United States District Court for the State of Oregon

Wayne Morse Courthouse 405 East Eighth Ave. Eugene, OR 97401

Case Number: 6.14.cv.01103.TC

Plaintiff: Andrew G. Clark
3270 Stoney Ridge Rd. Eugene, OR 97405

Motion to Compel Wells Fargo Bank
to Answer Three Simple Factual Questions
Or Agree to Compromise Criminal
Allegations and Settle Civil Liability

Defendants:

City of Eugene, Oregon Police Department/Police Auditor
Served to Mayor's Office 125 E. 8th Avenue Eugene, OR 97401
Lane County, Oregon – Sheriff's Department and Jail
Served to Lane County Commissioners Public Window
125 E. 8th Avenue Eugene, OR 97401
State of Oregon – District Attorney's Office for Lane County
and Pre-Trial Release Office.
Served to Public Window of District Attorney's Office
125 E. 8th Avenue Eugene, OR 97401
Mailed to Director of the Oregon Dept. Administrative Services
Department of Administrative Services Executive Building
155 Cottage St. NE, U20 Salem 97301-3972
Alex Gardner – District Attorney for Lane County
Served to Public Window of District Attorney's Office
Wells Fargo Bank, NA via Attorney Christian Rowley
Seyfarth Shaw 560 Mission Street San Francisco, CA

10.13.14 This memorandum/motion is to compel Wells Fargo Bank to answer three simple questions that are formative to the 3.5 year corporate driven events alleged. If Wells Fargo employees or agents did as it appears obvious, it is best Wells Fargo compromise the criminal allegations and settle as Motioned on page 7. My Ironic/Iconic Motion of 8.22.11 may be civil court history.

Simple Question 1 for Wells Fargo Bank

Did Martin Ogno contact FBI as he claimed to our police on 7.18.11 and did FBI tell him they did not take my very detailed reports seriously. Or did he actually lie to our police? Attached is one page out of approximately 20 from the July 2011 corporate-directed police action that is kidnapping #1 as alleged. It also shows police and Martin Ogno acting as bank tellers. All that transpired since was the Enterprise concealing what happened in July 2011 including the corruption of District Court as motioned 10.9.14 by clogging Court with emo-faxes that had nothing to do with the underlying matters they placed into court. Had Martin Ogno completely told truth to police at that moment, it is likely all else would not have occurred. Logically: our police construed that answer as a form of FBI authorization for all else.

If such a call to FBI in advance exists, please provide the name of the FBI agent call-time/date so that I may verify it and work to obtain a recording of it from Wells Fargo Bank and/or FBI. If there was no call or if Martin Ogno materially lied to our local police about that FBI contact, or misrepresented anything to FBI in the process then Wells Fargo/Ogletree Deakins best compromise the criminal allegations and settle as the rest of my factual basis can reasonably be determined as True on the face.

<u>I assert again: all that was done was to cover up the visit to my home on 7.18.11 by police clearly directed by Wells Fargo Bank/Ogletree Deakins. Our police tried to cover it up in their system, Martin Ogno probably realized what a mess he made and did the same. I feel is obvious from the audio recordings from inside their headquarters 7.18.11 (posted www.RisePatriot.com or www.osunrise.com). Once they realized I had the audio.... both police and company found it profitable and/or convenient to go along with all that followed, including the SLAPP suit 6.11.cv.06248.HO.</u>

Exhibit follows this page: One Page of Eugene OR Police Report as described above.

Second Question/Exhibit follows on next page.

was Officer Pieske who was there with us during the contacts and told Clark that Officer Pieske concurred with my findings in the matters. I asked Clark if there was anything else I could do for him. Clark said there was nothing else I could do for him and he left city hall.

Also per Sergeant Klinko's request, I contacted Marty Ogno, head of security for Wells Fargo. I called Ogno and told him I had contacted Clark and that he had been advised he was trespassed from all Wells Fargo properties. I also told Ogno Clark was concerned he had $24,000 in an account at Wells Fargo. Ogno said he had looked it up and though Clark only had about $200 in an account, but that he would close Clark's account and mail him a check with the remaining balance. Ogno asked how the contact went. I told Ogno that Clark felt he was being retaliated upon for contacting the FBI and CIA with Wells Fargo's wrong doings. Ogno said that he had been in contact with the FBI and told me that the FBI did not take Clark's reports seriously.

At approximately 1900 hours, dispatch advised that Clark had left a phone number for me to call him back so he could further discuss his desire to press charges against Wells Fargo for filing a false police report. I requested Sergeant Magnuson respond to the report writing room where I was working on reports so I could discuss the situation with him before calling Clark back. While I was explaining the situation to Sergeant Magnuson, Dispatch advised that Clark had called back 3 more times requesting contact. I then asked Sergeant Magnuson if he would contact Clark in my behalf in that I was unable to effectively communicate to Clark that Wells Fargo had broken no laws and that they had the right to trespass Clark from their properties.

Reviewed by FTO: **Pieske** **112**
Name Badge

Notes: this is one page from the 20 or so pages of July 2011 police reports. All pages are posted www.risepatriot.com. This page is one of a couple that show corporate corruption of the Federal Bureau-Investigation (FBI) processes by Wells Fargo et al. I had filed twice with local FBI in person. It was a large amount of technical evidence. Martin Ogno is Wells Fargo (Portland) Corporate Security.

Notice that Martin Ogno claims he spoke with FBI and he claimed they did not take my filings seriously.
At that point, FBI would not have looked at the material, would not have understood it as it was job/system specific, and would not have told Martin Ogno anything at all if he in fact ever spoke with anyone about it.

Please also notice Ogno acting as Wells Fargo Bank Teller and discussed my banking with our local police. That appears to be against all Wells Fargo policy and all law relating to privacy of banking information.

2-A

Simple Question 2 for Wells Fargo Bank

Police are heard in my home on their official police audio 7.18.11 first saying they came on a well-being visit because of the attached email regarding "genocide". The first page of the police audio transcript is attached*. That email and attachment was sent to Timothy O'Hara in Minneapolis to whom I was told to direct my concerns. Please note: emails were being channeled to Elise Reiser, the HR contact in Des Moines. She repeatedly told me and my have emailed that ALL my emails in the company...no matter to whom....were all channeled by the email system to her (Elise Reiser, HR).

a. Who, how, and why did Eugene, OR West Side SWAT obtain that email material that crossed state lines from Wells Fargo Bank in Minneapolis, MN? Exactly what channel and path did that email material take? My opinion of most likely answer: via Ogletree Deakins in Portland Oregon and maybe one of their sub-agents such as Steven Seymour who figured so prominently in kidnapping #2 and the BUSINESS content of that email sums up what they wanted very much to bury along with me.

b. Why did Elise Reiser in Des Moines "Human Resources" refer me to Peggy Burns, MFT in San Francisco c. May 2011? Keep in mind: she did that after two weeks of me whining to her over the telephone and/or email "I felt like a Jew on the train to be burned" and that from all I can determine and have documented...Peggy Burns is a conservative Christian/Catholic counselor who was then on Wells Fargo tab? Regardless of all other possible allegations: why was that particular mental health referral made to me...out of all the other therapists on Planet Earth including right here in Eugene Oregon and why is all the Wells Fargo HR and related mental health stuff done via the telephone or email? Again: don't point to "so and so" who may have ordered it to be false. It happened. It can be proven, most easily by simply calling Peggy Burns/Elise Reiser and asking. Remind them it is on a phone bill.

Exhibit follows this page: email and attachment 4 pages. * First page of transcript of City of Eugene Police in my home 7.18.11 regarding that email (audio and full transcript posted under 'moving handgun thumbnail' on Evidence Site: www.RisePatriot.com or www.osunrise.com

XFINITY Connect mir99@comcast.net

+ Font Size -

The issue with Elise and Peggy and Katie.....and now YOU

From : mir99@comcast.net Wed, Jul 13, 2011 11:23 PM

Subject : The issue with Elise and Peggy and Katie.....and now YOU

To : Timothy J OHara <Timothy.J.OHara@wellsfargo.com>

Cc : franklin codel <franklin.codel@wellsfargo.com>

That one is likely to go dow n in the history books.

As a 30 year employee, it should take you about 10 minutes to determine:

1. I persistently and graphically described how I felt as a Jew, step by step for 3 weeks.
2. I was referred to a company-affiliated Christian therapist after the three weeks. Check the email, it is shocking.
3. Katie Johnson performed a pretexting call and fabricated data that is not in public records. Consider that crime. The usurps the government powers
4. I repeatedly and in writing tried to get reassigned from elise, even cc'ed her boss Mr. Hall. elise would not allow the transfer
5. They are all related in a Jesuit organization and appear to have common ties, including Zuecher.

OK, so if you even SMELL that.....are you not supposed to REPORT IT AS POSSIBLY A HORRIBLE VIOLATION OF HUMAN RIGHTS?

DON'T YOU SEE, IF YOU DO NOT YOU COULD BE DETERMINED TO BE PARTY TO WHAT HAPPENED. I AM TRYING TO HIDE IT FOR THE COMPANY, IT IS HORRIFIC, IT IS WELL DOCUMENTED.

Thank you very much.

From: mir99@comcast.net
To: "Timothy J OHara" <Timothy.J.OHara@wellsfargo.com>
Sent: Wednesday, July 13, 2011 4:15:59 PM
Subject: Do what is in the best interest of Wells Fargo

In case you w ere w ondering what Policy I w as reading, I put it in the subject line. It is the over-riding policy.

I never received a response to inquiries, policy is clear....i must persist.

The law is equally clear. Once you have the whole picture (you only had tiny pieces like everyone else) you will see what it is.

thanks from.......

From: "Timothy J OHara" <Timothy.J.OHara@wellsfargo.com>
To: mir99@comcast.net
Sent: Tuesday, July 12, 2011 1:36:40 PM
Subject: RE: Company laptop computer:

Hi Andy,

If you would like to drop it off at the FBI office making sure someone signs for it, that is fine with me. After doing so it would be helpful to please let me know where it was delivered and to whom.

Thanks Andy!

Tim

3 - A

From: mir99@comcast.net[SMTP:MIR99@COMCAST.NET]
Sent: Tuesday, July 12, 2011 1:49:03 PM
To: O'Hara, Timothy J. (Corp HR)
Subject: Company laptop computer:

CLOSE **Have you looked at my May 25 FBI/DOL report.**

Sent By:mir99@comcast.net **On:**Jul 07/12/11 9:51 AM

To: "John G Stumpf" <John.G.Stumpf@wellsfargo.com>; "Howard I Atkins" <Howard.I.Atkins@wellsfargo.com>; "James M Strother" <James.M.Strother@wellsfargo.com>; "Richard D Levy" <Richard.D.Levy@wellsfargo.com>; "Mark C Oman" <Mark.C.Oman@wellsfargo.com>; "David A Hoyt" <David.A.Hoyt@wellsfargo.com>; "David M Carroll" <David.M.Carroll@wellsfargo.com>; "patricia r callahan" <patricia.r.callahan@wellsfargo.com>; "kevin a rhein" <kevin.a.rhein@wellsfargo.com>; "Carrie L Tolstedt" <Carrie.L.Tolstedt@wellsfargo.com>; "AVID MODJTABAI" <AVID.MODJTABAI@wellsfargo.com>

It was about 100 pages of very specific material including screenprints. It was all operational material.

The Human Resources department has no idea the nature of my business reporting and the importance of it is not going well.

The May 25 report included specific allegations of "racketeering" and included names who appeared involved.

This appears to all be a 'disjoint' between HR and Operations. Operations probably is not aware of what I reported, how I did it thru management but never got a response.

The internal investigations appear to have not considered any business aspect whatsoever.

As noted so often with Tim O'hara and others I am seeking a peaceful solution.

Even
NoTied
B.O.D.

3-B

/

ASK NICELY
EVEN AFTER FIRING

July 13, 2011

5 DAY LATER
POLICE

Franklin Codel
Executive Vice President
1 Home Campus
Des Moines, IA 50328-0001

Dear Mr. Codel:

OSHA Case 0-1650-11-033, SEC Case 01640244

I respectfully seek your help in resolving this situation favorably for the Company and myself. The HR department acted wrongly. I could never figure out why operational issues were in HR, questioned that several times on email back in April.

For three months I reported internally with documentation a wide variety of issues from sales system fraud to extreme details of the India Operation and everything in between. I provided issues and solutions. HR had no idea what they were looking at, Elise Reiser in your office has the documentation, there is a great deal of it.

Personal (and company) protection was sought. I submitted various ethics complaints, two different FBI reports, a Department of Labor report, an OSHA whistleblower protection action, and a preliminary SEC report. My investigation uncovered apparent facts of the India operation that required me to report them to the CIA office in Hyderabad, India and to the FBI-DC office.

The business aspects are significant and I never received any response,. That resulted in a retaliation cycle for reporting. More concerning in some ways is the ethnic issue that Elise Reiser was most clearly involved with. It was documented "ethnic cleansing" involving an outside contractor, Peggy Burns in San Francisco. Oddly, each step was reported to Tim Grochaa and he provided no guidance or response for three months.

The facts reported were all operational. They ranged from local-screen-level sales system fraud that had been ongoing all the way to matters involving the India Operations. I researched contracts, resumes, machinery being used, imaging system and privacy concerns related to the 'spy' capability. Included in the SEC report was the (proven) lack of internal reporting mechanism in violation of Dodd-Frank along with matters relating to Wachovia, pool accounting, and the systems as a whole which could call into question reporting of financial results.

Before filing more reports and then the inevitable series of lawsuits and additional filings, I have been trying really hard to work this out internally but they seem to ignore it and atomize it. I appreciate any help or insight you can bring to this. I believe I am the most honest, most hard working employee and somehow a large mistake was made in HR. Somehow they mistook a loyal employee (me) who actually did his/her job as a major

3 - E

TYPO

threat for persistently reported per the Law, the Policy, and my ethics.

There must be 100 pages of internal emails, mostly to Elise and the two Tim's. I suspect the information I provided was useful and was implemented in some sense based on news out of India and other changes.

I like to work things out fast and favorably. I presented many times to Ms. Reiser and Mr. O'Hara the concept of mutually happy endings but it all seems to spin around to nothing. They simply don't understand Operations in my opinion.

Thank you very much.

Signed,

Andrew Clark
Employee 355531
Terminated by HR 6-27
3270 Stoney Ridge Road
Eugene, OR 97405
541.343.2667

3-D

Fired on June 27, 2011. City of Eugene Police first show up at my home July 18, 2011
http://www.youtube.com/watch?v=RNYU3tDTm3M (case sensitive or via www.RisePatriot.com)

I came home 7.18.11 and found two large armed police were in my yard staring through a side window. I drove past my home and parked a few hundred feet up the street. I assumed my home was being robbed or something. There was a squad car parked outside my home, it was about 5:15 pm. Police liked to come to my home in the evening in order to defame me in front of neighbors and to prepare the neighborhood for their later action, which as it turns out was premeditated by Wells Fargo et al.

How did that HR email get to west side Eugene Oregon SWAT along with their mental health profiling, and threat painting? Police do not come for email. A well being call is usually 30 seconds long and very rare outside of families. Police cannot come out to a home to issue a trespass warning just as they cannot go to people's homes to issue a "murder warning" or a "pedophile warning". It is very hurtful to the family and neighbors. It is Wells Fargo/Ogletree Deakins uber-terrorism. They cannot select a crime, go to a person's home at night in uniform with squad car to warn them not to commit it.

Police had already insulted me by the time I "felt obliged" to invite them inside. I was placed in a corner of my own home and two very menacing armed police gawked around the house as if they owned it.

<u>Andy (Clark) and Two City of Eugene Police (armed, large, in uniform with squad car in the evening)</u>
<u>In my Home at 3270 Stoney Ridge Rd, Eugene OR 97405</u>

Andy: do you need any phones or anything, anything in my house is yours, you need food,

Police: (inaudible) No, we are good

Andy: So this is all retaliation and I am not trying hurt them, I am trying to settle a lawsuit with them without going to court.

Police: (in the background one police officer is saying "advise him we are recording him....")

Police: Let me just real quick

Andy: Ok, please, thank you, I like to be recorded, I appreciate it.

Police: OK I have a recording device...

Andy: and I appreciate that you have a recording device, I am hoping you do record and I am asking that you record.

Police: Ok, so, they felt that you sent some threatening emails and you me if I was a company and I did something wrong and I was going to be sued I would be upset with you so I understand their standpoint and I also understand your standpoint but what they are looking for is that you probably don't have any more contact with them. They want you to stay away from the Wells Fargo Banks, they say you have been trespassed from the Wells Fargo Bank.

Andy: I did not.

Police: Well they said that....

Andy: I swear that I did not....

3-E

Police: no no no I am here letting you know now that you are trespassed and that you are not welcome in the Wells Fargo Bank.

Andy: Right but I have an account there though

Police: Ok well I would ....

Andy: I will take care of it, don't worry. I didn't go into Wells Fargo Bank.

Police: Ok you pounded on the window or something of the downtown branch?

Andy: no, uh uh, since I have been terminated I went downtown, I did not pound on a window someone waved at me so I waved back, that is all I did, they are lying.

Police: OK

Andy: they had security, they fired a lot of people and I didn't make any money there and really didn't care about the job, they fired a lot of people and they never put out security before. They put out all these security guards to make the people there believe that I was a threat. I don't own a gun I always told people I think they should make ammunition illegal for people to buy because guns are your right to have but not necessarily the ammo and then I told them that because I don't know how to use a gun you are 11 times more likely to die of gun death if you don't know how to use one and you know most of the Joes who get one don't know how to use one, they don't practice it, it is more of a man-thing. I am a complete pacifist in all ways, that has been part of the problem. You understand I have been reporting business events since April 15 its all documented and feel free to look around as you feel free I have an open house (one of the police was actively looking around the house. It was a mild form of search, they were looking for a reason to search further)....the business events related to systems fraud progressed up to some very high levels of activity there and I have all the reports I am happy to provide anything you need. I already told them I am going to court, I documented it, because (inaudible) so fast you know I just keep emailing it.

But the whole thing gets down to being what they did there is this one woman Elise Reiser in Des Moines and they put me on this...and I kept reporting "you guys you are doing this fraud of this system" I had it all documented and everything and I kept reporting it and reporting it and they would not listen and they kept trying to fire me and they then they tried to refer me to mental health, I don't know if you guys heard those (?) strategies but it's the things corporations do. Then they issued me a special computer which records and videos in the house and I have a signal detector and I watched so I watched it go on And I reported all this all along ok and I am telling you and I told them each step of the way I felt like the Jew being put on the wagon train and and so that was while I worked there. I told them that for several weeks and they wanted me to go to this counselor in San Francisco, her name was Peggy Burns. Well if you go look her up turns out she is a Wells Fargo contractor a Catholic Christian Counselor, and it turns out Elise Reiser is with the Catholic Church and Katy Johnson, the one who did the pretexting call what they tried to do you are going to love this one on June this one sorry this is important (the police officers were almost laughing by this point), on June 16 they did a pretexting call they called me accusing me of armed robbery in the state of Oregon and they sent me up to Corvallis you know to go to the public record there and two people there to help me and there is no public record against me and furthermore the government checked me out 4-19-11 for my SAFE (S-A-F-E refers to the SAFE Act licensure 423909. So she called with this manufactured evidence I went up there, I mean we are talking that serious so you understand what they did you probably heard of companies doing stuff like this maybe the police, well this one did it.

Police: Here is the interesting thing. It sounds like there is a lot of issues going on.

Andy: Yes sir, and I will stay away from their bank.

Police: Just so you and I are clear, they don't want you going on Wells Fargo properties or in the Wells Fargo Bank.

Andy: And I haven't, I haven't, let them know I am sure I have not. See that's the part, there was a guy out front and I didn't recognize him and I went and shook his hand his name was Rick but I have a right to do that on the street right go up to someone and shake their hand? (he was staring at me so I thought perhaps he might know me). There was a guy out front I did not recognize him

Police: maybe on the sidewalk but I wouldn't go onto their properties...here is one of the other issues is and I am just going to throw this out there, if they feel you are being a threat or something like that they can get a restraining order requiring you to stay 100 yards away from them...

Andy: well can I get a restraining order against them to not send people out asymmetrically against me.

Police: well you can definitely request that you can request that through the judge...

Andy: I will do that

Police: um the other thing is if I could also recommend you probably shouldn't email them anymore because they are going to use those emails against you.

Andy: well again, yeah right

Police: so if you got an attorney and you mentioned you have an attorney

Andy: I don't have an attorney

Police: Well you mentioned you were going to sue them or file more reports or something like that. If I were you I might just go through an attorney if you need to contact them. Or, you mentioned that you have been in contact with the FBI maybe just have them handle there's, the stuff on their end.

Andy: no what I think what I will do is call their board of directors, that is what I think I will do.

Police: of Wells Fargo?

Andy: their outside board, their outside board of directors, they work for other companies, it is my right as a shareholder or 401k participant. I mean, what I am trying to do is head off a lot of legal action, the courts resources and I think you guys can agree that the job of everyone is to try to negotiate solutions before they go into court. So what I have tried to do via email over and over and I would be happy to show you each email right this second, I am happy to.

Police: I believe you, I believe you, what is it you are trying to accomplish by contacting the Board

Andy: I am trying to get them to see I think it is all channeled there such that people who make decisions there don't see it.

Police: and the board is the Wells Fargo Board?

Andy: That is correct, it is an outside board meaning the shareholder and citizen have a right to contact people as long as it is not through Wells Fargo per their request i. First of all, I think everyone has the right to mail a certified letter through the US Mail, is that correct?

Police: Yes and no, but if they end up getting a restraining order against you you can't if they feel something in the letter is threatening they are going to use that against you. My recommendation to you is that I would not contact them any more. Use an attorney. Use an attorney. You are precluded...if you show up on their property you will be arrested and it could turn to the point where if you email or mail them it could end up you will be arrested you understand what I am saying.

Andy: I totally understand and I will (inaudible) if anyone has any problem with my compliance please give me a phone call, why don't I give yougive me my phone numbers ok?

Police: that would be great.

Andy: cellular phone is 541-510-3915 and my home phone is 541-343-2667 (deactivated).

Police: ok, are you employed right now?

Andy: no, no, right now I am working with them, I am not really that hurting for work right now, the job was not much to be honest with you so I am not too worried at this time.

Police: ok, just for record keeping purposes, what is your social security number?

Andy: {starts to say it...it is on the official original audio uncut, police then ask where I was born, I edited that 3 seconds out of the audio for confidentiality} does this go into a record or public thing in some ways

Police: no it does not

Andy: I can't ask them all this and you are an agent of them at this point.

Police: We are an agent of the City of Eugene and somebody expressed a concern for your safety and wanted to make sure you are ok. I just have to show my sergeant, my boss, that I checked and you, Mr. Clark....

Andy: I was born in Los Angeles

Police: Ok, I just wanted to show that I contacted you

Andy: (Inaudible, this is so wrong..) this is so weird, do you guys understand that every now and again a human in the world did the right thing and reported everything? You can obviously tell that...if I took the trouble to make a 100 page FBI report that had system screen-printouts showing the fraud clearly and then filed a DOL (Department of Labor) it caused a lot of troubles, don't you think they are going to retaliate? You see they.... have an asymmetric power to retaliate. You know, asymmetric, they can pull every little plug one of their board members runs a giant security company. You know, it is very hard to fight against them, it really is. I know you are all part of their little game and I appreciate it but that is what they are playing, a little game. And I recognize their rights and their ability to play their horrible game

Police: let me ask you this, you mention you have been unemployed and whatnot. Are all your needs being met?

Andy: I am OK........ understand my home is owned free and clear, I think I am doing OK.

Police: ok, do you feel the desire to harm any of the Wells Fargo employees.

Andy: no, I never harmed anyone in my life, I never harmed anyone in my life...see this is what they have done, they have tried to paint me as a threat..

Police: no, it is just general questions I am asking you, are you thinking about harming yourself {highly insulting question, it is designed to irritate or pretext a response)

Andy: NO, NO but I don't get to ask them these questions, I don't get to send you guys to ask them, how fair is this? Do you understand that lack of fairness? This is what has been happening since I first started reporting April 15. You are asking me some pretty....look at my situation up here, I got a nice house in a pretty nice neighborhood it is owned free and clear according to the public record, I have been in the community forever....forever..... so I just feel that the questions you are asking although I will happily give you any answers you want...happily....I feel it is part of the system, you see what I am saying, they have been using for a long time, I am documenting.

Police: (inaudible) Right, our job, you have to understand is public safety. Here is the deal I have been doing this for awhile and I come in contact with people who lose their job....

Andy: no, no, I am ok...

Police: ....and yet you end up, some people I come into with want to retaliate some people want to harm themselves. ....

Andy: I just went to the bank, I have $24,000 sitting in the bank in cash and got two of their checks for $2,000 total I am holding them un-cashed for evidence. Do you see what evil what they did and what they put you up to I don't like what they did (inaudible) they turned on their video in my house, I had a video detector so I put on a little show up here in Eugene OR {bank to me =SELCO credit union}...and that is the way it is, I don't have to be embarrassed I mean if they (inaudible) I mean I have a right to do what I want in my house.

Police: right, you mentioned they had concerns about they wanted you to talk to a counselor did you talk to any counselors?

Andy: why would I?

Police: well I talk to counselors, it is no big deal

Andy: well I don't, I am not insane and I have no mental problems so why would I?

Police: OK (used skeptically with voice tone sharply rising between 'O' and 'K')

Andy: Here is the way you know something is right, it is when it is a fact, you guys are police officers you know there is a right or wrong {inaudible or hard to hear for about 15 seconds. I was describing my exercise routines including activity such as of rope climbing, scuba, biking, in attempts to convey my general level of health at that time}

Andy: {after the minute of hard to hear exercise talk}... All of a sudden, oh and I was a good producer there, I did a lot of their loans, I was one of their top producers but what are you supposed to do when you document system fraud and then your manager I have the emails and letter to company "stop your whining" and you have to {inaudible} and you need to stop your whining and conform to my branch culture well he happens to be Mormon well he can do that but when it blows into this when you understand when you are trying to report a business issue.

Police: you are turning it into a big issue, especially when there is a company that large.

Andy: it is business.

Police: is there anything else you need....

Andy: Do either of you need to use the restroom (inadible)?

Police: (no....)

Andy : If you would want to take this..... 12 pages of documents I wanted from them but you can see that I asked them some pretty tough questions about the operations. I even had to report to the CIA in Hyderabad and then do you know what they (Wells Fargo) did this was three weeks ago, then on July 7 (2011) they derisked their India Operation I am telling you guys I was reporting the mother of all problems and they just didn't want to hear it. And I have not gone on their property, I have gone by their property on the way to the Tuesday market and that was one time. *(note: CIA reporting was via the Hyderabad Consulate. I reported to them my concerns and also told their technology EVP Avid Mojdtabai via her cellular phone. Her cellphone call is on my home phone and she might recall speaking with me.)*

Police: We actually got the call from someone else. Nice to meet you, I appreciate your time, thank you, have a good night.

Andy: I appreciate it, thank you....tell them that I really cooperated and I really feel it was (inaudible)

Police just to recap: don't go on their property, stay away from them I wouldn't call them and I wouldn't write them, I wouldn't text message or email them

Andy: ok no worry I just (inaudible)....actually but nobody who works at that company, nobody who works for Wells Fargo, right?

Police: Yes sir, alright, thank you Mr. Clark

(last 30 seconds of audio is me looking for my car. You will hear me wondering in shock what I did with my car. I parked it far up the street assuming my home was being robbed, walked down, spoke with the police unrecorded outside for about 2 minutes then was placed in a chair in the corner of my kitchen by the two large armed police in uniform. I had forgotten that I parked it almost a full block away so I could carefully approach my own home)

Simple Question 3 for Wells Fargo Bank

Attached is one more page from the police report of City of Eugene police (possibly back-dated to exactly noon on 7.29.11). Did any local Wells Fargo managers file a police report or complain to Wells Fargo they were in fear of homosexual rape as police reported? The only "bosses" within 100 miles were two men. Exactly what/why did Wells Fargo provide to City of Eugene police that was an official metric of my mental health? Brad Potter was a fellow loan originator....provide the Court any evidence he said any of what he did or had the power to authorize police action as police claim in their reports. Keep in mind: at Wells Fargo they train employees how to respond to Wells Fargo physical threats. Almost 100% of the time it is "call 911 and do your best to stay out of the way".

City of Eugene might wonder why their SWAT forces were unable to apprehend the "Ghost Bike Rider" who is mysteriously there and gone without a trace as described in the entirely fabricated police report.

Exhibit follows this page. 1 page of police report follows this page. I assert it is 100% Wells Fargo Fabrications cut from the whole cloth. There is not one grain of truth in part or whole. It is highly defaming, difficult to overcome threat painting that is one of Wells Fargo et al scare tactics such as hiring of special guards and transmitting falsified physical threat reports to our police.

This page was within the original lawsuit complaint. From what I can tell, none of the defendants answered to it or even acknowledged it was there. The attorneys for Defendants did not do their job correctly per FRCP 11 and ABA Guidelines (adopted by Oregon in 2005). I want each person who reads this to imagine how YOU would feel if police wrote those absolutely horrific lies about YOU or a friend or family member and then do all you can to stop police from pervasive lying and exaggerating.

BRAD POTTER
520
5'5

I responded to Wells Fargo Mortgage at 100 E Broadway regarding a trespass complaint.

I contacted Christiansen and Potter. Christiansen is a security guard hired by Wells Fargo because of safety concerns about a former employee, Clark. Potter is a mortgage consultant in the office. They told me that Clark had recently (weeks ago) been terminated from his position at the office and had been repeatedly trying to come back in and entering back onto the property.

Potter said that Clark has, for several months, been demonstrating increasingly bizarre behavior. He described behavior that can be generalized as conspiratorial, neurotic, and obsessive. He said that he is turning the organization into the FBI for prosecution under the RICO statute. He said that he will rape his bosses because they fired him. He has continually come back and tapped on the windows and opened the front doors of the business after being told not to enter the premises.

Both Potter and Christiansen told me that they have authority to trespass people from the premises and they have done so with Clark via police contact. (on 071811, Officer Esch contacted Clark and told him that he was not allowed on any Wells Fargo Property – this was documented in an FI)

Because of Clark's behavior which resembles psychosis, Wells Fargo hires Christiansen as a guard for the safety of the workers there. On the above date and time, Christiansen and Potter told me that they saw Clark ride up on his bike and approach the doors of the business to within one foot of the doors. The business is on a corner and this would clearly be on the business property. He left when he saw he was being observed. As they were relating this to me, we all observed Clark approach the same corner on his bike. He appeared to observe me inside and rode off eastbound. By the time I could get out of the building, he was gone.

Potter and Christiansen both told me that the manager, Martin, has formally trespassed him from the location. Martin did not answer his phone. They said that they wanted him arrested for trespass.

I attempted to call Clark but he would not answer his phone.

The employees whom I spoke to were very concerned for their safety. They asked if they should carry guns to protect themselves from Clark should he return. They describe him as very mentally unstable and unpredictable.

164

SCHULKE #164
Patrol, DOWNTOWN

072911 @ 1200

Approved By:

4-A

Preparation for Motion for Directed Verdict Against Wells Fargo Bank

Wells Fargo and Company may prefer at this time to compromise the criminal allegations and settle the civil allegations based on the evidence. Here are some concepts in preparation for directed verdict against **Wells Fargo Bank** et al should they not be able to or refuse to satisfactorily answer those questions. Note: do NOT try to answer any question with a verbiage defendants inserted into previous court order where Wells Fargo/Ogletree Deakins wrote fiction for a judge to sign which was motioned as corruption of District Court on 10.9.14. In accordance with RICO law and the outrage of physical involvement of police in communications/banking employment, here is an "accurate-enough" statement of damages. In my personal opinion, Ogletree Deakins should just quietly take care of the giant mess they made for everyone because they made a big error/omission in the name of Wells Fargo Bank, but that is not for me to say past providing as opinion.

My last full year earnings were $200,000 at Wells Fargo Home Mortgage. That is consistent with the prior 15 years of earnings. I have been out of work being sued, jailed, or fighting this for almost **3.5** years. In addition, any time I was in jail or ankle bracelet **.5** years (c. six months) counts as double-time compensation after the first 8 hours as I was a lowest-level worker with overtime pay. I am owed compensation for that time....tripled as calculated:

3.5 years @ $200,000 per year = $700,000

.5 year * $200,000 * 2 = 100,000

(the $100,000 is the double time for jail/ankle bracelet...the first 8 hours is in the first number)

Subtotal:	= 800,000	
Treble Damages (x 3)	=	$2,400,000
Plus ankle bracelet fees, bail deposit, and attorney fees, Treble		80,000
Total		$2,480,000

Ironic and Iconic Question 4

I feel I have standing as a Wells Fargo 401-k holder as well as Plaintiff in this case. Please see MY attached motions to court 8.22.11 in their lawsuit against me. The 'point' is that before I was put into court it is likely their 'orders' were pre-ordained and nothing I submitted or said made any difference. It was sealed, concealed, and obstructed by the Court as pleaded 10.9.14. See **Item 10** on the last page. I am repeating it here verbatim: *(reminder note... I was defendant of Wells Fargo Bank)*

> **Court directs that Chairman John Stumpf and EVP Avid Modjtabai, are visionary leaders who set an example for all of America which is why Wells Fargo is the strongest most secure financial institution in America an in the world. Defendant respectfully asks for this Court Direction due to:**
> **a) their overwhelming level of proven competence and ability**
> **b) their importance to the Company and the Nation as a whole**

Wells Fargo Bank: As a Wells Fargo 401-k participant and given any standing from my past employment and all the litigation.... Please tell the Court exactly why the Bank objected to and denied that Chairman John Stumpf and EVP Avid Modjtabai of Wells Fargo and Company are national leaders and visionaries, etc. as Motioned by me in 2011 in *your lawsuit against me*? Wells Fargo Bank instead spent corporate funds to hire Ogletree Deakins to instead put all sorts of abject lies into the court about me and lied about the factual basis. That should go down in legal history along with the fee-gouging, pirate employment law firm currently known as Ogletree Deakins (et al). They installed hated, illegal, mean employment tactics and billed for that. Every so often a worker "becomes erratic" (quoting their OSHA report...they claimed I became erratic) then they get to bill out large~~s~~r fees for filing what amounts to..... FORMS (aka legal boilerplate.)

I submitted the attached Motion on or before 8.22.11 into SLAPP Suit 6.11.cv.06248.HO and it was denied with no hearing. That was after I had been jailed as noted in court on 8.22.11. I submitted a larger-font version and confirmed on the hearing transcript Judge Hogan had it. Please compare that Motion and what I motioned to the Court to do and with what Wells Fargo Bank via its attorney/agent

August 22, 2011

Wells Fargo Bank, NA
Plaintiff

vs.

Andrew G. Clark
Defendant

Civil # 116248-TC
Defendant
Motion to Direct in
Advance of Oral Arguments

All material submitted by Plaintiff and Defendant is not evidence of charges of either party. Rather, it is the evidence of a much larger situation that requires this Court to Direct on Emergency basis to benefit of the Public and Wells Fargo:

1. Wells Fargo grew quickly and acquired problem situations. Dodd-Frank mandates are broad and mostly unlitigated. The good of the Nation requires the past be absolved on an immediate basis so national progress can be made. The results of pre Dodd-Frank situations cannot be held in accordance with Dodd-Frank or taken out of context. The most notable example of this is the Wachovia portfolio which is primarily "stated income" mortgages that were based upon borrower lies. Court directs Borrowers or mortgage backed security/derivative holders with Wachovia mortgages (or any other mortgage loan regardless of originating company) originated on a "stated income" basis have no assumed standing to redress in State or Federal Court unless they first demonstrate their income per tax returns reasonably matched the stated income used to qualify for the mortgage loan. If the majority of a pool/derivative is comprised of such loans then this Court direction also applies.

Court directs that it is against public policy to allow into Courts matters involving "stated income" (aka Liar's Loans) and by extension, financial derivatives of the same. Court directs that those who lied about their income cannot expect the Courts to deliver mercy or compensation to them for their lies and/or poor decisions based on lies.

2. Court directs a need for evidence review in Federal cases currently in process against Wells Fargo nationwide to ensure Venue is correct and there is sufficient actual evidence. Just as one example, the review is to include discovery if the mortgage loan(s) were "stated income" per Directive One (above). The detailed evidence is clear upon study as presented by Defendant. It is not possible for a large operation to be 100% operationally compliant with rapidly changing regulations. It is extremely difficult to understand the basic

see #10

6-A

details that cause a situation to occur. Allegations against Wells Fargo in Federal Court are generally not acceptable as they are counter to monetary policies of the United States. Court processes are Public by definition and therefore can be used as a vehicle to force disclosure of client information or to influence public perceptions to affect trading. It is for these reasons other Agencies such as SEC are the specified preferred Venue.

Due to various privacy legislation but primarily in the way financial operations work the facts that created the transactions are not available much later and even if available they are difficult to understand without understanding the overall transaction process. As shown with the actual evidence, the various mandates and process constraints that create a transaction must be understood in full before a Court can render a reasonable judgment in a particular case or class. The evidence that created (or not) the transactions is not available in virtually any other case submitted elsewhere as it is too routine/mundane to keep. Without the email/ screenprint/ conversation-level of evidence of the type that is carefully preserved and submitted to this Court, the Court process is not the favored first avenue of redress against Wells Fargo because the transaction-formative facts are almost impossible to have and without them all other evidence is speculative and incomplete.

3. Wells Fargo brought issues to Court voluntarily. Court directs this action exempts Wells Fargo from any class actions or whistleblower actions for any topic contained in Defendant's Court presentations. For example, if another institution or a government agency wants to "sue" Wells Fargo related to mortgage backed security pool accounting practices they cannot under Court direction without transactional evidence that supports a fraudulently originated transaction. Otherwise, it is clear said corporations and/or individuals are then attempting to use the Courts to recuperate losses they fairly incurred. Individuals have their State Courts or other banking regulatory agencies as primary remedy for issues.

4. Wells Fargo initiated this special project (the Eugene Blair Project) April 1, 2011. The primary purpose was to gain immediate Operational Control to the very finest level. Wells Fargo continues its significant investments on policy and systems but the details of the Operation required a careful "stress test" to find all possible Dodd-Frank operational weaknesses. Court directs that the (Eugene Blair Project) was effective and comprehensive of virtually all issues ever presented against Wells Fargo in any context.

5. One purpose of Project was to consolidate of all possible Qui Tam rights to discourage frivolous application of Dodd-Frank rewards to those who had not gone through internal processes with factual documentation on the scores of issues identified with Project. This was to protect the Bank financially from the later unknown. Court directs that operational issues reported are so vast, comprehensive, and documented that it is unlikely there will be novel claims relating to pre-August 22, 2011 activity.

6. Court has been presented with very detailed evidence that Wells Fargo Home Mortgage serves a unique role nationwide. Approximately half of the work of WFHM is government mandated activities that must be handled both in accordance with State and Federal laws. This presents an unfair burden upon Plaintiff. No other major Bank comes close to the product diversity and local presence. Nationwide, Wells Fargo is serving as 'lender of last resort' while other companies simply eliminate products that create extra work. Upon review of evidence, Court directs Department of Treasury, Internal Revenue Service to work with WFHM to consider this in their taxation treatment of WFHM which is currently the nationwide Dodd -Frank "watchdog" in every community big and small. Court determines based on evidence that approximately half of the work of WFHM uniquely meets government mandates and thus taxation and/or policy application must be adjusted to reflect the unique public role of Wells Fargo Home Mortgage.

7. Court has been presented with evidence the Internet and the ubiquitous I-phone/Android or equivalent introduced an asymmetric ability of aggrieved to:

a) mass together nationwide to create the illusion of a large affected class. This is particularly prejudicial and creates and unfair burden upon Plaintiff and large operations that serve the public.

6 - B

b) circumvent intended legal protections of major employers/Corporations and afford the opportunity to use popular causes to obtain legal settlements. It is the personal opinion of Defendant that recent Wells Fargo settlement related to disabled access resulted from this.

c) record and transmit corporate meetings, including video on a real-time basis. This, coupled with commonly available video and audio software causes such images to be corruptible but can be used in many ways in advance of Court processes to influence outcome.

Court directs that audio or video content that has not been verified to be authentic generally should be considered as "here say" or an attempt to posture a future outcome as it relates to non-fraud banking matters. Court further directs there be consideration in Court as to how or if the Internet or other related technology acted to mass an aggrieved class or party in absence of significant evidence thus exposing the Courts and the Public to the costs of action that was necessitated by popular pressure.

8. Court directs that all Dodd-Frank institutions consider this model and the various specialized programs used by Wells Fargo that mitigate Dodd-Frank risk.

9. Court directs that insider trading rules do not apply to this Court action and those so governed have full rights to buy or sell without restrictions during Court processes as the underlying material was provided well in advance to a large number of Financial Journalists. Defendant realizes this possibly subjects Court to question of intent. Evidence is !

10. Court directs that Chairman John Stumpf and EVP Avid Modjtabai, are visionary leaders who set an example for all of America which is why Wells Fargo is the strongest most secure financial institution in America and in the world. Defendant respectfully asks for this Court Direction due to:
a) their overwhelming level of proven competence and ability
b) their importance to the Company and the Nation as a whole

11. Court directs that the level of employee participation in Eugene OR, Des Moines, and Minneapolis represent ideal response to emerging issues of the Dodd-Frank magnitude. Court directs that the Entire Community of Eugene/Springfield Oregon helped bring about progress on a national level and stand as an example of honest American values.

Signed,

Andrew Glen Clark
3270 Stoney Ridge Road
Eugene, OR 97405

SIGNED SUBMITTED 8-22-11
4 CONFIRMED IN COURT HEARING AS RECEIVED
5 SHOWS "DENIED" IN SYSTEM

6 - C

Ogletree Deakins later motioned with that "sealed naughty fax to Ogletree motion" attached to my 10.9.14 pleading regarding corruption of district court. Certainly my motions have more relevance to Wells Fargo, banking, and mortgages than the 'naughty fax' hearing and had a much better factual basis. It will likely frighten all Wells Fargo customers and affiliates to learn that District Court formally denied Chairman Stumpf and EVP Modjtabai are visionary leaders and went so far as to use corporate resources to have Ogletree Deakins deny it in District Court along with judicially excusing them from almost any case from their past? It sure makes more sense and is more 'on topic' than what was Ordered.

Judge Hogan could have just signed that and been done with the case on 8.22.11. There was no money award being requested or demanded at that time. I am a 401K holder with Wells Fargo in addition to my other standing so it just makes zero sense considering all the defaming lies and endlessly postured that were within the "orders of the court" why Wells Fargo Bank did not want to go with my version at the time. It suggests that Ogletree Deakins was crashing the Stagecoach in order to bill out repairs probably while lying to Wells Fargo about the very reason to be in court... all for fees of course.

Sure....they can come up with reasons to deny why such a motion could not be granted but NOT in light of the absolute destructive lies and nonsense presented seemingly as boilerplate by Wells Fargo and Ogletree Deakins. (Exhibit for this Question follows this page, then the next question/exhibit)

Once compensated, all intellectual property and rights belong to Wells Fargo ... or Ogletree Deakins if they want to compromise the charges in behalf of Wells Fargo et al.

I am a very hardworking, very intelligent, very trusting and trustworthy.... Older American Worker. My clients always rated me very highly in surveys. I was a top-producer at all the companies with which I worked and I specialized in quality home loans such as VA/FHA. I was a suit and tie lender who avoided the 'subprime' with disgust. I feel that a lot of very honest mortgage brokers were similarly tarred and feathered. Meanwhile, the ever growing pack of rapacious attorneys who wrote the bad contracts and allowed the corporations to create such flawed financial products move to the next scam.

IT IS MOTIONED

It is motioned that Wells Fargo Bank be compelled to answer to the above most basic questions with real-world facts or compromise and settle. If Wells Fargo would review that small amount of tangible evidence they will be **happy** for the opportunity to compromise the criminal allegations and settle the civil allegations and be done with it. The local government entities did all that I alleged but... it was due entirely to actions of Wells Fargo Bank and their employment attorney/agent Ogletree Deakins and it is past-time that Wells Fargo stepped up to the plate to correct what they perpetrated.

For what it might be worth... based on all that I can see and prove... Wells Fargo Bank can send the bill to Ogletree Deakins who can run it against their Errors and Omissions policy or whatever. Errors and Omissions happen; that is why they have insurance.

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Signed and Sworn to per FRCP 11 this day October ~~9~~, 2014

10-13-14

Andrew (Andy) Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915

Case Presentation Site: www.RisePatriot.com If you or anyone can meaningfully refute allegations... please call me because as I see it, technology allowed me to prove the case using all-official first hand standing factual evidence in the finest possible detail. You want proof? It is proof or the strongest indication possible...once you 'get it' and it all started in my home on 7.18.11 in the first 2 minutes of a police audio...posted.

Family Court and Cumulative Legal Battery Site:

www.WellsFargoWitz.com (family court audio and material demonstrating deliberate tandem battery.)