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ELECTRONICALLY
FILED
*Superior Court of California,
County of San Francisco*
04/16/2019
Clerk of the Court
BY: CAROL BALISTRERI
Deputy Clerk

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF SAN FRANCISCO**

12 IN RE WELLS FARGO & COMPANY AUTO) Lead Case No. CGC-17-561118
13 INSURANCE DERIVATIVE LITIGATION)
14 _____) **PLAINTIFFS' NOTICE OF MOTION AND**
15 _____) **MOTION FOR PRELIMINARY APPROVAL**
16 _____) **OF SETTLEMENT**
17 _____) Date: May 10, 2019
18 This Document Relates To:) Time: 10:00 a.m.
19 ALL ACTIONS) Dept. 613
20 _____) Hon. Teri L. Jackson
21 _____)
22 _____)
23 _____)
24 _____)
25 _____)
26 _____)
27 _____)
28 _____)

1 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 10, 2019, at 10:00 a.m., or as soon thereafter as
3 counsel may be heard, before the Honorable Teri L. Jackson, in Department 613 of the San Francisco
4 County Superior Court, 400 McAllister Street, San Francisco, California, Plaintiffs Donna Maxwell
5 and Douglas Duran, as Trustee of the John & Irene Duran Family Trust (the “CPI Plaintiffs”), on
6 behalf of the Parties, will move the Court for an order granting preliminary approval of the proposed
7 settlement set forth in the Stipulation and Agreement of Compromise, Settlement and Release (the
8 “Stipulation” or “Settlement”), attached as Exhibit 1 to the Declaration of Mark C. Molumphy in
9 Support of Plaintiffs’ Motion for Preliminary Approval of Settlement (the “Molumphy Declaration”)
10 filed concurrently herewith; establishing the form of Notice to be given to current shareholders of
11 Wells Fargo & Company (“Wells Fargo”); setting a schedule for hearing a motion for final approval
12 of the proposed Settlement, CPI Plaintiffs’ Counsel’s motion for an award of attorneys’ fees and
13 expenses, and for an award of service awards to the CPI Plaintiffs (the “Settlement Hearing”); and
14 directing that Notice of the Settlement Hearing be provided to Wells Fargo’s current shareholders.¹

15 The Motion is based on this Notice of Motion and Motion, the Memorandum of Points and
16 Authorities, the Molumphy Declaration, and the Declaration of the Honorable Daniel H. Weinstein
17 (Ret.), submitted herewith, all pleadings and papers on file with the Court, and all such additional
18 evidence or argument as may be presented to the Court at or before the Settlement Hearing regarding
19 the Settlement to resolve this consolidated action and other related derivative actions.

20 Dated: April 15, 2019

COTCHETT, PITRE & McCARTHY LLP

21 By: /s/ Mark C. Molumphy
MARK C. MOLUMPY

22
23 Dated: April 15, 2019

BOTTINI & BOTTINI, INC.

24 By: /s/ Francis A. Bottini, Jr.
FRANCIS A. BOTTINI, JR.

25 *Attorneys for Plaintiff Donna Maxwell*
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¹ Except as otherwise noted, all capitalized terms herein have the same meaning as defined in the Stipulation.

1 Dated: April 15, 2019

WILLIAM H. PARISH, PC

2 By: /s/ William H. Parish
3 WILLIAM H. PARISH

4 *Attorneys for Plaintiff Douglas Duran, as Trustee*
5 *of the John & Irene Duran Family Trust*

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