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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARIA ELENA PERMITO,

Plaintiff,

vs.

WELLS FARGO, N.A.,

Defendant.

Case No.: C-12-00545-YGR

**ORDER TO SHOW CAUSE WHY THIS
COURT HAS JURISDICTION AND
SETTING COMPLIANCE HEARING**

The Court has serious doubts that it has subject matter jurisdiction over this matter and, therefore, Plaintiff shall show cause why this action should not be dismissed for lack of subject matter jurisdiction. Plaintiff, a resident of California, filed this this wrongful foreclosure action in federal court, invoking the Court's diversity jurisdiction, 28 U.S.C. § 1332, alleging that Defendant Wells Fargo, N.A. has "its main office in North Carolina." Pl.'s Compl. ¶ 6. Plaintiff also filed a Motion for a Temporary Restraining Order ("TRO") alleging that Defendant Wells Fargo, N.A. has "its main office in North Carolina." Pl.'s *Ex Parte* Combined Mot. for TRO and Prelim. Inj. ¶ 4. The Defendant's 2010 Annual Statement indicates that its corporate headquarters is in San Francisco, California. *See* Wells Fargo & Co. Annual Report 2010 at 2.

A compliance hearing regarding this Show Cause Order shall be held on Friday, February 10, 2012 on the Court's 9:01a.m. calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in a courtroom to be designated. Given the exigency of a request for a TRO, no later than

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4:00 p.m. on February 9, 2012, Plaintiff shall file either (a) a memorandum showing cause why this action should not be dismissed for lack of subject matter jurisdiction, or (b) a notice of voluntary dismissal. If this action is dismissed, Plaintiff need not appear and the compliance hearing will be taken off calendar. Telephonic appearances will not be allowed. Failure to comply with this order will result in sanctions, including dismissal.

IT IS SO ORDERED.

February 8, 2012



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE