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WELLS FARGO BANK, N.A.

20 **UNITED STATES DISTRICT COURT FOR THE**
21 **NORTHERN DISTRICT OF CALIFORNIA**

22 ALICIA HERNANDEZ, et al., individually
23 and on behalf of all others similarly situated,

24 Plaintiffs,

25 v.

26 WELLS FARGO BANK, N.A.,

27 Defendant.

28 Case No. 3:18-cv-07354 -WHA

JOINT CASE NOTICE
REGARDING IDENTIFICATION
OF ADDITIONAL IMPACTED
BORROWERS

Wells Fargo Bank, N.A. (“Wells Fargo” or “Defendant”) and Plaintiffs (together, the “Parties”) submit this Joint Case Notice Regarding Identification of Additional Impacted Borrowers to inform the Court of a recent development: Wells Fargo’s identification of additional borrowers who were impacted by the calculation error at issue in this matter (the “Additional Borrowers”) and

1 were not part of the list of borrowers provided by Wells Fargo and identified in the Class List
2 submitted to the Court after final approval. Wells Fargo informed Class Counsel of these
3 developments on Friday, October 23, 2020.

4 Wells Fargo is currently compiling and validating the list of Additional Borrowers and the
5 associated data about their loans and expects to provide a preliminary list of Additional Borrowers to
6 Class Counsel no later than November 7, 2020. Wells Fargo will provide Class Counsel with a final
7 list of Additional Borrowers and the associated data about each loan upon completion of the
8 validation process. As soon as this process is completed, Wells Fargo will advise the Court and
9 Class Counsel.

10 Currently, the Parties intend to file a joint motion to reopen the judgment to amend the
11 settlement agreement to address the Additional Borrowers. Wells Fargo intends to fund payments
12 for the Additional Borrowers using the same formula as previously approved from an additional
13 settlement fund that will be established for these Additional Borrowers. Upon Class Counsel's
14 review of the loan level data, any appropriate confirmatory discovery and agreement of the terms of
15 the settlement for the Additional Borrowers, Class Counsel anticipates filing a motion for
16 preliminary approval of the amended settlement which will apply to these Additional Borrowers.
17 The following process would include notice to the Additional Borrowers, an opportunity for them to
18 object or opt out, and (as before) a severe emotional distress fund which would be established for
19 those who seek additional compensation.

20 The Parties agree that the current payment timeline for payments to previously identified
21 class members should proceed without delay or interruption. Unless otherwise directed by the
22 Court, payments are scheduled to be distributed to class members by November 30, 2020 per the
23 Court's October 12, 2020 final approval order. The Parties are available for a status conference at
24 the Court's convenience.

1 Dated: October 29, 2020

Respectfully submitted,

2 /s/ Amanda L. Groves
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16 *ATTORNEYS FOR THE PLAINTIFFS AND CLASS*

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19 **CERTIFICATE OF SERVICE**

20 I hereby certify that on the October 29, 2020, I electronically transmitted the attached documents
21 to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic
22 Filing to all parties of record.

23 /s/ Amanda L. Groves