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13 Attorneys for Defendants

14 Additional Counsel on Next Page

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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18

19 WILLIAM WOLIN, individually, and on  
 20 behalf of other members of the general  
 public similarly situated, and as aggrieved  
 21 employees pursuant to the Private  
 Attorneys General Act (“PAGA”),

22 Plaintiff,

23 v.

24 WELLS FARGO BANK, NATIONAL  
 ASSOCIATION, a national association;  
 25 WELLS FARGO & COMPANY, a  
 Delaware corporation; and DOES 1  
 26 through 10, inclusive,

27 Defendants.  
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CASE NO. CV 12 4509 MMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO TRANSFER CASE TO THE  
 UNITED STATES DISTRICT COURT FOR  
 THE CENTRAL DISTRICT OF  
 CALIFORNIA**

STIPULATION TO TRANSFER CASE TO  
 CENTRAL DISTRICT OF CALIFORNIA  
 CASE NO. 12 4509

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6 Attorneys for Defendants

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1 Subject to the approval of the Court, the parties, by and through their undersigned  
2 counsel, hereby submit this Stipulation and [Proposed] Order to Transfer Case to the United  
3 States District Court for the Central District of California.

4 **STIPULATION**

5 **WHEREAS**, Plaintiff William Wolin (“Plaintiff”) has brought this putative class  
6 action complaint against Defendants Wells Fargo Bank, N.A. (“WFB”) and Wells Fargo & Co.  
7 (“WFC”) (collectively “Defendants”) seeking to represent a putative national collective action  
8 class of current and former loan underwriters and a putative California Rule 23 class of current  
9 former loan underwriters;

10 **WHEREAS**, Defendants deny the material allegations asserted by Plaintiff and  
11 deny that this case is proper for collective or class action treatment;

12 **WHEREAS**, Plaintiff was employed by WFB to underwrite brokered loans from  
13 February 22, 2012 to July 25, 2012 in WFB’s Southern California loan origination center, located  
14 within the Central District of California, and Plaintiff never worked for any Defendant in the  
15 Northern District of California;

16 **WHEREAS**, Plaintiff currently resides in the Central District of California and  
17 resided within the Central District of California when he was employed by WFB in 2012;

18 **WHEREAS**, Defendants have represented to Plaintiff and provided authority that  
19 WFB does not have its principal place of business in the Northern District of California, and in  
20 particular, that the lending division of WFB is not headquartered in the Northern District of  
21 California;

22 **WHEREAS**, Defendants have represented to Plaintiff that he was not employed  
23 by WFC;

24 **WHEREAS**, 28 U.S.C. section 1404(a) grants district courts the discretion to  
25 transfer any civil action to any other district or division where it might have been brought “[f]or  
26 the convenience of parties and witnesses, in the interest of justice,” in order to “prevent the waste  
27 ‘of time, energy, and money’ and ‘to protect litigants, witnesses and the public against  
28 unnecessary inconvenience and expense.’” *Van Dusen v. Barrack*, 376 U.S. 612, 616 (1964)

1 (quoting *Continental Grain Co. v. The Barge FBL-585*, 364 U.S. 19, 26-27 (1960));

2           **WHEREAS**, Defendants agree that Plaintiff could have brought this action in the  
3 United States District Court for the Central District of California because Defendants conduct  
4 business throughout California, including in the Central District, and because Plaintiff worked for  
5 WFB in the Central District, which is where “a substantial part of the events or omissions giving  
6 rise to the claim occurred,” making venue in the district proper (28 U.S.C. § 1391(b)(2), (c));

7           **WHEREAS**, Defendants agree that they are subject to personal jurisdiction in the  
8 United States District Court for the Central District of California;

9           **WHEREAS**, the parties further agree that the pertinent witnesses and records, to  
10 the extent they are in California, are in the Central District, and that transfer to the Central District  
11 will therefore ease discovery and other litigation-related costs, and is in the interests of justice;

12           **WHEREAS**, the requested transfer will have no effect on any other scheduled  
13 dates;

14           **WHEREAS**, the parties’ agreement to transfer shall be in no way construed to  
15 have any effect on the underlying litigation or merits of the case, and this stipulation shall not be  
16 construed to modify, limit or otherwise affect the allegations in Plaintiff’s complaint, including,  
17 but not limited to, Plaintiff’s alleged class definition; and

18           **WHEREAS**, the parties agree that they shall both bear their own costs with  
19 respect to this stipulation, and specifically, Plaintiff shall not be subject to any costs or sanctions  
20 for initiating this case in the Northern District of California, and it is agreed that he did so in good  
21 faith.

22           **NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED**, by and  
23 between the undersigned counsel for all parties that, subject to the approval of the Court, this case  
24 shall be transferred to the United States District Court for the Central District of California,  
25 Western Division, in Los Angeles, California.

26           **IT IS SO STIPULATED.**

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DATED: February 8, 2013

Law Offices of Mark Yablonovich

By: /s/ Neda Roshanian  
Neda Roshanian  
Attorneys for Plaintiff  
WILLIAM WOLIN

DATED: February 8, 2013

Munger, Tolles & Olson LLP

By: /s/ Mari Overbeck  
Mari Overbeck  
Attorneys for Defendants

Filer's Attestation

I, Malcolm A. Heinicke, am the ECF user whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO TRANSFER CASE TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Neda Roshanian concurs in this filing.

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~~PROPOSED~~ ORDER

Having read the considered the Stipulation filed by the parties, and good cause appearing therefore, **IT IS HEREBY ORDERED** that, pursuant to 28 U.S.C. section 1404, for the convenience of the parties and witnesses, and in the interests of justice, this case is **TRANSFERRED** to the United States District Court for the Central District of California, Western Division.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: February 12, 2013

  
The Honorable Maxine M. Chesney  
United States District Court Judge