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ELECTRONICALLY

**FILED**

Superior Court of California,  
County of San Francisco

**06/21/2019**

Clerk of the Court

BY: VANESSA WU

Deputy Clerk

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **COUNTY OF SAN FRANCISCO**

12  
13 IN RE WELLS FARGO & COMPANY AUTO ) Lead Case No. CGC-17-561118  
14 INSURANCE DERIVATIVE LITIGATION )  
15 \_\_\_\_\_ ) **PLAINTIFFS' RENEWED NOTICE OF**  
16 \_\_\_\_\_ ) **MOTION AND MOTION FOR**  
17 \_\_\_\_\_ ) **PRELIMINARY APPROVAL OF**  
18 This Document Relates To: ) **SETTLEMENT**  
19 ALL ACTIONS ) Date: July 3, 2019  
20 \_\_\_\_\_ ) Time: 10:00 a.m.  
21 \_\_\_\_\_ ) Dept. 613  
22 \_\_\_\_\_ ) Hon. Teri L. Jackson  
23 \_\_\_\_\_ )  
24 \_\_\_\_\_ )  
25 \_\_\_\_\_ )  
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1 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

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

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

21 Dated: June 21, 2019

COTCHETT, PITRE & McCARTHY LLP

22 By: /s/ Mark C. Molumphy  
23 MARK C. MOLUMPY

24 Dated: June 21, 2019

BOTTINI & BOTTINI, INC.

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

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

1 Dated: June 21, 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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