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8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 WELLS FARGO BANK, N.A., and WELLS)
12 FARGO HOME MORTGAGE, INC.,)

13 Plaintiffs,

14 vs.

15 DEMETRIOS A. BOUTRIS, in his official)
16 capacity as Commissioner of the California)
17 Department of Corporations,)

18 Defendant.)
19)
20)

Civil Action No. S-03-0157 GEB JFM

) DECLARATION OF CHARLES
) AGBONKPOLAR IN SUPPORT OF
) DEFENDANT’S OPPOSITION TO
) PLAINTIFFS’ MOTION FOR PRELIMINARY
) INJUNCTION

) Hearing Date: March 10, 2003
) Time: 9:00 a.m.
) Location: Courtroom 10

) **Hearing Requested**
)
)

1 I, CHARLES AGBONKPOLAR, declare as follows:

2 1. I make the following statements based on personal knowledge. If called as a witness, I
3 could and would competently testify as follows.

4 2. I have been employed by the California Department of Corporations (“Department”)
5 since 1988. I make this declaration in my official capacity as a DOC employee, and not otherwise.

6 3. Since February 2000, I have been a Corporation Examiner IV, Supervisor, for the
7 California Finance Lenders Law (“CFL”) (California Financial Code Section 22000 et. seq.). In
8 this position, I schedule the regulatory examinations for CFL licensees and assign and supervise
9 the work of the corporation examiners who perform the regulatory examinations. Additionally, I
10 personally review the examination reports for the major companies holding CFL licenses including
11 Wells Fargo Home Mortgage, Inc. (“WFHMI”).

12 4. WFHMI currently holds four active licenses issued under the CFL as follows:

- 13 a. License number 603 5658 for WFHMI doing business as Wells Fargo
14 Mortgage Resources located at 5540 Fermi Court, Carlsbad, California;
- 15 b. License number 605 1436 for WFHMI located at 2730 Shadelands Drive,
16 Walnut Creek, California;
- 17 c. License number 603 6147 for WFHMI located at 1000 Burnett Ave., Concord,
18 California;
- 19 d. License number 603 6148 for WFHMI located at 4180 La Jolla Village Drive,
20 La Jolla, California.

21 5. On or about February 12, 2003, I reviewed the Department’s files to determine the
22 dates of the CFL regulatory examinations performed for WFHMI licensees since 1988.

23 6. WFHMI has submitted to all regulatory examinations scheduled by the
24 Commissioner, and responded to all correspondence of the Commissioner concerning these
25 regulatory examinations.

26 7. In April 2000, the Commissioner conducted a regulatory examination of WFHMI doing
27 business as Wells Fargo Mortgage Resources, license number 603 5658. Another regulatory
28 examination at this location was assigned in September 2002 and is still ongoing, under protest.

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8. In July 2001, the Commissioner conducted a regulatory examination of WFHMI, license number 605 1436.

9. In June 2000, the Commissioner conducted a regulatory examination of WFHMI, license number 603 6147. In October 2002, another regulatory examination was conducted at this location and is still ongoing, under protest.

10. In July 2000, the Commissioner conducted a regulatory examination of WFHMI, license number 603 6148. Another regulatory examination at this location was assigned in October 2002 and is still ongoing, under protest.

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

Executed at Los Angeles, California this 21st day of February 2003.

CHARLES AGBONKPOLOR
Declarant