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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **COUNTY OF SAN FRANCISCO**

18 COORDINATION PROCEEDING
19 SPECIAL TITLE [RULE 3.550]

20 WELLS FARGO DERIVATIVE CASES

21 Included Actions:
22 Superior Court of California
23 County of San Francisco
24 *In re Wells Fargo & Company Derivative
Litigation*
No. CGC-16-554407

San Mateo County Superior Court
Herron v. Stumpf, et al.
No. 18-CIV-00466

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4966

CJC-18-004966

**PLAINTIFFS' RENEWED NOTICE OF
MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT**

Date: June 26, 2019
Time: 10:00 a.m.
Dept. 613
Hon. Teri L. Jackson

ELECTRONICALLY
FILED

Superior Court of California,
County of San Francisco

06/14/2019
Clerk of the Court

BY: JUDITH NUNEZ
Deputy Clerk

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

2 PLEASE TAKE NOTICE that on June 26, 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
4 Francisco County Superior Court, 400 McAllister Street, San Francisco, California, Plaintiffs
5 William C. Sarsfield, Franklin Chin, Amy Cook, Monique Frese, Dustin Roth Granger, Vladimir
6 Gusinsky, as Trustee of the Vladimir Gusinsky Revocable Trust, Terence J. Keeley, as Trustee of
7 the Barbara F. and Terence J. Keeley Revocable Living Trust, Dennis Palkon, Christian Aurelio
8 Reyes III, William Russell and Juanita Russell, Trustees of the William and Juanita Russell Trust,
9 and David L. Underwood (“Plaintiffs”), on behalf of the Parties, will move the Court for an order
10 granting preliminary approval of the proposed settlement set forth in the Stipulation and
11 Agreement of Compromise, Settlement and Release (the “Stipulation” or “Settlement”), attached
12 as Exhibit 1 to the Declaration of Mark C. Molumphy in Support of Plaintiffs’ Renewed Motion
13 for Preliminary Approval of Settlement (the “Molumphy Declaration”) filed concurrently
14 herewith; establishing the form of Notice to be given to current shareholders of Wells Fargo &
15 Company (“Wells Fargo”); setting a schedule for hearing a motion for final approval of the
16 proposed Settlement, Plaintiffs’ Counsel’s motion for an award of attorneys’ fees and expenses,
17 and for service awards to Plaintiffs (the “Settlement Hearing”); and directing that Notice of the
18 Settlement Hearing be provided to Wells Fargo’s current shareholders.¹

19 The Motion is based on this Renewed Notice of Motion and Motion, the Memorandum of
20 Points and Authorities, Molumphy Declaration, Declaration of the Honorable Daniel H. Weinstein
21 (Ret.), Declaration of Professor Daniel J. Morrissey, and Declaration of Anya N. Thepot,
22 submitted herewith, all pleadings and papers on file with the Court, and all such additional
23 evidence or argument as may be presented to the Court.

24 Dated: June 14, 2019

COTCHETT, PITRE & McCARTHY, LLP

25 By: /s/ Mark C. Molumphy
26 MARK C. MOLUMPHY

27 *Lead Counsel for Derivative Plaintiffs*

28 ¹ Except as otherwise noted, all capitalized terms have the same meaning as in the Stipulation.

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