

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 1:24-cv-22142-GAYLES/GOODMAN

FANNY B. MILLSTEIN and  
MARTIN KLEINBART,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

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**DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE NOTICE CONCERNING WELLS FARGO’S UNDER-SEAL FILING**

Defendant Wells Fargo Bank, N.A. (“Defendant”), by and through its undersigned counsel, moves this Court for an extension of time, up to and including March 10, 2025, to file the notice and declaration requested by the Court concerning clarifications to certain documents Defendant submitted in-camera to the Court. As grounds therefore, Defendant states as follows:

1. On February 27, 2025, the Court issued an order requiring additional information from Defendant concerning its under-seal filings (“Order”). D.E. 83. The Order required Defendant to prepare a notice addressing various questions the Court raised following an *in camera* review of documents Defendants submitted to the Court in connection with its Suspicious Activity Report (“SAR”) privilege claims.

2. The Court specifically instructed Defendant that such notice must include a declaration signed by a Wells Fargo employee, and further instructed Wells Fargo to submit such notice and declaration no later than March 4, 2025.

3. The Court also permitted Plaintiffs the opportunity to file a response to Defendant's notice by March 10, 2025.

4. Upon receiving the Order, counsel for Wells Fargo immediately began drafting such notice and accompanying declaration and reached out to Wells Fargo to begin to identify the appropriate corporate representative to execute same.

5. However, due to short amount of time for compliance as well as a number of preexisting and unavoidable obligations for Defendant's counsel and for Defendant, Defendant seeks an extension of time, up to and including March 10, 2025, to file its notice and declaration. Such extension will allow Defendant time to identify the appropriate Wells Fargo employee and otherwise fully address the scope of the Order.

6. Defendant also seeks an accompanying extension for Plaintiffs to file their response, if any, up to and including March 17, 2025.

7. Counsel for Plaintiffs does not oppose the relief requested in this motion.

8. This request is not made for the purposes of undue delay but is made in good faith and in the interest of judicial economy and efficiency.

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1.A.3**

Pursuant to Local Rule 7.1.A.3, the undersigned counsel certifies that counsel for Defendant has conferred with counsel for Plaintiffs, who consents to the relief requested in this Motion.

**MEMORANDUM OF LAW**

Rule 6(b) of the Federal Rules of Civil Procedure provides that this Court may enlarge the time for filing a response upon a showing of good cause. Where, as here, the request for extension is made prior to the expiration of the specified period of time, no finding of excusable neglect is

required. Fed. R. Civ. P. 6(b)(1)(A). Defendant respectfully submits that good cause has been shown for an extension of time in order to allow Defendant's counsel to coordinate with its client and identify the appropriate employee to execute a declaration as requested by the Court.

WHEREFORE, for the foregoing reasons, Defendant Wells Fargo Bank, N.A. respectfully requests that this Court grant this Motion and extend the time for Defendant to file its notice and declaration, up to and including March 10, 2025, and for Plaintiffs to respond, up to and including March 17, 2025.

Dated: February 28, 2025

Respectfully submitted,

**McGUIREWOODS LLP**

/s/ Emily Y. Rottmann

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*Attorneys for Defendant Wells Fargo Bank, N.A.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 28, 2025, a true copy of the foregoing was filed with the Court using the CM/ECF system, which will send notice to counsel of record.

/s/ Emily Y. Rottmann

Attorney

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**ORDER GRANTING DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF  
TIME TO FILE NOTICE CONCERNING WELLS FARGO’S UNDER-SEAL FILING**

THIS CAUSE having come before the Court on Defendant’s Unopposed Motion for Extension of Time to File Notice Concerning Wells Fargo’s Under-Seal Filing, it is

ORDERED AND ADJUDGED that:

The Motion is GRANTED. Defendant shall have up to and including March 10, 2025, in which to file its notice and declaration concerning Defendant’s under-seal filing ordered by the Court on February 27, 2025 (D.E. 83). Plaintiffs shall have up to and including March 17, 2025, to file any response.

DONE AND ORDERED in Chambers at Miami, Florida, this \_\_\_\_ day of February, 2025.

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Chief Magistrate Judge Jonathan Goodman

Copies furnished to: All Counsel of Record