

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:08-cv-05229-JSW**

Donald F. Hildre v. Wells Fargo Bank, Ltd. et al

Date Filed: Nov. 21, 2008
Nature of suit: 850 Securities/Commodities
Assigned to: [Hon. Jeffrey S. White](#)
Case in other court: California Central, 2:08-cv-04475
Cause: 28:1441 Petition for Removal
Jurisdiction: Federal Question
Jury demand: Plaintiff
Lead case: 3:08-cv-01962-JSW
Member cases: 3:08-cv-05229-JSW
Relate Case Case: 3:08-cv-01962-JSW

Parties and Attorneys

Plaintiff

Donald F. Hildre

on behalf of himself and all others similarly situated

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Defendant

1-25 Does

1 through 100, inclusive

Docket Proceedings[Reverse Proceedings](#)

Req #	Filed	#	Docket Text
1	Jul. 08, 2008	1	NOTICE OF REMOVAL from Superior Court of CA for the County of Los Angeles, case number BC390116 with CONFORMED FILED copy of summons and complaint. Case assigned to Judge R. Gary Klausner, Discovery to Magistrate Judge Andrew J. Wistrich. (Filing fee \$ 350 PAID.), filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (et) (Additional attachment(s) added on 7/11/2008: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Notice of Assignment, # 8 Civil Cover Sheet) (ds). (Entered: 07/10/2008)
2	Jul. 08, 2008	2	NOTICE of Interested Parties filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC, identifying Corporate Parent Wells Fargo Group, Inc. for Wells Fargo Investments, LLC; Corporate Parent WFC Holdings Corporation, a Delaware corporation for Wells Fargo Bank, Ltd.; Corporate Parent Wells Fargo & Company for Wells Fargo Private Investment Advisors, LLC. (et) (ds). (Entered: 07/10/2008)
3	Jul. 11, 2008	3	PROOF OF SERVICE filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC, re Notice of Removal,, 1 Civil Cover Sheet served on July 8, 2008. (Hoesterey, Heather) (Entered: 07/11/2008)
4	Jul. 11, 2008	4	PROOF OF SERVICE filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC, Attn: New Civil Actions; Notice from the Clerk; Notice to Counsel; USDC, CDCA Clerk's Office Services For Attorneys & General Public; USDC, CDCA Civility & Professional Guildelines; Notice of Assignment to US Magistrate Judge for Discovery; Standing Order Re Newly Assigned Cases served on July 9, 2008. (Hoesterey, Heather) (Entered: 07/11/2008)
5	Jul. 11, 2008	5	STIPULATION for Extension of Time to File Responsive Pleading Pursuant to L.R. 8-3 filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC.(Hoesterey, Heather) (Entered: 07/11/2008)
6	Jul. 11, 2008	6	NOTICE OF LODGING filed re Stipulation for Extension of Time to File Response/Reply 5 (Attachments: # 1 Proposed Order To Extend Time To File Responsive Pleading Pursuant To L.R. 8-3)(Hoesterey, Heather) (Entered: 07/11/2008)
7	Jul. 14, 2008	7	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Proposed Order has signature line for Superior Court Judge instead of District Court Judge. RE:

Req #	Filed	#	Docket Text
			Notice of Lodging 6 . In response to this notice the court may order: (1) an amended or corrected document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (mg) (Entered: 07/14/2008)
8	Jul. 16, 2008	8	STANDING ORDER REGARDING NEWLY ASSIGNED CASES by Judge R. Gary Klausner. (sw) (Entered: 07/16/2008)
9	Jul. 16, 2008	9	ORDER TO EXTEND TIME TO FILE RESPONSIVE PLEADING PURSUANT TO. L.R. 8-3 by Judge R. Gary Klausner: Upon reading the parties Stipulation to Extend Time to File Responsive Pleading Pursuant to L.R. 8.3, and good cause appearing, IT IS HEREBY ORDERED that Defendants Wells Fargo Bank, Ltd.; Wells Fargo Investments, LLC and Wells Fargo Private Investment Advisors, LLC, shall have an extension of time, through and including THIRTY (30) days after entry of any Order appointing lead plaintiff and lead counsel, to file a responsive pleading to Plaintiffs Complaint in this matter. re Notice of Lodging 6 (yl) (Entered: 07/16/2008)
10	Aug. 14, 2008	10	ORDER TRANSFERRING CIVIL ACTION pursuant to Section 3.1 of General Order 08-05. ORDER case transfered from Judge R. Gary Klausner to the calendar of Judge Mariana R. Pfaelzer for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 08-4475 MRP (AJWx). Signed by Judge R. Gary Klausner and Judge Mariana R. Pfaelzer (rn) (Entered: 08/14/2008)
11	Oct. 14, 2008	32	MINUTES of Telephonic Status Conference held before Judge Mariana R. Pfaelzer: Court and counsel discuss the status of the case. Defendant will file 2 motions by Friday, 10/17/2008. Court Reporter: Cindy Nirenberg. (kpa) (Entered: 10/29/2008)
12	Oct. 17, 2008	11	NOTICE of Pendency of Other Actions or Proceedings filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Powell, David) (Entered: 10/17/2008)
13	Oct. 17, 2008	12	NOTICE of Motion and Motion to Dismiss filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Powell, David) (Entered: 10/17/2008)
14	Oct. 17, 2008	13	MEMORANDUM of Points and Authorities in Support filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. - in Support of Motion to Dismiss - Re: Notice (Other) 12 (Attachments: # 1 Part Two, # 2 Part Three)(Powell, David) (Entered: 10/17/2008)
15	Oct. 17, 2008	14	REQUEST FOR JUDICIAL NOTICE In Support of Motion to Dismiss filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit C-1, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F)(Powell, David) (Entered: 10/17/2008)
16	Oct. 17, 2008	15	NOTICE of Motion and Motion to Transfer to the United States District Court for the Northern District of California filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Powell, David) (Entered: 10/17/2008)
17	Oct. 17, 2008	16	MEMORANDUM of Points and Authorities in Support filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. - in Support of Motion by

Req #	Filed	#	Docket Text
			Defendants to Transfer to the United States District Court for the Northern District of California - Re: Notice (Other), Notice (Other) 15 (Powell, David) (Entered: 10/17/2008)
<u>18</u>	Oct. 17, 2008	17	REQUEST FOR JUDICIAL NOTICE - In Support of Motion by Defendants to Transfer to the United States District Court for the Northern District of California - filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Powell, David) (Entered: 10/17/2008)
<u>19</u>	Oct. 17, 2008	18	DECLARATION re Memorandum of Points and Authorities in Support (non-motion), Memorandum of Points and Authorities in Support (non-motion) 16 of Dana A. Martin filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Powell, David) (Entered: 10/17/2008)
<u>20</u>	Oct. 21, 2008	19	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected. Correct event is Motions - Dismiss Case. Notice (other) event was utilized in docketing this filing. The Notice (other) event does not allow the user to schedule hearings, and as such, the November 10, 2008 hearing date has not been set on calendar RE: Notice of Motion and Motion to Dismiss by Defendants Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC and Wells Fargo Private Investment Advisors, LLC filed 10/17/2008 12 . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 10/21/2008)
<u>21</u>	Oct. 21, 2008	20	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected. Correct event is Motions - Dismiss Case. Notice (other) event was utilized in docketing this filing. The Notice (other) event does not allow the user to schedule hearings, and as such, the November 10, 2008 hearing date has not been set on calendar RE: Notice of Motion and Motion by Defendants to Transfer to the United States District Court for the Northern District of California filed 10/17/2008 15 . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 10/21/2008)
<u>22</u>	Oct. 21, 2008	21	NOTICE OF PRO HAC VICE APPLICATION AND FILING FEE DUE on Pro Hac Vice Application mailed to attorney Sarah R. Wolff for Defendants Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC, and Wells Fargo Private Investment Advisors, LLC. (Attachments: # 1 G-64 Application, # 2 G-64 Proposed Order) (gk) (Entered: 10/21/2008)
<u>23</u>	Oct. 21, 2008	22	NOTICE OF PRO HAC VICE APPLICATION AND FILING FEE DUE on Pro Hac Vice Application mailed to attorney Michael S. Leib for Defendants Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC, and Wells Fargo Private Investment Advisors, LLC. (Attachments: # 1 G-64 Application, # 2 G-64 Proposed Order) (gk) (Entered: 10/21/2008)
<u>24</u>	Oct. 22, 2008	23	NOTICE OF MOTION AND Amended MOTION to Dismiss Case filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. Motion set for hearing on

Req #	Filed	#	Docket Text
			11/10/2008 at 10:00 AM before Judge Mariana R. Pfaelzer. (Powell, David) (Entered: 10/22/2008)
<u>25</u>	Oct. 22, 2008	24	MEMORANDUM in Support of Amended MOTION to Dismiss Case 23 filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Attachments: # 1 Memo ISO Amended Motion to Dismiss Part 2 of 3, # 2 Memo ISO Amended Motion to Dismiss Part 3 of 3)(Powell, David) (Entered: 10/22/2008)
<u>26</u>	Oct. 22, 2008	25	REQUEST FOR JUDICIAL NOTICE re Amended MOTION to Dismiss Case 23 filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C (part 1 of 2), # 4 Exhibit C (part 2 of 2), # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F)(Powell, David) (Entered: 10/22/2008)
<u>27</u>	Oct. 22, 2008	26	NOTICE OF MOTION AND Amended MOTION to Transfer Case to Northern District of California filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. Motion set for hearing on 11/10/2008 at 10:00 AM before Judge Mariana R. Pfaelzer. (Powell, David) (Entered: 10/22/2008)
<u>28</u>	Oct. 22, 2008	27	MEMORANDUM in Support of Amended MOTION to Transfer Case to Northern District of California 26 filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Powell, David) (Entered: 10/22/2008)
<u>29</u>	Oct. 22, 2008	28	REQUEST FOR JUDICIAL NOTICE re Amended MOTION to Transfer Case to Northern District of California 26 filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Powell, David) (Entered: 10/22/2008)
<u>30</u>	Oct. 22, 2008	29	DECLARATION of Dana A. Martin In Support of Amended MOTION to Transfer Case to Northern District of California 26 filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Powell, David) (Entered: 10/22/2008)
<u>31</u>	Oct. 27, 2008	30	NOTICE OF NON-OPPOSITION to Amended MOTION to Transfer Case to Northern District of California 26 filed by Plaintiff Donald F. Hildre. (Beljajev, Neyleen) (Entered: 10/27/2008)
<u>32</u>	Oct. 27, 2008	31	OPPOSITION to Amended MOTION to Dismiss Case 23 filed by Plaintiff Donald F. Hildre. (Beljajev, Neyleen) (Entered: 10/27/2008)
<u>33</u>	Nov. 03, 2008	33	REPLY In Support of Amended MOTION to Dismiss Case 23 filed by Defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Powell, David) (Entered: 11/03/2008)
<u>34</u>	Nov. 05, 2008	34	STIPULATION to Transfer Case to Northern District of California filed by defendants Wells Fargo Private Investment Advisors, LLC, Wells Fargo Bank, Ltd., Wells Fargo Investments, LLC. (Attachments: # 1 Proposed Order)(Hoesterey, Heather) (Entered: 11/05/2008)
<u>35</u>	Nov. 06, 2008	35	ORDER TRANSFERRING ACTION TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA by Judge Mariana R. Pfaelzer: Upon Stipulation 34 , IT IS HEREBY ORDERED that this action is transferred to the United States District Court for the Northern District of California. Defendants' Motion

Req #	Filed	#	Docket Text
			to Dismiss, currently set to be heard before this Court on 11/10/2008, is off calendar and shall be re-noticed once the action has been assigned to the United States District Court for the Northern District of California. Electronic file, transfer order and docket sheet sent. (MD JS-6. Case Terminated.) (Attachments: # 1 CV-22 Transmittal Letter) (gk) (Entered: 11/10/2008)
36	Nov. 19, 2008		CASE DESIGNATED for Electronic Filing. (gba, COURT STAFF) (Filed on 11/19/2008) (Entered: 11/21/2008)
37	Nov. 21, 2008	36	Case transferred in from District of California Central; Case Number 2:08-cv-04475. Original file with documents numbered 1 - 35, certified copy of transfer order and docket sheet received. (Entered: 11/21/2008)
38	Nov. 21, 2008	37	CLERKS NOTICE: Regarding Northern District Case Number. (gba, COURT STAFF) (Filed on 11/21/2008) (Entered: 11/21/2008)
39	Nov. 26, 2008	38	CLERKS NOTICE: Case Management Conference set for 3/2/2009 04:00 PM before the Hon. Marilyn Hall Patel; Joint Case Management Statement due by 2/20/2009. (awb, COURT-STAFF) (Filed on 11/26/2008) (Entered: 11/26/2008)
40	Dec. 04, 2008	39	RELATED CASE ORDER. Signed by Judge Jeffrey S. White on 12/4/08. (jjo, COURT STAFF) (Filed on 12/4/2008) (Entered: 12/04/2008)
41	Dec. 04, 2008		Case Reassigned to Judge Hon. Jeffrey S. White. Judge Hon. Marilyn H. Patel no longer assigned to the case. Signed by Executive Committee on 12/4/08. (mab, COURT STAFF) (Filed on 12/4/2008) (Entered: 12/04/2008)
42	Dec. 08, 2008	40	INITIAL SCHEDULING CONFERENCE ORDER: Case Management Conference set for 3/6/2009 01:30 PM. Case Management Statement due by 2/27/2009.. Signed by Judge Jeffrey S. White on 12/8/08. (jjo, COURT STAFF) (Filed on 12/8/2008) (Entered: 12/08/2008)
43	Dec. 09, 2008	41	STIPULATION and [Proposed] Order Consolidating Cases by Lindell Van Dyke. (Sharp, Christina) (Filed on 12/9/2008) (Entered: 12/09/2008)
44	Dec. 09, 2008	42	ORDER GRANTING Stipulation to Consolidate. Signed by Judge Jeffrey S. White on December 9, 2008. (jswlc2, COURT STAFF) (Filed on 12/9/2008) (Entered: 12/09/2008)
45	Dec. 09, 2008		Cases associated: Create association to 3:08-cv-01962-JSW. (hdj, COURT STAFF) (Filed on 12/9/2008) (Entered: 12/10/2008)