issue for loss causation in the retrial. Professor Fischel will testify that his models are not impacted by firm-specific nonfraud-related information, while defendants' experts will surely attempt (if permitted to testify) to "identify[] some significant, firm-specific, nonfraud related information that could have affected the stock price" or "significantly distorted" Fischel's models.⁴ *See, e.g.*, Expert Report of Professor Allen Ferrell, ¶¶15, 33, 56 (Dkt. No. 2060-3); Expert Report of Professor Christopher M. James, ¶11 (Dkt. No. 2060-4); *Glickenhau & Co. v. Household Int'l, Inc.*, 787 F.3d 408, 422 (7th Cir. 2015). Thus, testimony from both parties' experts concerning whether certain disclosures are related to the fraud or not will be central to the retrial.

In order to determine whether certain disclosures are related to the fraud, the jury must have a complete understanding of defendants' fraud and to hear evidence of that fraud. The jury simply cannot be expected to judge whether there is a connection between the false statements and omissions and market disclosures without an understanding of what was omitted and why the statements are false. *See, e.g., Caremark, Inc. v. Coram Healthcare Corp.*, 113 F.3d 645, 648 (7th Cir. 1997) ("To plead loss causation, the plaintiff must allege that it was the very facts about which the defendant lied which caused its injuries."). For example, news of regulatory actions during the leakage period is related to defendants' predatory lending practices while issues regarding credit quality were related to both predatory lending and Household's improper reaging. *See* 2/1/16 Order at 14-22 (Dkt. No. 2102). The jury cannot understand that these disclosures were fraud-related without understanding defendants' predatory lending and reaging fraud. Because a complete understanding of the fraud is necessary in order to understand whether information is fraud related, evidence of defendants' fraud, including the nine categories of evidence defendants' seek to exclude, is relevant to loss causation. Indeed, defendants' experts Cornell and Ferrell concede as much. *See*

⁴ Plaintiffs have moved to exclude defendants' experts from testifying at trial (Dkt. No. 2128).

Cornell Depo. Tr. at 136:20-24 (Dkt. No. 2130-11); Ferrell Depo. Tr. at 61:11-12; 162:3-6 (Dkt. No. 2130-2).

Likewise, it is critical for the jury to understand the magnitude and scope of defendants' fraud so that it has the proper context to judge Household's stock price decline and severe underperformance relative to its peers. Plaintiffs must be permitted to show that Household's massive stock price decline was consistent with its massive fraud. Defendants' expert Ferrell wants to testify that the fraud caused *at most* \$4.19 on November 14, 2001 and \$1.99 after that date. His inflation estimate is a mere fraction of Household's \$32.70 stock price decline from \$60.90 to \$28.20 over the Leakage Period. Indeed, Ferrell's maximum inflation is just 13%, and after November 14, 2001, just 6% of the total price during the leakage period. Plaintiffs are entitled to present evidence of the fraud's magnitude to demonstrate that Fischel's damages estimates are consistent – and Ferrell's estimates are entirely inconsistent – with the severity and scope of defendants' fraud.

Evidence of defendants' fraud, including the nine categories of evidence defendants seek to exclude, is also relevant to the jury's task of apportioning liability among the four individual defendants. *Glickenhau*s, 787 F.3d at 429. In determining proportionate fault under the Private Securities Litigation Reform Act, the factors the jury "shall consider" include "(i) the nature of the conduct of each covered person found to have caused or contributed to the loss incurred by the plaintiff or plaintiffs; and (ii) the nature and extent of the causal relationship between the conduct of each such person and the damages incurred by the plaintiff or plaintiffs." 15 U.S.C. §78u-4(f)(3)(C). The nine categories of evidence defendants seek to exclude are directly relevant to these factors, as the evidence will help the jury determine the nature of defendants' conduct and the relationship between that conduct and plaintiffs' damages.

Despite the clear relevance of evidence of defendants' fraud to loss causation, damages, and proportionate responsibility, defendants insist that the new jury should be required to decide these issues in a vacuum. Defendants' argument is untenable in light of Seventh Circuit precedent allowing liability evidence in the damages phase of a case where such evidence is also relevant to

damages.⁵ In *Watts v. Laurent*, 774 F.2d 168, 181 (7th Cir. 1985), the Seventh Circuit affirmed the judgment as to liability, but remanded the case for a new trial solely on the issue of damages. While noting that the new jury should be instructed that “the relevant issues of liability have been previously decided and shall be instructed as to the legal basis of defendants’ liability,” the Seventh Circuit held that “[t]hese instructions shall not, however, preclude the free presentation of evidence and information from the liability phase to the extent such evidence is relevant . . . in any way to damages.” *Id.* The Seventh Circuit further held:

We therefore require that the parties *shall have* an opportunity to present to the second jury whatever evidence (through testimony, in summary form or as the district court shall permit) from the liability phase of the trial may be regarded as relevant in any way to the question of damages. To the extent that the parties may be able to stipulate to evidence or summaries of evidence from the liability phase, the proceeding will, of course, be expedited. ***The trial judge shall apply a broad standard with respect to the relevance of this sort of evidence and there shall be a strong presumption that evidence from the liability phase may be relevant in some way to damages.***

Watts, 774 F.2d at 181 (emphasis added). In *MCI Communications Corp. v. AT&T Co.*, the Seventh Circuit similarly held that “evidence which might normally be associated with a determination of liability may have to be introduced or reintroduced” at the new trial on damages.⁶ *MCI Commc’ns Corp. v. AT&T Co.*, 708 F.2d 1081, 1168 (7th Cir. 1983); *see also Miami Valley Fair Housing Ctr. v. The Connor Grp.*, No. 3:10-cv-83, 2015 WL 9582433, at *4 (S.D. Ohio Dec. 31, 2015) (“Although this jury’s task will be limited to determining the issues of proximate cause and damages, the jury cannot be expected to make that determination in a vacuum.”); *Real v. Bunn-O-Matic Corp.*, 195 F.R.D. 618, 624 (N.D. Ill. 2000) (“[T]he damages trial cannot be conducted in an evidentiary vacuum. . . . Therefore, much of the evidence that can be expected to be introduced in a trial on damages will be duplicative of the evidence that can be expected to be presented in a trial on

⁵ Ignoring this controlling precedent, defendants instead rely on three of out-of-circuit cases. *See* Defs’ Mem. at 3. Defendants’ reliance on those cases is unavailing in light of *Watts* and *MCI Communications Corp.*

⁶ Defendants’ suggestion that the jury can be provided any context it needs through stipulations is disingenuous at best given that defendants have objected to plaintiffs’ proposed statement of uncontested facts, which incorporates the findings made by the first jury and the Seventh Circuit. Defendants similarly objected to plaintiffs’ proposed description of the prior proceedings in this case and have filed a motion *in limine* seeking to bar any reference to the prior proceedings. *See* Dkt. No. 2146.

liability.’’)) (quoting *THK America, Inc. v. NSK Co. Ltd.*, 151 F.R.D. 625, 630 (N.D. Ill. 1993)); *Wheatley v. Beetar*, 637 F.2d 863, 867 (2d Cir. 1980) (“The new trial on damages in this case will necessarily require introduction of some of the evidence which came in during the liability stage of the first trial.”).

The probative value of evidence regarding defendants’ fraud, including the nine categories of evidence defendants seek to exclude, is not outweighed by any danger of unfair prejudice to defendants, and their conclusory assertions of prejudice do not suffice. Given that the first jury already found that defendants violated Rule 10b-5 on the 17 statements at issue, defendants will suffer no prejudice if the jury is permitted to hear some of the same evidence that resulted in the first jury’s finding of liability. In fact, it is *plaintiffs* who will be unfairly prejudiced if evidence of defendants’ fraud is excluded at trial, as the withholding of such evidence “might trigger unwarranted jury speculation and hamper the plaintiffs’ fair right to tell their story of how they have been hurt, why they have been hurt and who hurt them.” *See Whitehead v. K Mart Corp.*, 173 F. Supp. 2d 553, 560 (S.D. Miss. 2000). As set forth in more detail below, the categories of evidence defendants seek to exclude should be admitted at trial, particularly in light of the “‘low threshold’ that Rule 401 comprehends.” *Boswell*, 772 F.3d at 475. Defendants’ motion should be denied.

1. Evidence Related to Andrew Kahr Is Relevant

In 1999, under pressure to improve Household’s stock price, defendants hired consultant Andrew Kahr to come up with ways to grow Household’s business and meet Wall Street earnings estimates. *See* PX348. Kahr, “a very prolific writer of memoranda,” and the mastermind of predatory lending practices at another sub-prime lender, Providian, authored a series of memoranda to Household’s senior executives, including defendants Schoenholz and Gilmer, outlining various predatory lending practices. *See, e.g.*, PX533, PX835, PX1007. Defendants approved and implemented Kahr’s proposed initiatives and as a result of these practices, Household’s loan originations skyrocketed, allowing the Company to report “record” growth.

Evidence relating to Kahr is relevant to both loss causation and proportionate responsibility. With respect to loss causation, this evidence will help the jury understand how Household

outperformed its competitors – defendants’ predatory practices started by Kahr’s initiatives drove the company’s growth, and in turn, its stock price. The Kahr evidence will help the jury understand defendants’ predatory lending fraud, so that the jury may properly determine whether certain disclosures were related to that fraud or not. Evidence regarding Kahr will also help the jury in “reall[oc]at[ing] responsibility between the four defendants” and, in fact, is critical to the jury’s task of assessing the nature of defendants’ conduct and the relationship between that conduct and plaintiffs’ losses. 15 U.S.C. §78u-4(f)(3)(C). As an example, Aldinger and Schoenholz were responsible for hiring Kahr (Trial Tr. 998:12-21),⁷ Schoenholz and Gilmer were tasked with “co-head[ing] the Andrew Kahr initiatives within [U.S. Consumer Finance]” (PX349) and all three individual defendants were kept informed about Kahr’s predatory lending initiatives. *See* PX348, PX349.

Additionally, in March 2001, following Providian’s \$405 million settlement of predatory lending claims, Schoenholz wrote a memo to file noting that Providian’s high-profile “legal difficulties” and hundreds of millions of dollars in settlements were “exacerbated by the presence of controversial memoranda written by Andrew Kahr.” PX1007. In order to avoid similar legal difficulties, Schoenholz instructed Household’s Office of General Counsel to collect “all Andrew Kahr memoranda” and destroy them. *Id.* at 2. Schoenholz issued another directive to destroy Kahr-related documents in June 2002, ordering Household’s General Counsel to “send out a note on disposing of all [Kahr] memo[ra]nda.” PX1026. Ultimately, Household’s predatory lending came to light and caused the company’s stock price to plummet during the leakage period. Schoenholz’s awareness of the possible impact that Household’s bad practices would have if exposed bears directly on loss causation – it shows that the concealed fraud propped up Household’s stock. Additionally, based on this evidence, the jury could allot a greater percentage of responsibility to one defendant if the jury finds that his “conduct” was of greater significance to the fraudulent scheme. Evidence regarding Kahr is, therefore, relevant and its probative value is not outweighed by any so-called prejudice to defendants.

⁷ Relevant excerpts from the 2009 Trial Transcript are attached as Ex. 1 to the Declaration of Luke O. Brooks in Support of Plaintiffs’ Oppositions to Defendants’ Motions *in Limine*, filed herewith (“Brooks Decl.”).

2. Dennis Hueman Training Video

Dennis Hueman was Household's Southwestern Division General Manager during the relevant period and was responsible for overseeing all Household Finance sales branches in the southwest, including southern California, Arizona and Texas. Trial Tr. 1462:20-1463:1. As Division General Manager, Hueman provided sales training, and in mid-2001, he created a videotape memorializing the sales training he had been using with branch office managers during his branch visits.⁸ PX1383. In the videotape, Hueman provides training on inappropriate sales techniques, including a variant on the effective-rate presentation – a predatory sales method rolled out by Household nationwide. After Hueman distributed the videotape, Tom Detelich, then-head of all branch offices, learned of Hueman's videotape and directed that it be recalled. However, the videotape was recalled not because of what Hueman said or taught on it, but because he had distributed it without prior review. Hueman was never disciplined for making the videotape and, in fact, was still training sales managers over a year later. *See* Trial Tr. 1461:13-17; 1788:1-8. The Hueman video and evidence relating to it, such as the complete lack of disciplinary action taken by defendants in response to the "discovery" of the videotape, is relevant to the jury's understanding of defendants' predatory lending fraud and will help the jury apportion liability among the four defendants. Further, the probative value of the Hueman video is not substantially outweighed by what limited (if any) prejudice will result if the new jury is permitted to view this evidence. Defendants' claims of jury confusion are similarly unfounded and do not warrant exclusion of this highly relevant evidence.

3. Evidence Regarding Defendants' Compensation or Stock Transactions Is Relevant

Defendants seek to exclude evidence about the compensation or stock transactions of the individual defendants. This evidence is relevant to both loss causation and proportionate responsibility. The individual defendants have filed a separate motion *in limine* to exclude the same evidence. *See* Dkt. No. 2132. Plaintiffs therefore incorporate by reference their opposition to the

⁸ Plaintiffs intend to play an approximately 18-minute clip of the Hueman video, not the entire two-hour video as defendants suggest. *See* Defs' Mem. at 6.

individual defendants' motion *in limine* to bar evidence regarding their financial condition, filed concurrently herewith.

4. Evidence Regarding Household's Amendment to Its 2001 Form 10-K Is Relevant

The Court allowed this document in at the prior trial (Dkt. No. 1516 at 3-4). In December 2001, the market began questioning the quality of Household's loan portfolio and its reaging policies. *See* Report of Daniel R. Fischel, ¶¶22-24 (Dkt. No. 2067-3). Defendants knew that investors were seeking more information regarding the Company's 2+ statistics and internal loan reaging policies, so they decided to include information about Household's reaging policies in the Company's 2001 Form 10-K, filed on March 13, 2002 and at the FRC held on April 9, 2002. As Aldinger admitted during the last trial, Household's 2001 Form 10-K contained materially false statements and omissions about the Company's reaging policies. Trial Tr. 3436:18-3441:16. In March 2003, Household amended its 2001 Form 10-K to reflect the fact that it had made false statements with respect to reaging at the time that document was originally filed with the SEC. Although the falsity of Household's 2001 10-K will not be decided again at the retrial, in order for the jury to analyze loss causation, it must have an understanding of both defendants' reaging practices and the false statements and omissions defendants made regarding those practices.

After defendants filed the 2001 10-K and made additional statements about Household's reaging practices at the April 9, 2002 FRC, analysts continued to question Household's disclosures, causing Household's stock price to decline. *See* Fischel Report, ¶¶25-26, 28; PX1401, PX515, PX182, PX23, PX1435. It is important for the jury to understand why Household lied and what it lied about, and to compare Household's lies to market observations and issues raised by analysts regarding Household's reaging practices, credit quality, and deferral of credit losses, and their impact on Household's profitability and stock value.

The evidence is also related to proportionate liability. For example, both Schoenholz and Aldinger were makers of the false 10-K while Gilmer was not. The probative value of Household's amendment to its 2001 Form 10-K continues to outweigh any negligible prejudice to defendants, just as the Court correctly ruled before the last trial. *See* Dkt. No. 1516 at 3-4.

5. Evidence Regarding State Civil and Regulatory Settlements and Negotiations

Defendants concede that public announcements regarding Household's civil and regulatory settlements are clearly relevant to loss causation, but seek to exclude nonpublic evidence of those settlements, the negotiations related to them and remedial actions Household took as a result. Defs' Mem. at 8-9. As the Seventh Circuit found:

The truth [about defendants' fraud] came to light over a period of about a year through a series of disclosures that began when California sued Household over its predatory lending. Other states also launched investigations and eventually collaborated in multi-state litigation. The so-called 'disclosure period' culminated when Household settled the multi-state litigation for \$484 million.

*Glickenhau*s, 787 F.3d at 413. Defendants previously sought to exclude evidence of civil and regulatory settlements before the last trial. Although the Court granted defendants' motion in part, it allowed evidence of "information sufficient to identify the date, time, means and nature of the disclosure" as such evidence was relevant to "prov[ing] or disprov[ing], the alleged inadequacy of Household's disclosures *or the effect or absence of effect on the price of Household's stock price*." See Dkt. No. 1516 at 6. During the Pretrial Conference, the Court emphasized the relevance of the civil and regulatory settlements:

The disclosures are an important part of the case. The announcements with respect to these settlements are important. . . . So there has to be sufficient information included regarding the announcements to make the fact of the announcement relevant and probative in the case. . . . It is necessary to put before the jury sufficient information about the announcement regarding that settlement so that the jury can gauge what impact that announcement did or did not have on the stock. . . . That's a portion of [plaintiffs] case that can't be denied. *They're entitled to show that.*

Pretrial Conf. Tr. at 650:18-651:22 (attached as Ex. 3 to the Brooks Decl.).

In addition to public evidence concerning Household's settlements of civil and regulatory actions, nonpublic evidence regarding Household's settlements is critical to the jury's understanding of the magnitude and severity of Household's predatory lending fraud and the market's reaction once that fraud was fully revealed.⁹ As an example, numerous non-public documents discuss the

⁹ Although the court initially excluded certain settlement related documents under Rule 408, the court later allowed those documents into evidence after defendants opened the door. Defendants have provided no basis for disturbing that ruling. See Dkt. No. 2135 at 4-5. Furthermore, the policy concerns underlying Rule 408 no longer serve as a basis for exclusion given the prior jury's finding of liability. See *id.* at 8 n.10.

“widespread” nature of Household’s predatory lending practices, which were “national in scope and not confined to a single state or branch office.” *See, e.g.*, PX235, PX516, PX550, PX556, PX634, PX1328. These exhibits provide some of the best evidence of defendants’ predatory lending fraud, which is necessary to the jury’s determination of whether information disclosed in the leakage period is related to that fraud or not. Additionally, concerns over a potential settlement with the AGs and the widespread nature of Household’s predatory practices – the very issues discussed in these documents – were leaking into the market for months in 2002, causing Household’s stock price to decline. Other evidence quantifies Household’s financial exposure stemming from the multi-state Attorneys General investigation of its predatory lending practices (PX681, PX1109, PX1314), which is relevant to the jury’s assessment of the impact of the leakage of the AG settlement on the Company’s stock price. Additionally, nonpublic evidence regarding Household’s settlements is relevant to the jury’s assessment of the nature of defendants’ “conduct” for purposes of apportioning responsibility for plaintiffs’ economic loss among the four defendants.

6. The SEC Consent Decree Is Relevant

On March 18, 2013, Household entered into a Consent Decree with the SEC relating to disclosures contained in the Company’s SEC filings concerning Household’s restructuring and other account management policies.¹⁰ *See* PX1303, PX1389. The SEC Consent Decree is relevant to the jury’s understanding of defendants’ reaging fraud which, in turn, is necessary for the jury’s verdict on loss causation, including its evaluation of whether certain disclosures were related to that fraud or not. Allowing plaintiffs to rely on the SEC Consent Decree to explain defendants’ reaging fraud will also promote considerations of judicial economy, as it succinctly outlines many of defendants’ reaging practices and explains the materially false statements and omissions Household made in its SEC filings about those practices. As an example, the SEC Consent Decree explains the importance of Household’s reported 2+ delinquency numbers, which is “[o]ne of the critical measures of

¹⁰ Defendants’ contention that the SEC Consent Decree is irrelevant because it was entered into after the Class Period in this case lacks merit, as post-Class Period evidence is relevant when it “relate[s] back to the earlier fraudulent conduct” and is probative of an element in the case. *See SEC v. Holschuh*, 694 F.2d 130, 144 (7th Cir. 1982).

Household's financial performance." *See* PX1303 at 2. The SEC Consent Decree also explains why Household's SEC filings relating to reaging were false and misleading and omitted material facts. *See* PX1303 at 3-5. As discussed, the jury must understand why defendants' SEC filings, including those made in connection with the April 9, 2002 FRC were materially false and misleading in order to evaluate loss causation. *See* §II.B.4, *infra*; *see, e.g.*, PX515 (questioning Household's disclosures in its 8-K filing in connection with 4/9/02 FRC); PX1401 (4/10/02 Prudential report discussing – "new info[r]mation] on acc[ounting] reaging lacked historical and comparative context and could be a misleading indicator of [Household International's] approach to managing credit losses"). Thus, the SEC Consent Decree is plainly relevant to the jury's determination of loss causation. It is also relevant to proportionate liability. For example, Aldinger, Schoenholz and Household are liable for the reaging misstatements while Gilmer is not. Additionally, any purported prejudice to defendants arising from the admission of the SEC Consent Decree has been eliminated by the prior jury's findings of liability on defendants' reaging fraud. *See* Dkt. No. 2135 at 8-9. As a result, the policy concerns underlying Rule 408 do not apply here. The SEC Consent Decree should be admissible at the retrial.

7. Due Diligence and Related Documents Concerning Household's Potential Merger with Wells Fargo Are Relevant

In May 2002, Wells Fargo made an offer to buy Household for \$66 per share. At the time, Household's stock price was hovering around \$60 per share. Wells Fargo's offer was based on the same public information available to investors at the time, *i.e.*, Household's SEC filings and reported "record" financial results. After only two weeks of due diligence, Wells Fargo walked away from buying Household, noting in internal documents that Household was likely overstating its earnings and misrepresenting its delinquency and credit information to investors: "Unfortunately, our investigation revealed some major systemic issues in [Household's] policies and procedures. To say the least, [Household's] write-off, expense deferral and re-aging policies are aggressive. These issues appear pervasive in the businesses we reviewed." *See* PX1351 at WF 00220; *see id.* at WF 00221 (observing that "[a]ccounting policies significantly overstate earnings" in part due to "[a]ggressive re-aging"); PX1340 (discussing Household's "non-consumer friendly or even

predatory” practices). Only five months later, after the true extent of Household’s fraud had been revealed, HSBC Holdings plc acquired Household for approximately \$28.75 per share – less than half of what Wells Fargo had been willing to pay. PX1369 at WF 009287.

Evidence relating to Wells Fargo’s potential acquisition of Household is directly relevant to loss causation, as it demonstrates that Household’s stock was artificially inflated as a result of defendants’ fraud. Indeed, once the market learned the same facts Wells Fargo had discovered during its due diligence, the price of Household stock dropped significantly, and defendants were forced to sell the Company to HSBC for a substantially lower price – one that reflected the truth about defendants’ predatory lending, reaging and restatement. *Glickenhau*s, 787 F.3d at 415.

The documents are also relevant to proportionate liability. For example, while all of the individuals stood to reap millions from the merger, Aldinger and Schoenholz drove the discussions, while Gilmer had limited involvement. Finally, defendants’ claims of unfair prejudice fare no better the second time around, particularly in light of the first jury’s finding of liability. *See* Memoranda attached to Dkt. No. 1330 at 94 (raising identical “unfair prejudice” argument); Dkt. No. 1516 at 12 (rejecting defendants’ prejudice argument because “the materials are not unfairly prejudicial”). Defendants’ motion to exclude Wells Fargo due diligence materials should be denied.

8. Evidence Regarding Defendants’ Purge

In the spring of 2001, as complaints about Household’s “effective rate” scam escalated, Household embarked on a campaign to “purge” from its 1,400 sales branches so-called “unauthorized” EZ Pay worksheets and charts using the “effective rate” sales presentations, along with letters to customers quoting “effective rates.” *See, e.g.*, PX266, PX382, PX383, PX596, PX796. The “effective rate” sales pitch involved Household sales employees falsely claiming that if a customer paid his or her mortgage bi-weekly (rather than once a month), their “effective interest rate” would be much lower, *i.e.*, 7% or 8% rather than the actual 13% or 14% interest rate. Although defendants insist that the forms were “unauthorized,” the evidence reveals that Household employees were using the “EZ Pay” and “effective rate” sales presentation forms nationwide prior to the

“purge” in May-July 2001 and that such materials were not “unauthorized.” *See* PX378, PX799, PX902.

Allowing this evidence at trial will not “goad the jury” or result in a “mini-trial” about the purported reasons the “unapproved” materials were purged, as defendants contend. Defs’ Mem. at 12. Rather, this evidence is directly relevant to the issue of loss causation, which includes the jury’s understanding of defendants’ predatory lending fraud. Indeed, the “effective rate” scam was one of the more egregious predatory lending practices defendants implemented on their quest for “record” growth. During the leakage period, Household repeatedly denied that the practice was used nationwide at the company; at first, many analysts adopted the company’s line, but later in the leakage period the market grew more and more skeptical of the denials, driving the stock price down. This evidence is also relevant to the jury’s task of apportioning liability among the four individual defendants. The jury should be allowed to consider evidence of defendants’ “purge” in assessing the nature of defendants’ conduct, as the PSLRA requires. 15 U.S.C. §78u-4(f)(3)(c). Household’s concerns about becoming further “taint[ed]” are equally baseless in light of the fact that the prior jury found Household liable for committing securities fraud. Because this evidence does not rise to the level of “unfair” prejudice Rule 403 requires, defendants’ motion to exclude this evidence should be denied. *Thompson*, 359 F.3d at 479.

9. Other Nonpublic Documents Regarding Predatory Lending or Reaging Practices

Defendants seek to sweep vast swaths of plaintiffs’ evidence into this catch-all category. But as with the other categories of evidence defendants seek to exclude, the “nonpublic documents” regarding defendants’ predatory lending and reaging practices are relevant both to loss causation and proportionate responsibility.¹¹ As an example, evidence regarding individual customer complaints and federal and state regulatory examinations detailing Household’s predatory lending practices will help the jury understand defendants’ predatory lending fraud so that it may properly assess whether certain disclosures are related to that fraud. *See supra*, §II.B. This evidence will also help the jury

¹¹ Plaintiffs’ responses to defendants’ evidentiary objections are set forth in the attached Exhibit A. Some of these are exhibits *defendants* used at the last trial; they cannot now seriously challenge their relevance.

understand the magnitude of defendants' predatory lending fraud and the market's reaction once that fraud was fully revealed which, as discussed, are critical issues in assessing loss causation and damages in this case. *See supra*, §III.B.

As an example, one of the regulatory reports of examination defendants seek to exclude is the Washington Department of Financial Institutions Expanded Report of Examination (PX290). The Washington DFI report is central to plaintiffs' allegations and the issue of loss causation. Indeed, Fischel will testify that the artificial inflation in Household's stock price dissipated as news of the Washington DFI report leaked out into the market in the spring and summer of 2002. *See* 8/15/07 Fischel Report, ¶16; Trial Tr. 2653:4-2660:10; 2672:6-15 (testifying about the "tremendous amount of leakage of information" about the Washington DFI report); 2672:16-2674:9; 2968:24-2969:7. The jury should be permitted to hear the details of the actual Washington DFI report so that it fully understands its significance and the impact it had on Household's stock price.

Along the same lines, evidence concerning Household's reaging practices is critical to the jury's understanding of defendants' reaging fraud. The jury simply cannot assess whether certain information is related to defendants' reaging fraud if it does not have a complete understanding of what that fraud entailed. In particular, this evidence will aid the jury's understanding of how Household's reaging impacted its 2+ numbers, maintaining inflation in Household's stock price. *See, e.g.*, PX70, PX74, PX86, PX97. For example, defendants' experts want to tell the jury that increased credit losses were not fraud related. But in reality, they were caused by changes in Household's reaging policies. PX68. Because Fischel will testify that market participants connected concerns about Household's credit quality to its reaging practices, this evidence is relevant to loss causation. *See, e.g.*, Second Rebuttal Report of Daniel R. Fischel, ¶15 n.21 (Dkt. No. 2067-1).

III. CONCLUSION

For the foregoing reasons, defendants' motion to exclude evidence they contend is not relevant to causation or inflation should be denied.

DATED: May 6, 2016

Respectfully submitted,

s/ Luke O. Brooks
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CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2016, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses for counsel of record denoted on the attached Service List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 6, 2016.

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Exhibit A

Plaintiffs' Response to Defendants' Appendix regarding Defendants' MIL No. 1

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
A. Evidence Related to Consultant Andrew Kahr			
P0347	Memorandum re: U.S Consumer Finance Growth Strategies (Meeting with Andrew Kahr 12/18)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0348	Memo ""Initiatives to Accelerate Growth of U.S. Consumer Finance""; Memorandum from Gary Gilmer to Bill Aldinger, et al. Re: Initiatives to Accelerate Growth of U.S. Consumer Finance	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0349	Household Memorandum (Minutes of February 1999 Senior Management Meeting)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0533	Memorandum re: Redoing HFC Mortgage Forms to Impose High Prepayment Penalties	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0835	Letter Re late fees; Parity Act; Communications	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1006	Household International, General Ledger- Purge Detail	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1007	Household Memorandum re: Andrew Kahr	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1026	E-mail re: Kahr Memos	Irrelevant (FRE 402); Confusion of the Issues, Waste of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 803(6)
P1388	SFGate.com Article, ""How	Irrelevant (FRE 402); Unfair Prejudice, Confusion of	401, 402, not 403, 703,

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	Providian misled card holders""	the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	admitted at prior trial, 801(c)
B. Unapproved "Training" Video			
P0908	E-mail string re: Unauthorized Dated Material	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1383	HHS Training Video Cassette	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1472	Hueman resume	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	401, 402, 801(c), not 403
C. Evidence Regarding the Compensation or Stock Transactions of Defendants Aldinger, Schoenholz, and Gilmer			
D0758	Form 4 for Gary D. Gilmer, dated February 14, 2000 - statement for February 2000	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0759	Form 4 for Gary D. Gilmer, dated October 19, 2000 - statement for October 2000	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0763	Form 4 for Gary D. Gilmer, dated July 19, 2001 - statement for July 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0772	Compensation Committee Meeting Materials for September 10, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0773	Board of Directors Meeting Agenda	Irrelevant (FRE 402); Unfair Prejudice, Confusion of	401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	July 26, 2002 8:30 a.m.	the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	
P0774	Compensation Committee Meeting Materials for January 28, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0774	Form 4 for William F. Aldinger, dated August 23, 2000 - statement for August 2000	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0775	Form 4 for William F. Aldinger, dated January 19, 2001 - statement for January 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0776	Agenda Item II: Executive Compensation Materials	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0796	Form 5 for David A. Schoenholz, dated January 21, 2002 - statement for December 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
D0797	Form 4 for David A. Schoenholz, dated May 15, 2002 - statement for May 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P1038	E-mail with the subject Revised Tier 1&2 Spreadsheets attaching spreadsheet titled Highly Paid U.S. Employees - Tier 1- Parachute Calculations	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1476	Aldinger deposition transcript from SEC Proceeding, In the Matter of Household International, File No. C-03571-A	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403); Hearsay (FRE 805); LR 16.1, Pretrial Order Form as to testimony	401, 402, not 403, 801(d)(2), 16.1 objection inapplicable, document was used at prior trial to impeach defendant Aldinger

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
D. Evidence Regarding Household's Post-Class-Period Amendment of Its 2001 Form 10-K			
P1267	Household International, Inc. Form 10-K A No. 2 for the Fiscal Year Ended December 31, 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Subsequent Remedial Measure (FRE 407)	Admitted at prior trial, 401, 402, not 403, not 407
E. Evidence Regarding State Civil and Regulatory Settlements and Negotiations			
P0009	Arizona Consent Decree	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408); Subsequent Remedial Measure (FRE 407)	Admitted at prior trial, 401, 402, not 403
P0235	Multiple Docs [HHS02139957-88: Letter (HFC's Reply to State's Feedback Re: HFC's Response to the 7/9/02 Multistate Working Group Meeting)]; Letter to David W. Huey Re: meetings of the multistate working group with accompanying Volume Information	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408); Subsequent Remedial Measure (FRE 407)	401, 402, not 403, not 407 or 408 - contains admissions by defendants
P0516	E-mail string re Discussion Framework	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408)	Admitted at prior trial, 401, 402, not 403, not 408
P0550	Forwarded E-mail (Multistate Working Group Reply to HFC)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408)	Admitted at prior trial, 401, 402, not 403, not 408
P0553	States' Reply to HFC's Response of	Irrelevant (FRE 402); Unfair Prejudice, Confusion of	401, 402, not 403, not 408,

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	7/17/02	the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408); Hearsay (FRE 802)	803(8), 801(c)
P0554	E-mail Subject: Estimated Impacts	Irrelevant (FRE 402); Confusion of the Issues, Waste of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408)	401, 402, not 403, not 408
P0556	Sodeika notes re Settlement Request from AARP 11/01 and Settlement Outline from WA	Irrelevant (FRE 402); Confusion of the Issues, Waste of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408)	401, 402, not 403, not 408
P0578	Letter from the Office of the Attorney General of Washington re: Request for General Information for the July 9, 2002 Meeting	Irrelevant (FRE 402); Confusion of the Issues, Waste of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial; Offer to Compromise/Settlement (FRE 408); Hearsay (FRE 802)	401, 402, not 403, not 408, 803(8), 801(c)
P0598	Appendix A - Consumer Lending, By Household International	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Settlement/Compromise (FRE 408)	Admitted at prior trial, 401, 402, not 403, not 408
P0634	E-mail Subject: Framework for the Discussion of Issues Concerning Lending Practices of Household International, Inc.	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408)	401, 402, not 403, not 408
P0681	AG Costs, Sides Loans	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer to Compromise/Settlement (FRE 408)	Admitted at prior trial, 401, 402, not 403, not 408
P0964	Letter re: Household	Irrelevant (FRE 402); Unfair Prejudice, Confusion of	Admitted at prior trial, 401,

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	Finance/Beneficial Settlement with State of California Department of Corporations	the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408); Subsequent Remedial Measure (FRE 407); Hearsay (FRE 802)	402, not 403, not 407, not 408, 803(8), 703, 801(c)
P1109	E-mail re: AGs	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408)	Admitted at prior trial, 401, 402, not 403, not 408
P1314	Summary of Refunds and Other Remedies Proposed by Attorneys General; By Predatory Practice	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Offer of Compromise/Settlement (FRE 408); Improper Summary Evidence (FRE 1006)	401, 402, not 403, 803(8), not 408, 1006, 801(c)
P1328	Letter (Settlement Discussion - Reply to HFC's 7/17/02 Response)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Offer of Compromise/Settlement (FRE 408)	401, 402, not 403, 803(8), not 408, 801(c)
P1329	Attorney General of Washington letter RE: Multistate Working Group	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Offer of Compromise/Settlement (FRE 408)	401, 402, not 403, 803(8), not 408, 801(c)
F. Evidence Regarding the SEC Consent Decree			
P1303	SEC Consent Decree Order Re: Instituting cease-and-desist proceedings, making findings, and imposing cease-and-desist order	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408); Subsequent	401, 402, not 403, not 407, not 408, see also Plaintiffs' MIL No. 3

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	pursuant to section 21c of the SEA of 1934	Remedial Measure (FRE 407)	
P1389	RNS - company news service from the London Stock Exchange - Household Announces Mailing of Supplemental Proxy Materials to Shareholders; Enters into Consent Order with SEC Without Admitting or Denying Wrongdoing	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Offer of Compromise/Settlement (FRE 408); Hearsay (FRE 802)	401, 402, not 403, not 408, 703, 801(d)(2)
G. Due Diligence and Related Documents Concerning Household's Potential Transaction with Wells Fargo			
P0258	E-mail Subject: Whiskey Reage Calculations	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0514	E-mail string Re: Whiskey Reage Calculations w/ handwritten notes	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 803(6)
P1119	E-mail string re: Whiskey	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1338	Wells Fargo Bank Corporate Consumer Credit Administration	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(d)(2), 803(6), 703
P1340	E-mail string Re: Observations of Debriefing Package from Corporate Consumer Credit Administration	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(6)
P1343	E-mail Subject: FW: Message from	Irrelevant (FRE 402); Unfair Prejudice, Confusion of	Admitted at prior trial, 401,

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	Les Biller - re: Blazer	the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	402, not 403, 803(6)
P1351	Consumer Finance, WFF Due Diligence, Blazer Executive Summary by the Business Team, May 9, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Lacks Authentication (FRE 901)	Admitted at prior trial, 401, 402, not 403, 803(6), 801(d)(2), not 901
P1359	Confidential Household International, Inc. Board of Directors May XX, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Lacks Authentication (FRE 901)	Admitted at prior trial, 401, 402, not 403, 803(6), 801(d)(2), not 901
P1361	Board of Directors of Wells Fargo & Company Presentation	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Lacks Authentication (FRE 901)	Admitted at prior trial, 401, 402, not 403, 803(6), 801(d)(2), not 901
P1369	E-mail Subject: Blazer Board Presentation with attached April Board Meeting - April 11	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(6)
P1371	E-mail chain Subject: FW: Project Blazer	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(6)
H. Evidence Regarding an Alleged "Purge"			
P0264	E-mail re: Use of Sales Forms	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0266	Memo re: Prohibited Sales Practices	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
		document does not relate to issues in the retrial	
P0378	E-mail (Fla Review)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403; 801(c), 803(6)
P0379	FAX (Florida Review/Effective Rate complaints/Prohibited Sales Practices); Fax Re: IMPORTANT (E-mails Re: Fla Review attached to fax)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(d)(2), 803(6), 703
P0382	E-mail re: Responsible Lending Summit - June 20, 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0383	Responsible Lending Practices, Authorized/Approved Sales Related Material	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0573	E-mail string re: Effective Rate	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(d)(2), 803(6)
P0596	E-mail re: Very important to do today.	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0796	E-mail string re: Unauthorized Materials	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0798	E-mail string re: URGENT -- Responsible Lending Summit Presentations	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0799	Forwarded E-mail (Equivalent Rate Sheet); E-mail from Ned Hennigan to Dana Williams re Equivalent Rate	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	Sheet		
P0902	Forwarded E-mail (Unauthorized HOLP's); E-mail from Robert O'Han to Mike Pinto Re: Unauthorized HOLP's	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
I. Other Non-Public Documents Regarding Predatory Lending or Re-aging Practices			
P0019	Household Bank FSB, Prospect Heights IL - FDIC Issues and Findings, FDIC Review Concurrent with OTS Exam	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (802)	Admitted at prior trial, 401, 402, not 403, 803(8), 703, 801(c)
P0024	OCC Advisory Letter 2000-7 to Chief Executive Officers and Compliance Officers of All National Banks, Department and Division Heads, and All Examining Personal Re: Abusive Lending Practices	Irrelevant (FRE 402); Confusion of the Issues, Waste of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial; Hearsay (802)	Admitted at prior trial, 401, 402, 803(8), 703, 801(c)
P0041	Bulletin re: Prohibited Sales Practices	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0061	KPMG Report on Accounting and Credit Policies, dated March 12, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(6), 801(d)(2)
P0067	E-mail Subject: Re: Reage Testing and Tracking	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0068	Presentation - Reage Policy Changes 2003	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
P0070	E-mail Subject: re: Reage Policies	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0074	Memo Subject: Re: August Results	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0075	E-mail Subject: Re-age Recidivism Re- stated	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(c), 803(6), 801(d)(2)
P0076	E-mail Subject: Re: S&P Presentation	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0077	E-mail Subject: Re: Re-age Single vs. Multiple; Attachment Single vs. Multiple.xls	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(c), 803(6), 801(d)(2)
P0079	E-mail re: DAS request - OTS recidivists	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0086	E-mail chain Subject: Re: Reage Volume in June - Urgent	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0095	E-mail string re: Earnings Release Certification	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0097	E-mail Subject: Reage Meeting Summary	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0102	E-mail string re Minutes for April 7, 2000 Credit Committee	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
P0114	E-mail Subject: Re: Reage Targets & Policy Meeting 8/1	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0118	E-mail string Subject: Spike report for 4/9/2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0128	Memo dated February 20, 2001 from Carla Madura to Robin Allcock and Tom Schneider re: January 2001 AG, BBB, and Regulatory Complaints	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0129	E-mail string re: Chapter 13 Restructures	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0130	Memo dated May 25, 2001 from Carla Madura to Robin Allcock and Tom Schneider re: March & April 2001 AG, BBB, and Regulatory Complaints	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0151	Household Mortgage Services, Restructure Review, April 26, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0157	E-mail Subject: All of the Collection Changes	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0176	Household Quality of Accounting Policies Applied in Financial Reporting with handwritten notes, 11/13/2000	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0180	Memorandum Re: discussion	Irrelevant (FRE 402); Confusion of the Issues, Waste	Admitted at prior trial, 401,

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	document reviewed by Dave Stockdale and Paul Makowski	of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial	402, not 403
P0181	E-mail re: Delinquency	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0185	E-mail re: Restructure Performance	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403; 801(c), 803(6), 801(d)(2)
P0188	Attachment to HI Management Certification	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0234	Letter Re: Process Served in California for Beneficial California, Inc.	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (802)	Admitted at prior trial, 401, 402, not 403, 801(c)
P0239	Letter re: Washington DFI's Subpoena Duces Tecum No. 2002-140-S01	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial: Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 801(c)
P0241	Executive Complaints - January Review	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0245	Memorandum re: November & December 2000 AG, BBB & Regulatory Complaints	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0262	E-mail re: 2+ Reconciliation	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0265	HFC First Mortgage Sales Materials	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
		document does not relate to issues in the retrial	
P0267	E-mail with the subject Tomorrow	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0269	The HFC Sales Staff Plan (eff. 1/1/2000)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0276	Housing Discrimination Complaint for Jose Nanez	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(6), 803(8), 703, 801(c)
P0285	Letter re: Inquiry Re: Feo Ranges on the Good Faith Estimate	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 801(c)
P0289	Deposition Transcript of Charles Cross take in Luna v. Household Finance Corp., No. C02-1635 (W.D. Wash.)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 804(b)(1)) as to the individual defendants; LR 16.1, Pretrial Order Form as to testimony	401, 402, not 403, admissibility resolved by prior court ruling. See Dkt. No. 1516 at 9-10
P0290	Washington DFI Expanded Report of Examination for Household Finance Corporation III as of April 30, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 703, 801(c)
P0298	E-mail Subject: January 2001 Skip-A-Pay	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(c), 803(6), 801(d)(2)
P0303	E-mail re: Review	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the	Admitted at prior trial, 401, 402, not 403; 801(c), 803(6),

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		document does not relate to issues in the retrial	801(d)(2)
P0305	Loan Features/Calculations (Overview) for HFC	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
D0308	Household International Minutes of the Meeting of the Board of Directors dated March 12, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0313	E-mail from Paul Makowski to William Aldinger, et al. Re: Delinquency	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(c), 803(6)
P0324	Letter from Minnesota Department of Commerce to Household Board of Directors re Industrial Loan and Thrift Examination - IL 920 Plymouth, MN	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(c), 803(6), 803(8), 703
P0329	Faxed copy of New Jersey Beneficial Exam	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(c), 803(6), 803(8), 703
P0333	Household Letter Re: Regulatory Examination Licenses MLB-111 7 ML-18 (Virginia)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 703, 801(c)
P0335	Commonwealth of Virginia State Corporation Commission Bureau of Financial Institutions Letter Re: License No. MLB-215	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(c), 803(6), 803(8), 703
P0373	Memorandum re: March Monthly Letter	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
P0386	Agenda for Meeting with Household Finance Corporation	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0428	Memorandum re: Field Visit Examination as of March 12, 2001 with handwritten notes	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403; 803(6), 803(8), 801(c)
P0440	E-mail re: No Subject	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0445	E-mail string re: Meeting with Michigan Regulators	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0447	E-mail string re: Parity Act	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0454	Handwritten Notes re 2+	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0461	Memorandum re: December and YTD Operating Results	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0463	E-mail string re: MAC Follow-Up	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0472	Various Memo Documents Including: May 23, 2002 Household Finance Corp Agenda, State of Washington May 23, 2002 Meeting with HFC; Memorandum from Kay Curtin to Gary Gilmer and Ken	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	Robin Re: State of Washington Meeting with HFC, Material Issues to be Addressed in Enforcement Action or Settlement		
P0481	HFC Beneficial Memo Subject: October Results	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0482	Letter from re: July Results	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0496	Letter/Attachments Re: Bill Ryan's Negative First Call Coverage of HI compared to Associates + other analysts First Call notes of Associates	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0499	Memo Re Presentation Material for Board Meeting	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0508	E-mail string from William Aldinger to Gary Gilmer and Kenneth Robin Re: NJ Audit	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0510	E-mail from re: Florida AG	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0512	E-mail from re: Florida AG+68:71	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0530	E-mail string re: Volumes	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403

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P0540	E-mail Subject: Skip-A-Pay Update 1/15	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(d)(2), 803(6)
P0543	Report re: March	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0545	Household Interoffice Memorandum with attached Memorandum Subject: July Results;	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0557	HFC/Beneficial Quality Control Interoffice Memorandum subject: Review of benefits test on booked loans from August, November and December of 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0559	Review of Benefits Test; Booked Loans from November and December 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0562	Faxed E-mail and Bulletin Board Re Charging Points and Origination Fees; Fax with attached E-mails and memos Re: Points on points	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(d)(2), 803(6)
P0584	Letter w/ attachment re: Examination of Elmhurst Office	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(c), 803(8)
P0585	Fax of Household Letter 12/27/2001re: Report of Examination, Household Finance Corporation III - License #000211; Branches 001-009	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
P0618	E-mail Subject: Reage policies	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0649	E-mail re: Reage Policy	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0650	E-mail Subject: Reage Policy	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0654	E-mail string re Retail Services Reage Policy	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0671	E-mail Subject: Big Apple	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0694	Household Review of Loss Reserves & Quality of Accounting Policies	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0712	Comptroller of the Currency Administrator of National Banks: Report of Examination Household Bank (SB), N.A. Las Vegas, NV	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 801(c)
P0717	Household International 1999 Consolidated Internal Audit Plan	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0726	E-mail string Re: Revise reage analysis	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0765	HFC Branch Sales Manager, 2001 Incentive Compensation Overview	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the	401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
		document does not relate to issues in the retrial	
P0770	Memo Re: Special Restructures	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0794	Memorandum re: March & April 2001 AG, BBB, & Regulatory Complaints	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0825	Price Waterhouse Coopers Presentation, Correspondent Lending Roundtable, Predatory Lending - Responding to the Risks	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(6), 703
P0826	Steps to finding equivalent interest rate	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0828	FAX/Letter/Notes (Washington's Analysis of Household Finance/ Beneficial Complaints from May 2000-2001); Fax from Tom Schneider to Craig Castelein Re: 5/17/01 Memo from Patrick Hardman to Chuck Cross	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Lacks Authentication (FRE 901)	Admitted at prior trial, 401, 402, not 403, 801(d)(2), 803(6), 803(8), not 901, 801(c)
P0842	Memorandum re: California Complaint	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0846	Letter Re: formation of Household International's Consumer Advisory Board	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Subsequent Remedial Measure (FRE 407); Hearsay (802)	Admitted at prior trial, 401, 402, not 403, 803(6), 803(8), 801(c)
P0858	E-mail string re No Subject	Irrelevant (FRE 402); Unfair Prejudice, Confusion of	Admitted at prior trial, 401,

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
		the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	402, not 403
P0867	E-mail chain re Accounting presentation	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P0898	Memorandum re: Insurance Service Staff Meeting; r	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0899	Fax re: June/July 1999 Fax with attached Presentation (First Mortgage Sales HFC Northeastern Division)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0900	E-mail Subject: Comparable/Equivalent Rate	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0901	E-mail re: effective rate	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(d)(2), 803(6)
P0903	Fax (Finding the 30 year equivalent of HFC's Bi-Weekly Program); re: 1st Mortgage	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0916	Household Memorandum re: July Monthly Letter	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0926	E-mail (Subject: Customer Complaints)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(d)(2), 803(6), 801(c)
P0956	Faxed Kansas' Report of Examination; Fax from Carla Madura to Robin Allcock Re: Examination of Kansas License	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(6), 803(8), 703, 801(c)

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P0965	E-mail string from Robin Allcock to Susan Mocerino Re: AMPTA	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0967	Letter re: Field Visit Examination as of March 12, 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 801(c)
P0984	Letter Re: Julian and Terry Johnston, HFC Loan No. 921300-00-871702 & 921300- 12-114116, Your Complaint No. 2382	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0986	Memorandum re: ACORN	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P0993	Forbes - Bernard Condon Questions with handwritten Notes	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(d)(2), 801(c)
P1011	E-mail string re: ROI	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403
P1013	E-mail Subject: Re: Waite Park (54-5202), Minnesota Examination Response	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 803(6), 801(d)(2), 801(c)
P1017	E-mail Subject: Please Print this for Fran with attachment: Branch Visit and QAC Audit Review Summary July 9 - July 11, 2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1018	E-mail re: QAC Onsite Visit Objectives	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the	Admitted at prior trial, 401, 402, not 403; 801(d)(2),

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
		document does not relate to issues in the retrial	803(6), 801(c)
P1020	E-mail chain Subject: Re: Chapter 13 Restructures	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403; 803(6)
P1048	E-mail Subject: Re: VRU EZPay attempted enrollment daily report	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 803(6)
P1090	Restructure Policy Summary By Business Unit from January 2000 to Present	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1095	AE, Branch, District & Division 2000 Goals	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1096	Letter - Request for waiver of prepayment penalty or rescindment of application fee/prepaid finance charge with attached Forbes Article; Letter re: an urgent request to waive the PPP on a mortgage loaned refinanced with HFC in February 2002	Irrelevant (FRE 402); Confusion of the Issues, Waste of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 801(c), 703
P1100	E-mail Subject: Legacy Restructures	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1103	E-mail re: coll rewrites	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(d)(2), 803(6)
P1112	E-mail Subject: HOEPA/Section 32	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 803(6)

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
P1117	E-mail Subject: Reage Meeting Summary 7/9/2002	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(d)(2), 803(6)
P1131	E-mail string re: accelerating charge offs in third or fourth quarter	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1148	E-mail Subject: Follow-up To Yesterday's Meeting	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 803(6)
P1150	E-mail re: Reage Recidivism	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	401, 402, not 403; 803(6), 801(d)(2), 801(c)
P1204	OTS Report of Examination, August 27, 2001	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 703, 801(c)
P1205	OTS Special Compliance Examination	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 401, 402, not 403, 803(8), 703, 801(c)
P1224	Presentation Re: KPMG Report on Accounting and Credit Policies Detailed Portfolio Matrices - Final	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1312	Raymond Chenvert and Alisa Chenvert, husband and wife, vs. Household Finance Corporation, Household Realty Corporation, Household Finance Corporation III	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1317	Timeline of State Investigations of Household	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the	401, 402, not 403, 803(8), not 408, 1006, 803(6), 801(c)

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
		document does not relate to issues in the retrial; Hearsay (FRE 802); Offer of Compromise/Settlement (FRE 408); Improper Summary Evidence (FRE 1006)	
P1318	HOUSEHOLD DATA BY STATE - Average Points for Closed End Loans (%)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Improper Summary Evidence (FRE 1006)	401, 402, not 403, 803(6), not 408, 1006
P1319	HOSUEHOLD DATA BY STATE - Number of Loans Greater than 100% LTV	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Improper Summary Evidence (FRE 1006)	401, 402, not 403, 803(6), not 408, 1006
P1320	HOUSEHOLD DATA BY STATE - Home Equity Lines of Credit with Greater than 90% of Line Disbursed at Closing (%)	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Improper Summary Evidence (FRE 1006)	401, 402, not 403, 803(6), not 408, 1006
P1321	HOUSEHOLD DATA BY STATE - Percentage of Real Estate Loans with Any Insurance	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Improper Summary Evidence (FRE 1006)	401, 402, not 403, 803(6), not 408, 1006
P1322	HOUSEHOLD DATA BY STATE - Percentage of All Real Estate Loans With Life Insurance	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Improper Summary Evidence (FRE 1006)	401, 402, not 403, 803(6), not 408, 1006
P1325	Customer ""Benefits"" From	Irrelevant (FRE 402); Unfair Prejudice, Confusion of	401, 402, not 403, 803(6), not

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
	Household Loans	the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Improper Summary Evidence (FRE 1006)	408, 1006
P1326	Regulatory Findings By State	Irrelevant (FRE 402); Confusion of the Issues, Waste of time, Unfair prejudice (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Offer of Compromise/Settlement (FRE 408); Improper Summary Evidence (FRE 1006)	401, 402, not 403, 803(6), not 408, 1006
P1333	Letter re: Expanded Report of Examination	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Offer of Compromise/Settlement (FRE 408); Lacks Authentication (FRE 901); Incomplete Document (FRE 106)	Admitted at prior trial, 703, 401, 402, not 403, 803(8), not 901, 801(c)
P1335	First Mortgage Sales, HFC Central Division Binder	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1384	E-mail chain Subject: State of TN Branch 84-3001 Examination	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(c), 801(d)(2), 803(6)
P1385	E-mail chain Subject: Fitch servicer review	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1386	E-mail string re Fitch Data	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1387	E-mail Subject: Re-age Fitch Servicer Presentation Slides	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the	Admitted at prior trial, 401, 402, not 403

EX. NO.	DESCRIPTION	DEFENDANTS' OBJECTIONS	PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTIONS
		document does not relate to issues in the retrial	
P1437	Institutional Shareholder Services. - Heidi Brown, Analyst - Proxy Analysis Report	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802)	Admitted at prior trial, 703, 801(c)
P1467	Household Bi-Weekly Program Work Sheet - Completed	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1469	Household Memorandum re: March Month End Results	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1470	email string re Media Issue in Washington State	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403
P1471	Vossen Complaint	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial	Admitted at prior trial, 401, 402, not 403; 801(c), 801(d)(2), 803(6)
P1589	Handwritten notes	Irrelevant (FRE 402); Unfair Prejudice, Confusion of the Issues, Waste of Time (FRE 403) because the document does not relate to issues in the retrial; Hearsay (FRE 802); Lack of Foundation (FRE 901)	Admitted at prior trial, 401, 402, not 403, 801(d)(2), not 901