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ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco
05/08/2019
Clerk of the Court
BY: VANESSA WU
Deputy Clerk

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13 *Counsel for Prospective Intervenor R.A. Feuer*
14

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

16 **COUNTY OF SAN FRANCISCO**

17 IN RE WELLS FARGO & COMPANY)
18 AUTO INSURANCE DERIVATIVE)
19 LITIGATION)
_____)

20 This Document Relates To:)
21 ALL ACTIONS)
22 WELLS FARGO & COMPANY,)

23 Nominal Defendant,)
_____)

24 R.A. FEUER,)
25)
26)
27 Plaintiff/Intervenor.)
_____)

Lead Case No. CGC-17-561118

**NOTICE OF VERIFIED APPLICATION
OF RICHARD D. GREENFIELD TO
APPEAR *PRO HAC VICE*;
MEMORANDUM OF POINTS AND
AUTHORITIES [PROPOSED ORDER
LODGED SEPARATELY HEREWITH]**

JUDGE: Hon. Teri Jackson
DEPT: 613
HEARING DATE: May 31, 2019
TIME: 9:30 a.m.

1 **TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that on May 31, 2019 at 9:30 a.m. or as soon thereafter as the
3 matter may be heard, in Department 613 of the Superior Court of California for the County of San
4 Francisco, located at 400 McAllister Street, San Francisco, California, 94102, Richard D.
5 Greenfield, on behalf of Prospective Intervenor R.A. Feuer, will apply to appear as counsel *pro*
6 *hac vice* pursuant to Rule 9.40 of the California Rules of Court.

7 The Application to appear as counsel *pro hac vice* will be based on this Notice of
8 Application, this Memorandum of Points and Authorities and the Verified Application filed
9 herewith, and any evidence of which this Court may take judicial notice.

10 DATED: May 2, 2019

Respectfully submitted,

11

/s/ Brittany N. DeJong

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BRITTANY N. DEJONG

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Attorneys for Prospective Intervenor

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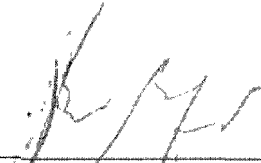
1 California office, located at Symphony Towers, 750 B Street, Suite 1820, San Diego, CA
2 92101, (619) 2394599. The attorneys in the office who are active members of the California
3 State Bar and who are attorneys of record in this case are Betsy Manifold and Brittany N.
4 DeJong.

5 12. I have caused to be transmitted to the State Bar of California a copy of
6 this Application and notice of hearing filed contemporaneously, as well as a check in the
7 amount of \$50.00, as required by Rule 9.40(e) of the California Rules of Court.

8 I declare under penalty of perjury under the laws of the State of California that
9 the foregoing is true and correct.

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Dated: April 30, 2019



RICHARD D. GREENFIELD

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **I. INTRODUCTION**

3 Intervenor R.A. Feuer hereby applies for an order granting Richard D. Greenfield
4 permission to appear *pro hac vice* in this action, in association with Betsy C. Manifold and
5 Brittany N. DeJong of Wolf Haldenstein Adler Freeman & Herz LLP of San Diego, California.
6 Mr. Greenfield is the attorney principally responsible for representing Mr. Feuer in a shareholder
7 derivative action styled *R.A. Feuer, derivatively on behalf of Wells Fargo & Co. v. John D. Baker,*
8 *et al.*, No. 3:18-cv-02866, pending in the United States District Court for the Northern District of
9 California and Mr. Feuer seeks to intervene in this action.

10 This application is made on the grounds that Richard D. Greenfield satisfies all of the
11 requirements of California Rule of Court (“CRC”) 9.40.

12 **II. MEMORANDUM OF POINTS AND AUTHORITIES**

13 CRC 9.40 governs *pro hac vice* admissions and states in pertinent part:

14 A person who is not a licensee of the State Bar of California but who is an attorney
15 in good standing of and eligible to practice before the bar of any United States
16 court or the highest court in any state, territory, or insular possession of the United
17 States, and who has been retained to appear in a particular cause pending in a court
18 of this state, may in the discretion of such court be permitted upon written
19 application to appear as counsel *pro hac vice*, provided that an active licensee of
20 the State Bar of California is associated as attorney of record.

21 It further sets forth that the attorney seeking admission may not: (1) reside in California;
22 (2) be regularly employed in California; or (3) be regularly engaged in substantial business,
23 professional, or other activities in California. CRC 9.40(a).

24 CRC 9.40(d) requires that an application to be admitted *pro hac vice* contain the following:
25 (1) the applicant’s residence and office address; (2) the courts to which the applicant has been
26 admitted to practice and the dates of admission; (3) that the applicant is a licensee in good
27 standing of those courts; (4) that the applicant is currently not suspended or disbarred in any court;
28 (5) the title of the court and cause in which the applicant has filed an application to appear as
counsel *pro hac vice* in this state in the preceding two years, the date of each application, and

1 whether or not it was granted; and (6) the name, address, and telephone number of the active
2 member of the State Bar of California who is attorney of record.

3 Finally, CRC 9.40(e) requires that the applicant pay a reasonable fee to the State Bar of
4 California, and that the State Bar be served with a copy of the application.

5 Mr. Greenfield is licensed to practice and is a member in good standing and admitted to
6 practice law in the states of New York (June 23, 1967), Maryland (June 11, 2002), and the
7 Commonwealth of Pennsylvania (April 26, 1971) and United States District Courts for the
8 Southern District of New York (April 1978), Eastern District of Pennsylvania (July 1971), District
9 of Maryland (December 1990), Northern District of Illinois (July 2010), District of Connecticut
10 (September 2016), and District of Michigan (October 2016). Application of Richard D.
11 Greenfield, ¶ 3. He is not a licensed attorney in the State of California. *Id.*, ¶ 7.

12 Mr. Greenfield's residential address is 529 S. Flagler Drive, West Palm Beach, FL 33401,
13 and his business address is Greenfield & Goodman, LLC, 250 Hudson Street, 8th Floor, New
14 York, NY 10013. *Id.*, ¶ 2. He is not currently engaged in substantial business or other activities
15 in California. *Id.*, ¶ 9. Mr. Greenfield has not applied for *pro hac vice* admission in California in
16 the past two years. *Id.*, ¶ 6. He will participate in this action in association with Betsy C.
17 Manifold and Brittany N. DeJong of Wolf Haldenstein Adler Freeman & Herz LLP of San Diego,
18 California. *Id.*, ¶ 11.

19 Further, all procedural requirements of CRC 9.40, *et seq.*, have been met, including
20 submission of this application with the required fees to the State Bar of California.

21 **III. CONCLUSION**

22 For all the reasons set forth above, Intervenor R.A. Feuer respectfully requests that this
23 court grant Richard D. Greenfield's application for admission as counsel *pro hac vice* in this
24 matter.

25 DATED: May 6, 2019

Respectfully submitted,

26 /s/ Brittany N. DeJong
27 BRITTANY N. DEJONG

28 **WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP**

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Attorneys for Prospective Intervenor

Wells Fargo (Feuer): 25622

CERTIFICATE OF SERVICE

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I, Kathryn Cabrera, the undersigned, do declare as follows:

I am a resident of the County of San Diego; I am over the age of 18 years, and not a party to, or have any interest in, this legal action; my business address is 750 B Street, Suite 1820, San Diego, California 92101.

On May 6, 2019, I served the following document(s):

NOTICE OF VERIFIED APPLICATION OF RICHARD D. GREENFIELD TO APPEAR *PRO HAC VICE*; MEMORANDUM OF POINTS AND AUTHORITIES; AND PROPOSED ORDER

in the manner identified below on all interested parties on the attached service list:

(XX) VIA ELECTRONIC MAIL – I electronically transmitted a copy of the documents listed above in a pdf or word processing format to those persons noted in the attached service list at their respective electronic mailbox addresses provided to **LEXIS FILE & SERVEXPRESS** using the aforementioned business electronic service address pursuant to Cal. Rules of Court, rule 2.251, subd. (g) on the date set forth above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 6th day of May 2019, at San Diego, California.

By: 
KATHRYN CABRERA

IN RE WELLS FARGO & CO. AUTO INSURANCE DERIVATIVE LITIGATION

Service List – April 29, 2019

Page 1

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