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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
17 **COUNTY OF SANTA CLARA**

18 LARRY WALLACE individually and on behalf of  
19 himself and all others similarly situated,

20 Plaintiff,

21 v.

22 WELLS FARGO & CO, and WELLS FARGO  
23 BANK, N.A.,

24 Defendant.

Case No. 17CV317775

~~PROPOSED~~ **ORDER REGARDING  
CLASS COUNSEL'S REPORT FOR  
SEPTEMBER 14, 2022 SETTLEMENT  
COMPLIANCE HEARING**

Judge: Hon. Patricia M. Lucas  
Dept. 3

Action filed: October 19, 2017  
Trial date: None Set

25 **THIS MATTER HAVING** come before this Court, and the Court having reviewed Class  
26 Counsel's Report for September 14, 2022 Settlement Compliance Hearing filed on August 30, 2020,  
27 including the ~~xxxxxx~~ declaration from the Settlement Administrator ("Report"). The Court has  
28 determined that the September 14, 2022 compliance hearing should be continued, as the Court prefers  
that hearing be on a date when the Settlement Administrator will have completed both the secondary  
distribution to eligible Settlement Class Members and the final *cy pres* payment to the Center for  
Responsible Lending in accordance with the terms of the Settlement Agreement and Release and the  
amended version of the Final Approval Order.

The Court approves payment to the Settlement Administrator of \$6,237.25 to cover  
unanticipated out-of-pocket remail costs already incurred above the \$327,126.00 in Administration

07685.1954/16242976.1

~~PROPOSED~~ ORDER ~~APPROVING REVISED NOTICES TO~~  
CLASS MEMBERS OF CLASS ACTION SETTLEMENT  
XX

**Electronically Filed  
by Superior Court of CA,  
County of Santa Clara,  
on 9/12/2022 11:12 AM  
Reviewed By: R. Walker  
Case #17CV317775  
Envelope: 9936443**

1 Expenses already approved and paid from the Settlement Fund. This amount will be paid after the  
2 October 2, 2022, stale date from the residual funds prior to calculating the individual second distribution  
3 amounts.

4 The Court also approves the payment of the Administration Expenses for the secondary  
5 distribution costs be paid from the residuary of the Settlement Fund ~~within the range of \$93,914.00-~~  
6 ~~\$139,040.00~~ <sup>not to exceed</sup> subject to the approval of invoices by Class Counsel. These Administrative Expenses shall  
7 include (a) out-of-pocket print costs to issue paper checks, postage to mail paper checks, and printing  
8 and re-mailing paper checks, and (b) fees for processing of undeliverable checks, research, maintaining  
9 the toll-free phone line with IVR recordings, website updates and maintenance, an additional year of  
10 tax preparation, and staff costs to perform the second distribution as well as account reconciliations.  
11 The Settlement Administrator shall invoice the Parties for these out-of-pocket and staff costs as they  
12 are incurred during the secondary distribution process.

13 Following the second distribution, any residual funds are to be paid to Center for Responsible  
14 Lending, the Court-approved *cy pres* recipient. The Settlement Administrator shall perform that task  
15 without further expense.

16 The compliance hearing is hereby reset for **March 8, 2023 at 2:30 p.m.** in Department 3.  
17 Counsel may appear remotely.

18 At least ten court days before the hearing, Class Counsel and the Settlement Administrator shall  
19 submit a summary accounting of the Net Settlement Fund identifying the total amount successfully  
20 distributed to Settlement Class Members for the secondary distribution, the amount paid to the *cy pres*  
21 recipient, and the amount paid to the Settlement Administrator within the range approved in this Order.

22 **IT IS SO ORDERED.**

23 Dated: September 11, 2022

24   
The Honorable Patricia M. Lucas

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1 Approved as to form:

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4 Loren W. Coe, Esq.  
5 Mark D. Lonergan, Esq.  
6 SEVERSON & WERSON  
7 Attorneys for Defendants,  
8 WELLS FARGO & COMPANY and  
9 WELLS FARGO BANK, N.A.  
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