

## **LEGAL NOTICE**

### **IF YOUR HOME EQUITY LINE OF CREDIT (“HELOC”) WAS SUSPENDED OR REDUCED BY WELLS FARGO BANK, YOU MAY BE ENTITLED TO BENEFITS FROM A CLASS ACTION SETTLEMENT**

*Marika Hamilton v. Wells Fargo Bank, N.A., Case No. 4:09-CV-04152 CW*

*Visit [www.helocsettlement.com](http://www.helocsettlement.com) for more information*

## **NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT**

A proposed class action settlement has been reached in four putative nationwide class action cases brought against the defendant, Wells Fargo Bank, N.A. (“Defendant”), in the United States District Court for the Northern District of California (“Settlement”). The Settlement resolves litigation that had challenged Wells Fargo’s HELOC suspension practices. Your legal rights may be affected whether you act or don’t act. Please read this notice carefully. Please also visit [www.helocsettlement.com](http://www.helocsettlement.com) to read the full agreement and instructions on how to submit a claim.

### **What Are the Lawsuits About?**

The lawsuits alleged that Wells Fargo unlawfully suspended and reduced its borrowers’ HELOCs, either by claiming that the borrowers’ financial circumstances had adversely changed or that the borrowers’ home values had significantly declined.

Wells Fargo denies that it or any other released party violated any law. The Court has not determined who was right. Rather, the parties have agreed to settle the lawsuits to avoid the uncertainties and expenses that will result from further litigation. This notice is not an admission of wrongdoing by any party.

### **How Do I Know if I Am a Class Member?**

You are a member of the Financial Circumstances Class if you were a person in the United States from January 1, 2008 to June 30, 2011 whose HELOC account with Wells Fargo Bank, N.A., Golden West, Wachovia, or Wells Fargo Financial (collectively, “Wells Fargo”) was suspended or reduced by Wells Fargo based on a claim by Wells Fargo that your financial circumstances had experienced an adverse material change to justify the suspension or reduction.

You are a member of the Property Value Class if you were a person in the United States from July 1, 2008 to June 30, 2011 whose Wells Fargo HELOC account was suspended or reduced based on a claim by Wells Fargo that the value of the property securing the HELOC (i.e., your home) had experienced a significant decline in value to justify the suspension or reduction.

You are a member of the Former Customer Class if you were a person (i) in the United States from January 1, 2008 to June 30, 2011, (ii) who closed his or her HELOC account following a suspension or reduction of the account by Wells Fargo based upon a claim by Wells Fargo that there was either a material adverse change in your financial circumstances, or a significant decline in the value of the property securing the HELOC, and (iii) who incurred a Deferred Origination Fee from Wells Fargo as a result of the closing of your account.

### **What Can I Get From the Settlement?**

Members of the Financial Circumstances Class and Property Value Class who are current Wells Fargo HELOC customers and who remain in the Settlement (i.e., do not file a timely Request for Exclusion) will benefit from the Settlement’s service enhancements, including a notice of right to request reinstatement, rounds of proactive reinstatements, certain limitations on automated value models, and enhanced property notices. A full explanation of these service enhancements is set forth in the long form notice available at [www.helocsettlement.com](http://www.helocsettlement.com).

Members of the Former Customer Class who submit timely Claim Forms are entitled to a cash award of \$150.

### **How Can I Receive Monetary Settlement Benefits?**

Former Customers must submit a timely, truthful, accurate, and properly completed Claim Form. A copy of the Claim Form can be obtained at [www.helocsettlement.com](http://www.helocsettlement.com). You may print out and mail a completed Claim Form to the following address:

HELOC Claims Administrator  
PO Box 2661  
Faribault, MN 55021-9661

**Claim Forms must be postmarked no later than June 25, 2012.**

### **What Are My Other Options?**

You and your lawyer, if any, have the right to appear before the Court and object to the proposed Settlement. Your written objection must be submitted by **April 5, 2012**. If you do not wish to be a member of the Class, you may exclude yourself by submitting a Request for Exclusion to the Claims Administrator. Specific instructions are available at [www.helocsettlement.com](http://www.helocsettlement.com). Your request *must* be submitted by **April 5, 2012**.

If you do nothing, you will be in the Class, and if the Court approves the Settlement, you will also be bound by all orders and judgments of the Court. If the Settlement is approved by the Court, your claims against Wells Fargo and other Released Parties for any and all claims in conjunction with the suspension or reduction of your HELOC will be released.

### **Who Represents Me?**

The Court has approved Jay Edelson, Steven L. Woodrow, and Evan Meyers of Edelson McGuire LLC to be the attorneys representing the Classes in this case. These attorneys are referred to as Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

Class Counsel will ask the Court for attorneys' fees and expenses of up to \$1,470,000. Additionally, Wells Fargo has agreed to pay the Class Representatives \$6,000 each for their services in helping to bring and settle these cases. The Court may award less than these amounts. A copy of Class Counsel's request for reasonable attorney's fees and incentive awards will be made available on the settlement website at [www.helocsettlement.com](http://www.helocsettlement.com) by March 22, 2012.

### **When Will the Court Consider the Proposed Settlement?**

The Court will hold the Fairness Hearing at 2:00 p.m. on April 26, 2012 at the United States District Court for the Northern District of California located at the United States Courthouse, Courtroom 2, 4<sup>th</sup> Floor, 1301 Clay Street, Oakland, California 94612. At that hearing, the Court will hear any objections concerning the fairness of the Settlement that have been properly requested, as set forth above. The hearing may be postponed to a different date or time without notice. You are not required to come to the Fairness Hearing.

### **How Do I Get More Information?**

The exact release and the definition of Released Parties contained in the Class Action Settlement Agreement are far more detailed, and you may want or need to consider it before making your decision about participating in the Settlement. For more information about the proposed Settlement and a copy of the full Class Action Settlement Agreement and the Notice and Claim Form, go to [www.helocsettlement.com](http://www.helocsettlement.com) or call toll-free 1-866-459-0120. You may also contact Class Counsel, at the address or phone number below, for any reason, including requesting a copy of the Class Action Settlement Agreement. If you contact Class Counsel in writing, please include the case name and number, and your name and your current return address on any letters, not just the envelopes.

#### **CLASS COUNSEL**

Jay Edelson, Esq.  
Steven L. Woodrow, Esq.  
Evan Meyers, Esq.  
EDELSON MCGUIRE LLC  
350 North LaSalle, Suite 1300  
Chicago, IL 60654  
Tel: 1-866-354-3015  
[www.edelson.com](http://www.edelson.com)

**QUESTIONS? VISIT [WWW.HELOCSETTLEMENT.COM](http://WWW.HELOCSETTLEMENT.COM) OR CALL TOLL-FREE 1-866-459-0120**

## NOTICE OF RIGHT TO REQUEST REINSTATEMENT

This notice is being sent to remind and alert you of your right to apply for account reinstatement if your Wells Fargo Bank, N.A. ("Wells Fargo") home equity line of credit ("HELOC") is currently suspended or if the credit limit has been reduced. You are receiving this notice because our records indicate that you have a HELOC with Wells Fargo that was suspended or reduced due to a material adverse change in your financial circumstances or due to a significant decline in the value of the property securing your HELOC.

YOU ARE HEREBY REMINDED AND NOTIFIED THAT YOU HAVE THE RIGHT TO REQUEST A REVIEW OF YOUR HELOC ACCOUNT SUSPENSION OR REDUCTION UNDER WELLS FARGO'S CURRENT REVIEW STANDARDS IF YOU BELIEVE YOUR CIRCUMSTANCES HAVE CHANGED, YOUR ACCOUNT IS STILL OPEN, AND WITHIN ITS DRAW PERIOD. WELLS FARGO'S POLICIES FOR REINSTATEMENT OF HELOC ACCOUNTS MAY BE DIFFERENT FROM THE CRITERIA WHICH WERE IN EFFECT AT THE TIME YOUR HELOC ACCOUNT WAS INITIALLY SUSPENDED OR REDUCED. ANY REQUEST FOR REINSTATEMENT OF YOUR HELOC ACCOUNT IS SUBJECT TO REVIEW UNDER WELLS FARGO'S CURRENT REVIEW STANDARDS, AND THERE IS NO GUARANTEE OF A PARTICULAR OUTCOME FOLLOWING ANY SUCH REVIEW.

If you would like to learn more about how to formally request account reinstatement, please call toll free 1-866-459-0120.

For more information about the proposed Settlement and a copy of the full Class Action Settlement Agreement and the Notice and Claim Form, go to [www.helocsettlement.com](http://www.helocsettlement.com) or call toll-free 1-866-459-0120.

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