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20 Wells Fargo Bank, N.A.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

23 CITY OF OAKLAND, a municipal Corporation,

24 Plaintiff,

25 vs.

26 WELLS FARGO & CO., and
27 WELLS FARGO BANK, N.A.,

28 Defendants.

Case No.: 3:15-cv-04321-EMC

**STIPULATION AND ~~PROPOSED~~
ORDER FOR DISMISSAL OF ACTION
WITH PREJUDICE; ~~PROPOSED~~
JUDGMENT**

2:18-00416

**STIPULATION AND ~~PROPOSED~~ ORDER FOR DISMISSAL OF ACTION WITH PREJUDICE;
~~PROPOSED~~ JUDGMENT**

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RECITALS

WHEREAS, on September 28, 2021, the United States Court of Appeals for the Ninth Circuit entered judgment and published its decision in *City of Oakland v. Wells Fargo & Company*, No. 19-15169 (9th Cir. Sept. 28, 2021);

WHEREAS, the Ninth Circuit issued its formal mandate pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure on January 27, 2022;

WHEREAS, the parties agree that the Ninth Circuit’s mandate requires this Court to dismiss the City of Oakland’s First Amended Complaint with prejudice and enter judgment in favor of defendants Wells Fargo & Co. and Wells Fargo Bank, N.A.

NOW, THEREFORE, the parties do further stipulate and agree as follows:

STIPULATION

1. The Court shall dismiss with prejudice the City of Oakland’s First Amended Complaint.
2. The Court shall enter judgment in favor of defendants Wells Fargo & Co. and Wells Fargo Bank, N.A. The City of Oakland shall recover nothing.
3. Each party agrees to bear its own costs and expenses, including attorneys’ fees.

DATED: March 14, 2022

PERETZ & ASSOCIATES

By: /s/ Yosef Peretz
Yosef Peretz

Attorneys for Plaintiff
CITY OF OAKLAND

DATED: March 14, 2022

K&L GATES LLP

By: /s/ Edward P. Sangster
Edward P. Sangster

Attorneys for Defendants Wells Fargo & Co.
and Wells Fargo Bank, N.A.

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~~[PROPOSED]~~ ORDER

The parties' stipulation is approved. Plaintiff's First Amended Complaint is hereby dismissed with prejudice. Each party shall bear its own costs and expenses, including attorneys' fees.

DATED: March 16, 2022



Edward M. Chen
United States District Judge