

4.25.13 (Copy to Mr. Mixon, Ogletree Deakins) **Workout Attempt**

(This is a unique case due FBI "evidence parking" while employed & forensic police a/v POSTED).

CaseSite: www.osunrise.com cloned on www.risepatriot.com Casesites: no bs, all first hand factual. Ogletree Deakins, Leah Lively, Portland, OR She and all others are "hung" by the "Cherry Picker Fallacy". She massively cherrypicked and sealed PACER. The 12.21.11 hearing was a joke of some form, go read the posted transcript, it is brief. A Dodd-Frank/SOX reporter does not have to be right at all, he/she just needs reasonable suspicion and is MANDATED to report. My CPA experience and extensive background including 13 years at Fannie Mae in DC allowed me to Fully Report and be right. As noted in 8.22.11 District Court Transcripts: the FOUR attorney sent down to oppose poor little Andy Clark in Eugene OR \$12 per hour worker..... for crying out LOUD you people Lack Control.

The entire matter of the added layer applied to the SAFE Mortgage Originator Registrant/Licensee matter was totally muted. Labor Racketeering. Never has a clearer case existed. They may have fixed the problem but I was a victim. Notice in the FBI filings from 2011 there is an exhaustive set of emails about one small loan that was declined. Within that you will find a **company email** accusing me of criminal fraud in violation of Dodd-Frank for using the RELS system to contact an appraiser. RELS did not filter the messages to the appraisers. They went straight through. They use that as one of many methods to ALLOW retaliation on a disparate basis. RELS passed down their error to the unprotected, easily "killed" bottom line SAFE Registrant. My Jewish Ethnicity considered that Reichskristallnacht: it told me what was coming next. When I explained that to Ms. Reiser in HR? She initiated well-documented Ethnic Cleansing complete with mental health profiling and use of entirely Wells Fargo Catholic Church employees for the June 2011 investigation. It involved a "Peggy Burns, MFT in San Francisco who was/is on the company tab. Imagine the HORROR of explaining orally and on company email that I felt like a Jew on the train to be burned and..... I get referred to Peggy Burns MFT who is a Catholic/Christian religious counselor. Consider that HORROR. I realize it sounds too insane and crazy to have happened but it did, fully documented then to OSHA, etc. (font/spacing bigger on the actual letter, all was faxed)

August 22, 2011
Leah C. Lively
Attorney at Law
Ogletree Deakins
Portland, Oregon Via Fax

Dear Ms. Lively:

I appreciated the opportunity to meet you in person. Now you know me. I am cut from a very old-fashioned cloth. My family background is rather unique.

Ms. Lively, I speak the truth when I tell you I was tortured beyond belief over this. They did not understand. My intelligence was insulted in the worst way. During my process I provided a vast amount of operational input. That knowledge was stolen and used. What I am telling you about the 'ethnic cleansing'. It happened. It is worse than I communicated. The whole situation was much worse than I communicated. I had to endure it. I write and speak the truth.

They jailed me based on false police reports. That is what the record will reflect. You met me. Jail holding is Hell on earth. Find a police officer to tell you what happens to people in jail holding. I was taken from my home in chains and no shoes. I was on a concrete floor with no shoes, a tee-shirt, and shorts. It was 60 degrees and blankets are not provided. I was told to do pushups and situps if I wanted to be warm. Ask a Police Officer about jail holding.

My very ability to work in profession was removed due to SAFE regulations. They could not comprehend I was trying to help. It could not be comprehended. Now it can.

I most respectfully submit that Company perhaps would like to consider the value in all of this. I have certain personal obligations that are important for me to meet. With no job and with no money and in Federal process I can get my spousal support eliminated. She does not need the money. She has so much money because I gave her most everything. Still I want to provide.

What I endured is too embarrassing to the Company to ever get in front of a Court. I am begging of you as one human to another: I am in need of a reasonable but fairly generous settlement for Services Rendered. If allowed to be, the Services are very valuable.

Respectfully yours,
Andrew G. Clark
Eugene, OR

4.24.13

Ogletree Folks... Leah Lively, if you are still there you better go Confess, Make Settlement Happen... and we can be Friends Again and make up some Postured Truth to cause progress and we can laugh about it all even though it is killing me. These motions were submitted to the Court at First Hearing, seems they all got denied but I doubt they got read.

>>>> How do you think Wells Fargo and Company will react to this, now that all circumstances are Known? I will hold off a few days hoping to Hear Progressive News then put it back in court with an Atomic Café of other Motions. Again: what was sealed in PACER is shocking and was not permitted...I think they just seal it all. Ghastly: sealing records in a Dodd-Frank case after for real, non-exaggerated organized kidnapping? Keep in mind: Real, filed motions, I could not find them in PACER but I spend almost no time in PACER, it exposes the Pro Se to added Risk, especially those of us good with systems. Leah... WTF?

August 22, 2011

Wells Fargo Bank, NA
Plaintiff

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

vs.

Andrew G. Clark
Defendant

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

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 an unfair burden upon Plaintiff and large operations that serve the public.

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