

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

)	
United States Securities)	Case No: 14 CV 10163
and Exchange Commission)	
)	
v.)	Judge: John Z. Lee
)	Magistrate Judge: Sidney I. Schenkier
)	
Navistar International)	
Corporation)	
)	

ORDER

MOTION HEARING HELD. For the reasons stated on the record, we sustain in part and overrule in part the assertion of attorney client privilege and/or work product protection as to the samples of documents submitted for *in camera* review from the Navistar privilege log as summarized below.

Lobbying and communications documents. (1) We overrule the privilege and/or work product assertions as to the documents in Tabs 1-15; 17-31, 33-34, and 37. Navistar shall produce those documents; (2) we sustain in part the privilege and/or work product assertions as to the documents in Tabs 16, 35-36, and 38. Navistar shall produce those documents but may redact from the produced documents the material identified on the record during the hearing; and (3) we sustain the privilege and/or work product assertions as to the documents in Tabs 32 and 39.

Non-attorney documents. (1) We overrule the privilege and/or work product assertions as to the documents in Tabs 44, 54-57, 61-62, and 64-65. Navistar shall produce those documents; (2) we sustain in part the privilege and/or work product assertions as to the documents in Tabs 40-41, 45-46, 48-49, 52-53, 58, 60, 63 and 66. Navistar shall produce those documents but may redact from the produced documents the material identified on the record during the hearing; and (3) we sustain the privilege and/or work product assertions as to the documents in Tabs 42-43, 47, 50-51, and 59.

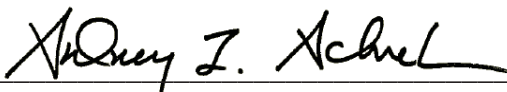
Draft documents. (1) We overrule the privilege and/or work product assertions as to the documents in Tabs 67, 70-72. Navistar shall produce those documents; (2) and we sustain the privilege and/or work product assertion as to the documents in Tabs 68-69.

Navistar shall produce on a rolling basis (1) the documents, which based on the *in camera* review, the Court has found not protected from production, and (2) the other documents Navistar has withheld from production that were not included in the *in camera* review, but that Navistar in

good faith determines on further review are not protected by privilege or work product under the analysis employed in the Court's ruling today. Navistar shall commence that production as soon as possible, and shall complete the production by no later than 7/24/15. Prior to the production of any documents that were not included in the sample for which there was *in camera* review, the parties shall submit to the Court's proposed order box a proposed Rule 502(d) order. On 7/24/15, Navistar shall identify for the SEC any remaining documents on the privilege log that Navistar asserts remain protected from production. The parties shall meet and confer as necessary to resolve any disputes about logged documents that continue to be withheld from production. The matter is set for a status hearing with the magistrate judge on 8/13/15 at 9:00 a.m.

(T: 02:00)

Date: June 30, 2015

/s/ 
SIDNEY I. SCHENKIER
UNITED STATES MAGISTRATE JUDGE