

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Yvonne Becker, Christopher Nobles, Rosa  
Ramirez, Valerie Seyler and Jannien  
Weiner,

Plaintiffs,

v.

Wells Fargo & Co.; Employee Benefit  
Review Committee; Wells Fargo Bank,  
National Association; and John and Jane  
Does, 1-20,

Defendants.

No. 0:20-cv-2016 (KMM/BRT)

**DECLARATION OF TULIO D.  
CHIRINOS**

I, Tulio D. Chirinos, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney at the law firm of Proskauer Rose LLP, counsel to Defendants Wells Fargo & Company, Employee Benefit Review Committee, and Wells Fargo Bank, N.A. (collectively, “Defendants”) in the above-captioned matter. I submit this declaration setting forth Defendants’ compliance with the notice requirements under the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. § 1715.

2. Attached as **Exhibit 1** is a true and correct copy of a letter that I caused to be sent by our office, Proskauer Rose LLP, on April 7, 2022 by certified mail to the United States Attorney General (the “CAFA Notice”). *See* 28 U.S.C. § 1715(a)(1). Our office sent a substantially similar letter via certified mail to the Attorneys General of each of the states and territories in which class members reside, *see* 28 U.S.C. § 1715(b), and

to the persons with primary Federal regulatory or supervisory responsibility with respect to Defendants, *see* 28 U.S.C. § 1715(c).<sup>1</sup>

3. Attached as **Exhibit 2** is a list of the persons to whom our office sent copies of the CAFA Notice with their corresponding addresses.

4. Enclosed with each CAFA Notice were copies of:

- a. Plaintiffs' Motion for Preliminary Approval of Class Action Settlement (ECF No. 246), and the required supporting documents and exhibits, including Plaintiffs' Memorandum of Law in Support thereof (ECF No. 247), the Settlement Agreement (ECF No. 248-1), and the Plan of Allocation (ECF No. 248-2);
- b. Plaintiffs' Class Action Complaint (ECF No. 1), Amended Class Action Complaint (ECF No. 143), and Second Amended Class Action Complaint (ECF No. 178);
- c. The proposed Notice of Class Action Settlement submitted to the Court (ECF No. 252-1);
- d. The proposed Short Form Notice of Class Action Settlement submitted to the Court for publication in USA Today (ECF No. 252-3); and

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<sup>1</sup> The letters sent to the Attorneys General of Connecticut and New York were sent via email to the email addresses listed in **Exhibit 2** per the instructions from those state's websites.

e. Pursuant to 29 U.S.C. § 1715(b)(7)(B), a table setting forth the number of class members residing in each state, a true and correct copy of which is attached as **Exhibit 3**.

5. As of the date of this declaration, Proskauer has received confirmation of delivery of the CAFA notice—via either U.S. Postal Service tracking numbers or the return of certified mail receipts—from all recipients set forth on Exhibit 2.

6. Proskauer has not received any responses from any of the Attorneys General on Exhibit 2 indicating that they intend to object to the Settlement or otherwise appear at the Fairness Hearing.<sup>2</sup>

7. To the best of my knowledge, Defendants have fully complied with CAFA and have satisfied all of its obligations thereunder.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct.

Executed on June 28, 2022

/s/ Tulio D. Chirinos  
Tulio D. Chirinos

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<sup>2</sup> Defendants received two responses: (a) an automatically generated email from the New York Attorney General’s Office acknowledging receipt, and (b) an email from the Federal Reserve Consumer Help Center acknowledging receipt and stating that it does not respond to CAFA notices.