

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.

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO
PRODUCE ARCHIVAL DOCUMENT RETENTION POLICIES**

Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) moves for an extension of time through July 3, 2025, for Wells Fargo to produce archival document retention policies, if any, in response to Request for Production No. 230 as ordered by this Court. *See* Post-Discovery Hearing Administrative Order (ECF No. 119). As grounds, Wells Fargo states that:

1. Wells Fargo has produced the readily accessible document retention policies concerning its trust and security intermediary activities.

2. Given the federal holiday of Juneteenth on June 19, 2025, and out of the office commitments, Wells Fargo is still in the process of collecting any additional historic retention policies that are archived and not as readily accessible. Accordingly, those policies take longer to collect.

3. Out of an abundance of caution, Wells Fargo seeks a limited extension through July 3, 2025, in order to ensure all relevant document retention policies are produced in compliance with the Post-Discovery Hearing Administrative Order issued by this Court. (ECF No. 119).

4. 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.

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). Wells Fargo respectfully submits that good cause has been shown for an extension of time in order to allow Wells Fargo to fulfill its discovery obligations under the Post-Discovery Hearing Administrative Order issued by this Court. (ECF No. 119).

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 Wells Fargo has conferred with counsel for Plaintiffs, who does not oppose to the relief requested in this Motion.

WHEREFORE, for the foregoing reasons, Wells Fargo respectfully requests that this Court grant this Motion and extend the time for Wells Fargo to produce its document retention policies in response to Request for Production No. 230 as ordered by this Court, up to and including July 3, 2025, and such other and further relief as this Court deems just and proper.

Respectfully submitted on June 20, 2025.

McGUIREWOODS LLP

/s/ Emily Y. Rottmann
Emily Y. Rottmann
Florida Bar No. 93154
erottmann@mcguirewoods.com
flservice@mcguirewoods.com
clambert@mcguirewoods.com
50 N. Laura Street, Suite 3300
Jacksonville, FL 32202
Tel: (904) 798-3200
Fax: (904) 798-3207

Jarrod D. Shaw (*admitted pro hac vice*)
jshaw@mcguirewoods.com
Nellie E. Hestin (*admitted pro hac vice*)
nhestin@mcguirewoods.com
Tower Two-Sixty
260 Forbes Avenue, Suite 1800
Pittsburgh, PA 15222
Tel: (412) 667-6000

Mark W. Kinghorn (*admitted pro hac vice*)
mkinghorn@mcguirewoods.com
Zachary L. McCamey (*admitted pro hac vice*)
zmccamey@mcguirewoods.com
William O. L. Hutchinson (*admitted pro hac vice*)
whutchinson@mcguirewoods.com
201 N. Tryon St., Suite 3000
Charlotte, NC 28202-2146
Tel: (704) 343-2000

Attorneys for Defendant Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 20, 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

**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.

**ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME TO
PRODUCE ARCHIVAL DOCUMENT RETENTION POLICIES**

THIS CAUSE having come before the Court on Defendant Wells Fargo Bank, N.A.'s Motion for Extension of Time to Produce Document Retention Policies, it is

ORDERED AND ADJUDGED that:

The Motion is GRANTED. Defendant Wells Fargo Bank, N.A. shall have up to and including July 3, 2025, in which to produce document retention policies in response to Request for Production No. 230 as ordered by this Court. *See* Post-Discovery Hearing Administrative Order (ECF No. 119).

DONE AND ORDERED in Chambers at Miami, Florida, this _____ day of June, 2025.

The Honorable Jonathan Goodman
CHIEF UNITED STATES MAGISTRATE JUDGE

Copies furnished to: All Counsel of Record