

### Section 3

Some attorney letters to Andy Clark using the Threat of Federal Punishment as a threat to deliver “secrets” that could not be defined.

Any employee who is being charged in Federal Court is innocent. No matter if they are wheeled in on drugs and insanelly babbling.....they are innocent and the Corporation did that to the person using police, legal processes, financial starvation, systematic defaming.

A person is left as the Living Dead. They have no Recourse.

# Ogletree Deakins

OGLETREE, DEAKINS, NASH,  
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September 13, 2011

## Via Email and First Class U.S. Mail

Mr. Andrew Clark  
3270 Stoney Ridge Rd.  
Eugene, OR 97405  
mir99@comcast.net

RE: Wells Fargo v. Clark

Dear Mr. Clark:

Pursuant to your request, an itemization of documents that we believe contain confidential information can be found in the documents described below. If the same information described below is contained in differently titled documents, it should likewise be considered confidential and delivered to me:

- From the document entitled “**Wells Fargo Operations Report**,” (sometimes referred to as “All 175 Pages”):<sup>1</sup>
  - First and/or last names and account numbers of loan applicants or customers of Wells Fargo found on page 37 and 38 of your Wells Fargo Operations Report;
  - First and/or last names of loan applicants or customers of Wells Fargo set forth in the “Realtor Activity Quick Entry Log,” run by you on May 24, 2011, and found at page 49 of your Wells Fargo Operations Report;
  - The first and last name and address of the loan applicant found in e-mails located on pages 86, 87, 89, 96, 100, 104, 106, 110, and 115 of your Wells Fargo Operations Report;

<sup>1</sup> This same information was posted under the URL [www.wfopsreport.com/Clark\\_scanpgs\\_072911.pdf](http://www.wfopsreport.com/Clark_scanpgs_072911.pdf).

JUDGE (X)  
431 4159

- The last name and loan number, as located on the RE line, of the e-mails found at pages 115-119 of your Wells Fargo Operations Report; and
- First and/or last names of loan applicants or bank customers found in paragraphs 28, 29, 39, 40, 41, 48 and 50 of pages 178, and 180-183 of your Wells Fargo Operations Report.<sup>2</sup>
- From the document entitled “**Wells Fargo Information Controls**”:
  - First and/or last names of loan applicants or customers of Wells Fargo found in paragraphs 28, 29, 39, 40, 41, 48 and 50 of the document.
- From the document entitled “**Letter to Mark Oman**,” and dated April 17, 2011:
  - First and/or last names of loan applicants or customers of Wells Fargo listed in the “subject” column of the “saved received – Microsoft Outlook” pages attached to the letter to Mr. Oman. This same information is found at pages 31 and 33 of your Wells Fargo Operations Report.

Contrary to your assertions, Judge Hogan’s order is not limited only to electronic documents; it applies with equal force to paper documents, such as those we are requesting returned:

Within a reasonable time **not to exceed five business days**, of receiving actual notice of this Preliminary Injunction, by personal service or otherwise, Clark shall immediately return to Wells Fargo, by mailing to Wells Fargo’s counsel, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., via certified mail, the originals and all copies of **paper documents** containing or constituting Wells Fargo’s trade secrets and confidential information, specifically including, but not limited to, any information concerning current or former customers of Wells Fargo or of any Wells Fargo subsidiaries.

Order, page 9, ¶4 (emphasis added). Moreover, Judge Hogan found “**Defendant Clark has already disclosed confidential information through his website and his filings.**” Order, page 7, ¶5 (emphasis added). Thus, it is incorrect that the information described above is “public” and not subject to the preliminary injunction.

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<sup>2</sup> This same information was posted under the URL [www.wfopsreport.com/problems50\\_01.pdf](http://www.wfopsreport.com/problems50_01.pdf).

September 8, 2011

David P.R. Symes  
Ogletree Deakins  
FAX Portland

Dear Mr. Symes:

It was a pleasure speaking with you.

Please stop accusing me of having any material of concern on a website. As placed in writing, it was long ago removed (as early as August 4).

Your continued allegations represent:

1. Perjury
2. Malpractice
3. SLAPP activity.

This is, once again notice: stop slandering me. Stop lying about me. Stop "pre-texting" me. You, like Leah Lively, are most likely not capable of listing the offending information, even though it has long been gone.

Leah Lively took over the Simplicato account. Likely her activity left 'cached' versions on Internet. Call the Internet people if you have a problem.

I have fully cooperated. Your absolute denial of reality and truth is overwhelming. Your firm appears to believe that if you write it, it makes it real or true.

That is why I do not need an attorney. I know my truth. I know what all those papers submitted to court really mean. You do not most likely. Until you do.....see 1, 2, and 3 above.

Thank you again.

Signed,

Andy Clark  
Eugene Oregon

September 9, 2011

David Symes via FAX

Dear Mr. Symes:

Pleasure again speaking with you. Please provide the attached to your Client.

It is important that the Client see the opportunity. Magistrate Judges can do pretty much whatever they want from what I understand. All we have to do is go ask him... Company and I. Want employee pony rides? Hey, he can order them. I do not believe litigation is in best interest of anyone which is why the matter should be settled prior.

You will find from those there I gave a very eloquent Court presentation. It was very minimal. I deliberately kept the written material out of the testimony. Nobody else on the planet would have handled it like I did. It left opportunity for us all to move forward or backwards.

My objective is and has been to minimally disrupt. All others would have made a big public mess out of this. I kept it very carefully compartmentalized and took great pains finding Simplicato which provides proper archiving.

There are a very large number of legal issues and moral issues involved in this situation. My objective from get-go was something positive but the HR actions did not allow that.

I need some assurances from you that you are passing this material along. I make sure to send you (and everyone) two kinds of material. I found that people select what they want from it, which is always the material that has nothing to do with the financial issues at hand. You want to know hysterical? Ask Leah the TRUTH about the particular THEME that was so offensive to Client.

You never saw anything like this whole situation. That is why it is best to package it like the below. This was submitted to Court along with an Ogletree Dodd-Frank training concept. Leah has that material. Why not see this as different, treat it as different? Why not see it as "the exception that proved the rule"? It seems more positive, as does the attached that was submitted to Court August 22, 2011 and alluded to in testimony.

Thank you very much.

Signed,



Andy Clark  
Eugene Oregon

4 follow

September 9, 2011

David Symes via FAX

Dear Mr. Symes:

Again, thank you for speaking with me. Amazing how much Progress gets made quickly when people talk. Should have been this way since April 15. Not one response, not even a form letter. Instead I was subjected to Elise Reiser. She left a highly-embarrassing-to-Company missive. Please understand: the issues in this matter are 'viral' and will attract intense and widespread publicity. All the necessary components are in this one, including that Theme of Interest I was relating.

I am dismayed by your continued encouragement to litigate. I am presenting it to you as something that will not be good for any of us. It is too infinite in nature and there are other 'aggrieved parties' involved, namely my three adult offspring affected with Fragile X.

The nature of the matters...all of them...are the type that are best 'kept in the family'.

My concern is this: the correct levels within the Company are not aware of the totality of this and are not passing it up. I must exercise rights in that regard by mailing several certified letters. It is important to Company objectives to keep all this non-public, hence the Federal action.

It (obviously) is not the tidbits of public information such as names and loan account numbers. Loan account numbers are all public records on the recorded deed of trust as demonstrated in Court and can only be used to pay a loan. Such information abounds on the Web, also as demonstrated to Court and those sites do not appear under such vicious attack.

I gracefully gave in during Court. I had us all in and out of there in 15 minutes. That no doubt set a record of some sort. Consider all I did to keep this very hush-hush while still meeting Objectives. You think I made a mess? Did just the opposite. Carefully silo'ed everything and always made sure we all had a way to "make happy" at any point in time.

Once litigation begins, that opportunity is lost. It is against my principals to litigate without repeatedly offering negotiation. I understand that will not be lost on a Court later in time.

Thank you again,

Signed,

A handwritten signature in black ink, appearing to be 'Andy Clark', with a stylized flourish at the end.

Andy Clark  
Eugene Oregon

September 19, 2011

To: David P.R. Symes  
Ogletree and Deakins  
FAXED

Dear Mr. Symes:

I received your September 13 letter showing items you want back.

Names, addresses, and account numbers are all public record as proven to Court. I have the right to possess those as they are public record and many do not related to Wells Fargo customers as they related to rejected transactions.

I will review each page mentioned and will redact any non-public data should I find any. I will have that work done by Wednesday of this week and advise. The legal material presented to me is infinite. Most of it was incorrect in some sense. It lacks a connection with the evidence submitted but not testified to.

At this point, I believe I have fully met all requirements. You, in my opinion, are attempting to "extend" the Judge's orders by continuing to imply the Judge ruled on that particular data when in fact he did not. He ruled regarding private customer data and trade secrets. His ruling was subject to the laws you cited in the Filings, all of which exclude public data.

I would be happy to go back to the Judge to explain all of this. I thought I was doing all parties a "favor" by not tying up the Court for days on end. It truly appears the road to Hell is paved with good intentions. Meanwhile as noted, I am not publishing this data.

I need it for the Dodd-Frank complaints. Those are being submitted this week.

Thank you very much.

Signed,



Andrew Clark  
3270 Stoney Ridge Road  
Eugene, OR 97405

415 442  
4870

Mr. David Symes  
Ogletree Deakins  
Via Fax

Subject: [www.wfopsreport.com](http://www.wfopsreport.com)

As noted, you should find all offending material no longer available.

It has long not been available via subject website. I was not aware until our conversation that stored versions could be accessed by inputting the sub-site pages that have long not been available via subject. I appreciate your clarification as it allowed instant resolution.

Regarding the paper materials, here is my concern. By returning paper it implies I relinquish my rights to it. I dare to say if I had an attorney the attorney would keep a copy of it all. Because it was sworn into Court and to the FBI I must retain copy for legal purposes as I have outstanding related complaints with OSHA and SEC. Also as mentioned, in my opinion and based on extensive documentation, other than my own driver's license there is no "non-public" data. It will not be distributed unless necessary for legal purposes.

Understand I did exactly what Mr. John Stumpf asked us to do in a training film. You can ask those in my office...they will recall that was the motivation that started it. It...literally....honestly....was because there was a VERY worried-looking man nearly begging employees to report. So I did it.

The Wachovia situation alone had to be 'killed'. It is a time bomb and management I believe knew it but had no solution. Why a time bomb? The loans will all start "resetting" to much higher rates and payments. Many/most of the loans are without tax impounds. My analysis indicated Wachovia alone would kill Wells Fargo, especially if Wells Fargo was embroiled in any of the other major issues.

The government gave directives in April. Nothing was happening. I was being asked to sell a higher rate under Dodd-Frank. I did what was appropriate. Please note: during employment my tactics and 'behavior' were 'by the book' exactly. My production was better than most. It was only after termination that alternative tactics were required to meet Objective.

Regarding the matter in Eugene. You stated on the telephone that I trespassed. That is not correct. There has not been a trial. I am innocent until proven guilty.

Thank you very much.

Signed,

Andy Clark  
Eugene Oregon

My need under circumstances to retain it privately for entirely legal purposes

9. Misuse of public funds on falsified police actions.
10. Knowing aiding and abetting in criminal activities that were reported by me July 19 to City of Eugene and sworn/submitted to FBI - Eugene July 27 but apparently uninvestigated. I received no response whatsoever to my written and polite requests to various levels of city and county. I have all that material, much is already filed in Federal Court but not yet 'related' as it soon will be when my Federal charges are soon filed.
11. Corruption of Federal Bureau - Investigation and Dodd Frank processes by contacting FBI to defame my filings. That conversation is referenced in police reports and I requested but have not received Discovery.
12. Attempted illegal entry to my home without warrant
13. Violations of due process (illegal and pretexting "wellbeing call")
14. Submitting false testimony as an Affidavit for a police process.
15. Health and Safety violations relating to forced marching with shoes while chained to a waiting line of four police vehicles on overtime pay at around 6pm a day and a half after the alleged events.
16. Deliberate kidnapping of my person from my home. Conspiracy with Wells Fargo and Securitas to effect kidnapping to meet corporate objectives. This point is legally contentious and, I am performing legal research. It will be a separate set of criminal/civil charges. Given the police were used in that context, it indicates Martin Ogno, Alan Martin, Brad Potter (if I don't get my affidavit), and the Securitas Agents conspired to kidnap me using police.
17. Sexual Misconduct
18. Violation of Oregon Cyber-bully Law by not investigating the detailed report of illegal video activation within my home containing a minor.
19. Omission of Evidence - Sexual Misconduct. The July 18 police report contains a very-carefully/deliberately/strategically conversation where I described to Police how I faithfully masturbated each day in front of the video camera. I am entitled to say anything I want to in my home and it does not have to be the truth as I was not under oath. My extensive research into Police and Security forces has indicated a wide variety of social problems resulting from sexual abuse as a child, repression and discomfort with honest and intellectual adult discussion of sexual topics in medical terms more pure than would be in a school health class. This deliberate omission of important details under circumstances puts their entire evidentiary method at risk for all cases.

September 2, 2011

ATTN  
2 PG

L. GRAY OGDON JR  
867 235 8806

Darned it Leah Lively.....

At this point, I must assume you are working on Federal criminal charges against me for not providing "Wells Fargo Trade Secrets". That was hysterical....how does one provide a "Secret" you cannot even describe. I must assume you are working to place me underground in Illinois (or somewhere) for the rest of my life.

As that appears likely from what I can see, I must work faster than planned. It is very disturbing and physically scary. Once I determined your husband is Police, I became extraordinary concerned.

You must understand...A SWAT team does not just appear at 6pm on a Friday. My research indicates nobody in history was subjected to SWAT and thrown on a Sheriff Department-run Jail for 18 hours on "second degree trespass." I am of course not even implying there is a connection but the facts are odd.

HERE IS THE DEAL: It is always best to keep Police out of everything. Seriously.....believe this Ms. Lively:

1. The police have a really hard job. I cannot currently envision dragging them into this. You may have heard I got out of jail, walked 4 miles with bare feet (hauled away with no shoes), rested, and went down to exonerate in writing and thank the Police.
2. I have no actual evidence (of course). I feel in my heart that a forensic investigation might show some links. I do not know.
3. Bottom line: this is a really hard issue for me to deal with. You must know how violently I was arrested. I think if you listen to the audio tapes July 18 and 28 you would most likely see the problem.

OK, look....I seriously don't want to get anyone in trouble....let's just figure out some way to get this generously and quickly settled. I do not want any problems with the police.

Thank you for your understanding.

Signed,

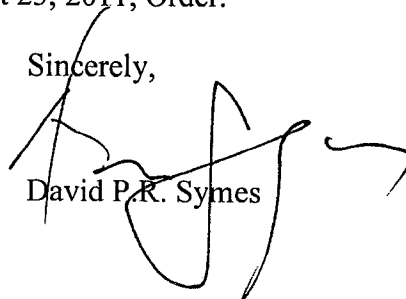
Andy Clark  
Eugene Oregon

Mr. Andrew Clark  
September 13, 2011  
Page 3

Ogletree  
Deakins

We are willing to work with you, Mr. Clark, on a method of returning the above-described information in a way that preserves it for you as "evidence." We believe we have been accommodating in suggestions on ways to accomplish this result (*see* letter dated September 9, 2011). However, we must insist that you comply with returning the information to us as was mandated to be done by Judge Hogan's August 23, 2011, Order.

Sincerely,

A handwritten signature in black ink, appearing to read "David P.R. Symes". The signature is stylized and somewhat cursive, with a large loop at the end.

David P.R. Symes

DPRS/rmv

10951428.1 (OGLETREE)

# PortlandTribune

## Europeans console Americans abroad

*Travelers treated with sympathy after attacks*

BY DON HAMILTON

*The Portland Tribune, Oct 2, 2001. Updated Oct 30, 2009*

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**Germans paused for a moment of silence, Swiss farmers lowered their flags, and the Italians wept and embraced Americans who found themselves away from home.**

Those were among many expressions of sympathy Portlanders traveling abroad found in Europe on Sept. 11 and the days after. Once Americans in Europe were the targets of derision, but the attacks have prompted overwhelming displays of grief and affection.

Charles Cameron, the Washington County administrator and a Tigard resident, and his wife, Michele, learned of the attacks while celebrating their 20th wedding anniversary in a farmhouse bed-and-breakfast in Tuscany, Italy.

Leah and Paul Lively of Southeast Portland, on a three-week European vacation, discovered how serious the attacks had been from an International Herald Tribune in the predawn light of the train station in Basel, Switzerland.

"It was hard to be away from home," says Leah Lively, an attorney with Lane Powell Spears Lubersky. "But after this happened, people went out of their way to talk to us, to comfort us. Once they found out we were American, they tried to say something to make it better."

Lively and her husband, a Multnomah County sheriff's deputy, had just spent four days immersed in American history visiting World War II sites in Normandy, a region with streets bearing patriotic names such as Liberation Avenue.

On Sept. 11 they boarded a train in Caen, heading for Paris and the overnight train to Basel. A French businessman overheard Paul Lively speaking and, in broken English, asked if he was American. "Yes," he was told. "Oh, no," the Frenchman said, "something terrible has happened."

His story was incomplete, and they wouldn't learn the extent of the disaster until Leah Lively pulled a newspaper from the bundle in the Basel train station.

Shortly before noon a few days later, they arrived in the Zurich train station and were met by a friend. Their friend told them to stay in the station because the country was about to observe three minutes of silence.

"Just about everybody in that packed station stopped," Leah Lively says. "They stopped all the trains, cars pulled over to the side of the road. É It was amazing. People said, 'I'm so sorry. It's a horrible thing. Did you know anyone? Is your family safe?'"

A later train to Italy took them over the Alps and in every small town they saw the Swiss flag, white cross on a red field flying at half staff

September 9, 2011

David Symes via FAX

Dear Mr. Symes:

Last Thought for Today:

This is a Dodd-Frank matter. That is and always has been the superior Legislation. Regardless of the accuracy of my presentation (it is highly accurate, it will easily support Civil racketeering charges) facts remain:

1. I honestly reported. First to my manager who emailed "stop whining...."
2. Then to Elise Reiser who systematically stole massive amounts of operational input while terminating. She is a pathological liar. That is not an exaggeration, I can go through it with you.
3. Several ethics complaints through the formal ethics channels 'disappeared'.
4. I carefully reported to FBI/DOL. DOL appears to have lost that May 25 report.
5. I was terminated for reporting.
6. I kept reporting
7. Retaliation continued including SWAT and Federal Actions.

The facts are horrific. All your past experience in my opinion actually works against you. All your methods work against you. In light of my presentation (regardless of accuracy) it will be construed as a flagrant Violation of Dodd-Frank reporter's obligations. It is a worst-case example of retaliatory internal reporting in conflict with Dodd Frank.

The issues of the lost ethics line complaints, no answers to persistent questions, the DOL tampering, the jailing, etc.....when the Public sees it all started with asking why I had to sell a quarter higher rate and was told to stop whining (email in material) there is no doubt in my mind of Court outcome.

That is why I believe your encouragement to litigate is not well-founded. It is my opinion that if I am finally compelled to file litigation, I and/or the aggrieved parties will prevail but the damage to the Companies will be terminal. That is exactly what this was to avoid starting April 15.

Thank you again,

From Andy Clark  
Eugene Oregon

Thank you again,

Signed,



Andy Clark

September 9, 2011

Mr. David Symes  
Ogletree Deakins  
Via Fax

Subject: [www.wfopsreport.com](http://www.wfopsreport.com)

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Regarding the matter in Eugene. You stated on the telephone that I trespassed. That is not correct. There has not been a trial. I am innocent until proven guilty.

Thank you very much.

Signed,



Andy Clark  
Eugene Oregon

September 14, 2011

David P.R. Symes  
Ogletree Deakins  
FAX 503.224.4518

Dear Mr. Symes:

I am in receipt of your September 2 letter (enclosed). I must take umbrage with your letter as I consider it inaccurate as well as an attempt to posture me by using certain words like "outburst" or "abusive" or "threatening".

There was no abuse, there was no threat, and there was no outburst. Illegal employment actions and jailing for no reason by a company-orchestrated SWAT team can cause an attitude of outrage and disgust. It is natural for a human being to express this. I did so very politely and then as you noted, apologized even for that.

Your letter is based on here-say. I have become very accustomed to that practice. Throughout, the pattern has been to "pre-text" a threat such that the next action is justified. That is why I keep good records.

Please also keep in mind I am acting as my own attorney. In addition to using your office for SLAPP purposes, etc. your office continues to attempt to violate my Dodd-Frank obligations and my rights of defense against the illegal practices brought to bear upon me. It is not acceptable.

Thank you very much.

Signed,



Andrew Clark  
3270 Stoney Ridge Road  
Eugene, OR 97401



**OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.**

*Attorneys at Law*

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David P.R. Symes  
503.552.2141  
david.symes@ogletreedeakins.com

September 9, 2011

**Via Email and First Class U.S. Mail**

Mr. Andrew Clark  
3270 Stoney Ridge Rd.  
Eugene, OR 97405  
mir99@comcast.net

RE: Wells Fargo v. Clark

Dear Mr. Clark:

Thank you for speaking with me at various points today.

We have reviewed the domain name of [www.wfopsreport](http://www.wfopsreport) and its associated URLs and appreciate the steps you took today to disable the links on that website that contained content deemed confidential and proprietary by Wells Fargo. As you requested, I have informed Wells Fargo of your positive actions in this regard. So long as those links remain disabled, we believe you are in compliance with the pertinent portion of the Court Order.

As we have discussed, however, there is one more step that we must work out in order to put this matter at rest. In the Court's Order, you are required to return any copies of Wells Fargo's confidential customer and/or proprietary information. Such return was made specific by Judge Hogan:

Within a reasonable time not to exceed five business days, of receiving actual notice of this Preliminary Injunction, by personal service or otherwise, Clark shall immediately return to Wells Fargo, by mailing to Wells Fargo's counsel, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., via certified mail, the *originals and all copies of paper documents containing or constituting* Wells Fargo's trade secrets and confidential information, specifically including, but not limited to, *any information concerning current or former customers of Wells Fargo* or of any Wells Fargo subsidiaries.

August 23, 2011, Order, p. 9. ¶ 4.

Mr. Andrew Clark  
September 9, 2011  
Page 2

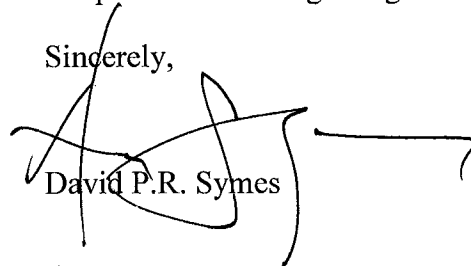
**Ogletree  
Deakins**

You informed me the original documents have been sent to the FBI and that you only have copies in your possession. You also informed me that you are reluctant to return all copies of these documents because you may need them as "evidence" in connection with future litigation. I understand your point and wish to re-emphasize that it is not our intent to deprive you of access to "evidence."

Thus, in furtherance of our efforts to work out a manner which enables you to fully comply with the Court Order, Wells Fargo will send you a letter on Monday (September 12, 2011) identifying each document that it contends must be returned under the Court Order. If you do not need any of the identified documents as "evidence," we will expect you to return them immediately. If you believe you do need any of them as "evidence," we will work with you to arrange for a mutually satisfactory resolution, such as returning the documents to you once the customers names and any identifying loan data has been redacted by us, storing the documents under seal at the federal court, or arranging to store the documents in some other secure location (such as a safety deposit box).

We look forward to working with you to ensure compliance with Judge Hogan's Order.

Sincerely,



David P.R. Symes

DPRS/rmv

10922760.1 (OGLETREE)



**OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.**

*Attorneys at Law*

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david.symes@ogletreedeakins.com

August 30, 2011

Mr. Andrew Clark  
3270 Stoney Ridge Rd.  
Eugene, OR 97405

*VIA EMAIL AND FIRST CLASS U.S. MAIL*

RE: Continued Violation of Court Order

Dear Mr. Clark:

As you are aware, you are under a Court Order prohibiting you from "directly or indirectly using or disclosing to any third parties Wells Fargo's trade secrets and confidential information, specifically including, but not limited to, any information concerning current or former customers of Wells Fargo or of any Wells Fargo subsidiary." See Order dated August 23, 2011, page 7-8.

As of today's date, you continue to maintain a website at [www.wfopsreport.com](http://www.wfopsreport.com) which contains information that you are prohibited from "using" by the Court's Order. This information resides not only on your website's home page, but also on subsequent pages, including, but not limited to:

- [www.wfopsreport.com/page2.html](http://www.wfopsreport.com/page2.html)
- [www.wfopsreport.com/page4.html](http://www.wfopsreport.com/page4.html)
- [www.wfopsreport.com/Clark\\_scanpgs\\_072911](http://www.wfopsreport.com/Clark_scanpgs_072911)

In addition, there is a .pdf attached to [www.wfopsreport.com/Clark\\_scanpgs\\_072911](http://www.wfopsreport.com/Clark_scanpgs_072911) which links to a 175 page document that contains Wells Fargo information, including examples that Wells Fargo included in its motion for an injunction and which were part of the record on which the Court made its Order that you are not to use or disclose such information.

We note that you appear to have password protected at least some of the information you are prohibited from using by the Court Order. This action does not comply with the Court's order, especially since [www.wfopsreport.com/page2](http://www.wfopsreport.com/page2) contains the following instruction about the password: "PASSWORD IS LAST 4 OF ANDY'S SSN. BE SURE TO INPUT AND THEN CLICK ON THE 'LOGIN.' COMPANY WANTS EVERYTHING ELSE IN COURT. FBI HAS ALL THE REST AND SO DOES THE COURT SO IF YOU NEED THE BORING DETAIL LET THEM OR ME OR WHOEVER KNOW."

You must immediately remove all of Wells Fargo's customer information and trade secret information from your website, whether found at the home page, some subsequent page, or contained in a document linked to your page. If you do not do so within the next 24 hours, then Wells Fargo will take steps to enforce the preliminary injunction (the Court's Order). In addition, Wells Fargo will inform your new web hosting company – Inmotion Hosting – of the Court's Order, your failure to comply with it, and seek Inmotion Hosting's assistance in obtaining compliance with the Court's Order.

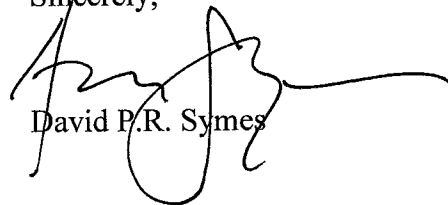
We also want to remind you that Judge Hogan's order also requires you to complete the following actions by no later than close of business today:

- 1) Identify in writing all of Wells Fargo's trade secrets and confidential information in your possession, custody, or control, specifically including, but not limited to, any information concerning current or former customers of Wells Fargo or of any Wells Fargo subsidiaries. *See Order at page 8, enumerated item 2.*
- 2) Disclose in writing the identity of any person, entity, or destination, including but not limited to internet websites, to which you have transmitted, posted, or communicated Wells Fargo's trade secrets and confidential information, specifically including, but not limited to, any information concerning current or former customers of Wells Fargo or of any Wells Fargo subsidiaries. *See Order at page 8-9, enumerated item 3.*
- 3) Return to Wells Fargo, by certified mail, the originals and all copies of paper documents containing or constituting Wells Fargo's trade secrets and confidential information, specifically including, but not limited to, any information concerning current or former customers of Wells Fargo or of any Wells Fargo subsidiaries. *See Order at page 9, enumerated item 4.*

Please take all steps necessary to comply with the Court's order or Wells Fargo will be forced to pursue its legal remedies, including asking the Court to hold you in contempt.

Finally, we have received your various communications regarding settlement. Given your conduct to date, Wells Fargo has no interest in discussing any settlement.

Sincerely,



David P.R. Symes

DPRS/sao

October 10, 2011

Alan Martin  
421 Brookside Drive  
Eugene, Oregon 97405

LETTER NOT  
SENT.

Advisement of Process and Evidence Submission

Your name is specifically mentioned in police reports as the authorizing agent of my arrest at my home by a City of Eugene SWAT Force 6 pm Friday July 29, 2011. I must fully defend myself and one of the many aspects was very careful review of all the police records provided to me upon Discovery.

The police reports also reference quotes of un-named employees regarding alleged intentions to "sexually assault area managers." In another police report it is said that threatened to "rape my bosses". I realize you consider me possibly insane so you can obtain those records from City of Eugene Case 1112399 Docket 1113485.

As all area managers are male, I considered this also an attempt by the Company to define my sexual orientation. I took particular written offense in written submissions to that as I am very heterosexual and while I understand all I am very repelled by any attempt to consider me homosexual. I am shocked I am libeled and defamed as a sexual deviant of any form.

This letter is to defend myself against future possible charges that I defamed you with the attached Evidence Filing. Here are facts as I see them:

1. I clearly stated context and that it is not proof but equally-if-not-more valid evidence than was used to place similar topics and verbiage into my police records. Please understand that material is used later when they are looking for rape suspects who even closely match my description. That gives police opportunity to come to my home all the time whenever they need to interview me for possible sexual crimes and I must counter that fully as you would if charged.
2. All events cited are true and I believe I can obtain a large number of witnesses of the matter only because it was a near-daily joke in the office in some context in my personal opinion based on my personal observations.
3. It was submitted to government agencies to defend myself in accordance with Sixth Amendment obligations/rights as emplaced in the States via the 14th Amendment. It is presented honestly and formally to you per legal process requirements and free speech obligations of the 1st Amendment. The matters of potential sexual issues are very serious and I must fully defend myself as noted.

This is made necessary by my interpretation of the police reports that you authorized my arrest July 29 but could not be reached. They listed Brad Potter as well. That is another matter as I await his clarification. Thank you for your understanding.

Signed,

Andrew Clark as identified in case file

MEANT TO  
SHOW HOW IT FEELS  
AND HOW EASY NOTHING BECOME  
BIG

## Evidence Request Submitted to Prosecutor Office

Clarification of Sexual Assault Threat Additional Discovery Needs including Sexual Orientation of Manager Alan Martin 100 East Broadway Eugene.

All male employees past and present for the previous 10 years will need to be deposed in order to determine if they were propositioned by Manager Alan Martin for homosexual activities as I appear to have been by him.

In one police report against me, I am quoted as saying I was going to "rape my bosses". In another, it says I threatened "to sexually assault area managers". I need to understand clearly how those two very different statements of the same allegation appear so differently in the reports. I allege that is a part of the systematic and deliberate defamation/libel that will be prosecuted on a civil and where possible criminal basis within weeks and a full jury can make that determination one way or the other.

I was not charged with sexual crimes and have no history whatsoever of that. To have such statements anywhere in public material represents deliberate defamation and libel which is why I demanded it be expunged including the arrest record after being dismissed.

I trust we all agree that sexual assault threats are far more serious than allegations of second degree municipal trespass. I need complete records of what was done by Police to notify and protect the alleged targets. I will need complete records of that protective action given the grave threat alleged.

In one report, police "quote" Brad Potter, a Wells Fargo employee who is listed in the reports as an "eyewitness". His testimony is important as he is the only alleged witness who personally knows me such that his testimony could possibly be considered reliable. The police report IMPLIES but does not specifically state Mr. Brad Potter witnessed the event or made the defaming statements against me. They mix in the testimony of 'agent' Christensen who has been analyzed to some extent in other correspondence and not yet answered or provided by your office. I remind you as Attorney Pro Se that your continued refusal to provide evidence or

**From:** Martin, Alan D.  
**Sent:** Friday, April 15, 2011 5:55 PM  
**To:** Clark, Andrew G.  
**Subject:** Re: Screwed Beyond Comprehension.....

To be honest, I don't care for this type of whining and email vulgarity to be part of my branch's culture.

ALAN MARTIN  
Branch Sales Manager  
Wells Fargo Home Mortgage  
P6279-011  
NMLS ID413543

100 E. Broadway  
Eugene, OR 97401  
(541) 344-4770 Tel  
1-800-277-4770 Toll-free  
866-670-1240 eFax  
Alan.D.Martin@wellsfargo.com  
[www.wfhm.com/alan-martin](http://www.wfhm.com/alan-martin)

Please consider the environment before printing this message.

This is an unsecured email service which is not intended for sending confidential or sensitive information. Please do not include your social security number, account number, or any other personal or financial information in the content of the email. This may be a promotional email. To discontinue receiving promotional emails from Wells Fargo Bank N.A., including Wells Fargo Home Mortgage, click here [NoEmailRequest@wellsfargo.com](mailto:NoEmailRequest@wellsfargo.com). Wells Fargo Home Mortgage is a division of Wells Fargo Bank, N.A. All rights reserved. Equal Housing Lender. Wells Fargo Home Mortgage-2701 Wells Fargo Way-Minneapolis, MN 55467-8000

meaningfully prepare for trial is a complete violation of my civil rights to due process and will be prosecuted as such within weeks.

First, I would like to point out the potential proclivities of those who accuse me in police reports and provide better evidence than was provided against me in the police reports. Please notice I am not calling it facts. I am writing it down like the police did only I have at least something to provide as basis:

1. Alan Martin in the past solicited me for a homosexual relationship and I denied him as I am not homosexual. The event occurred when we worked together at the 99 East Broadway location. I mentioned it with humor to several co-workers at the time who may recall and will be deposed with regard to this matter.

The event in question occurred approximately a year and a half ago towards day end. It was around the holidays. There was a box of Wells Fargo chocolate "kisses" located on the edge of a cubicle immediately outside my cubicle. Mr. Alan Martin was on his way out of the building and I happened to be coming back in and going to my cubicle. He stopped me and very suggestively asked with a smile "Andy, do you want a kiss" and he held out the chocolate. I thanked him but noted I am not big on chocolate. He asked me "are you sure you don't want a kiss" while offering again the candy. I once again thanked him and used the same 'line' I always use when someone is forcing food upon me "a minute on the lips, a lifetime on the hips". He was able to relate to that and he relented in his advances. He ended the conversation by suggestively saying (as I mentioned to many co-workers at the time) "But Andy, I thought you needed a little spunk in you". Because Mr. Alan Martin politely requested homosexual sexual activities with me, I felt that his approach was very obvious but acceptable within the Gay/Lesbian Community, which I fully support philosophically. I must even admit to having been slightly flattered that a younger male would have homosexual interest in me, a completely heterosexual male. I felt it validated my appeal but not to the intended gender in that case.

Let the record also reflect that as part of the hiring process I met with Mr. Alan Martin and told him that my partner was from Argentina. He lived in Argentina so we discussed that common link. They will be called as witnesses to this long-term discussion topic.

He asked me at that time a question almost verbatim to this, "your partner is from Argentina, does **he** cook Argentina food?" I took it with humor and immediately noted that my partner is female with fatherless child and the fact I was married for twenty years and have adult offspring. I include it only as further evidence that Mr. Alan Martin looks carefully for signs of homosexual interest, possibly so he knows who to approach next for homosexual activities such as anal sex, sodomy, or the various group activities that are common and accepted in the Gay Community, as they rightfully should be accepted within that community. As noted, I am heterosexual and equally proud of it but celebrate it in a more traditional fashion involving a fairly normal relationship with a woman.

As further potential evidence, an employee terminated in the same timeframe as myself name Ricardo Gutierrez. Mr. Gutierrez is an avowed and very public homosexual who is rightfully and righteously proud of his sexual orientation. He represents the model of honesty and took normal human pride in his boyfriends, two of whom were welcome at the office.

Mr. Gutierrez has known Alan Martin for a very long time. Mr. Gutierrez stated to me that in his opinion Manager Alan Martin is a "closet homosexual". I swear I was told this and would in Court under oath. However, I would not compel Mr. Gutierrez to testify if he did not want to due to my respect for his honesty with regard to these human matters.

While Alan Martin is married with children, virtually all my co-workers have surmised he is homosexual based on his hair style, manner of dress, and the way he speaks. I discount completely such indications, I consider such generalizations to be unethical at the least. Any form of stereotyping is unethical at least. However, in this case the perceptions of others as repeated stated in my presence must be noted and disclaimed as I did.

Please see attached internal email copy submitted as part of Federal and civil filing. Manager Alan Martin is clearly very controlling and uses his authority to coerce employees. In the context of the workplace, the written demand to "stop whining" is indicative of a feeling of empowerment over others that he possibly uses as leverage against male employees to satisfy his possible homosexual satisfaction requirements.

Regarding Mr. Brad Potter, at this point I am assuming what I believe to be the unfortunate truth that he was misquoted and quoted out of context. He has always been a friend to me, we have known each other for years and by coincidence spoke on the street at length. He noted he had not been around much and when I mentioned it he s the laptop computer Wells Fargo claimed had not been returned was sitting in his office for a long period of time while I was being relentlessly harassed for it, even though it had been returned.

I presented an Affidavit to him so we can formally get this situation corrected so I will not at this time examine/report this aspect. I believe the police reports are clear that he did not actually say any of that in the context used in the police reports.

For example, Mr. Potter is likely to have humanistically and with sympathy and understanding explained what I had been going through for reporting financial irregularities to Securitas 'Agent' Christensen and the mysterious 'Erin' heard in the background of the 911 dispatch tape.

I am researching testimony used at two trials so far. My suspicion that I am working to prove is that Wells Fargo "purchased" false testimony in the DOL settlement earlier in the year and the July 2011 DOJ settlement. I placed a week ago a compliant with EEOC that showed evidence of a relationship between David Zuercher and the Wells Fargo Insurance division and certain religious practices of a variety of employees. That material is not included as is under investigation.

Please note: this and the EEOC are just asides to the well-documented financial issues. Wells Fargo appears to be using this type of action to steer away from the Racketeering charges, the charges of corrupting a federal process, being in violation of Dodd-Frank, etc.

Again, I present this material to you not as statement of fact but in the same context as was used in police reports against me. However, I provided significantly more detail, offer to swear to statements and summon witnesses. Police did none of that and instead frequently cited "unnamed employees".

I have also considered the possibility the police officer who appeared to have an overwhelming interest in this topic could perhaps himself have alternative needs so he will need to be deposed regarding this. It only makes sense that if a law enforcement agent is writing such material in absence of need and without validating is likely to have a wide variety of unusual or possibly even bizarre or illegal sexual activities. He will be extensively researched, deposed, and called to Court to determine facts of matter for prosecution and civil action.

Thank you very much.

Signed,

Andrew Clark  
Attorney Pro Se  
As Previously Identified

October 8, 2011

City of Prosecutor's Office  
via FAX 541.682.8430

1113485 Docket 1112399 Case

Please note: as you know, I am acting as my own Attorney. I am a peaceful and non-violent person. Anyone on Earth is warmly welcome to my Home as guests. I repeatedly and in writing and on voicemails have invited many of those named over for my perfect homemade pizza and that offer stands but I am not big on guns in my home as I have repeatedly communicated in writing to your Office.

This is just business. I need everyone to understand that I am no threat, am quite sane, and am doing what I must under circumstances.

**Criminal Allegations against City of Eugene Police Schulke #164, Pieske #112, Klinko #338, Martin Ogno (Wells Fargo Portland as identified in record), Manager Alan Martin Wells Fargo as identified in record, and Securitas personnel Christensen and "Erin" from 911 dispatch record. This is official legal notice that evidence has been submitted sufficient to require a Trial in Court of the named individuals and any others determined via Discovery be possibly implicated in Charges**

I have presented to your office large amounts of evidentiary material that I believe proves beyond any reasonable doubt the following Criminal Actions were perpetrated by the above named individuals and endorsed by Supervisors who are therefore implicated:

1. Manufacturing of evidence.
2. Illegal Arrest
3. Excessive Force
4. Illegal Jailing, Violation of Human Rights, Conspiracy to violate rights
5. Conspiracy to effect defaming police actions against me July 2011.
6. Racketeering and Corruption of Process with Wells Fargo and Securitas.

7. Conspiracy to conceal by manufacturing additional evidence 9.16.11
8. One-sided investigations as part of conspiracy to manufacture evidence and conceal.
9. Misuse of public funds on falsified police actions.
10. Knowing aiding and abetting in criminal activities that were reported by me July 19 to City of Eugene and sworn/submitted to FBI - Eugene July 27 but apparently uninvestigated. I received no response whatsoever to my written and polite requests to various levels of city and county. I have all that material, much is already filed in Federal Court but not yet 'related' as it soon will be when my Federal charges are soon filed.
11. Corruption of Federal Bureau - Investigation and Dodd Frank processes by contacting FBI to defame my filings. That conversation is referenced in police reports and I requested but have not received Discovery.
12. Attempted illegal entry to my home without warrant
13. Violations of due process (illegal and pretexting "wellbeing call")
14. Submitting false testimony as an Affidavit for a police process.
15. Health and Safety violations relating to forced marching with shoes while chained to a waiting line of four police vehicles on overtime pay at around 6pm a day and a half after the alleged events.
16. Deliberate kidnapping of my person from my home. Conspiracy with Wells Fargo and Securitas to effect kidnapping to meet corporate objectives. This point is legally contentious and, I am performing legal research. It will be a separate set of criminal/civil charges. Given the police were used in that context, it indicates Martin Ogno, Alan Martin, Brad Potter (if I don't get my affidavit), and the Securitas Agents conspired to kidnap me using police.
17. Sexual Misconduct
18. Violation of Oregon Cyber-bully Law by not investigating the detailed report of illegal video activation within my home containing a minor.
19. Omission of Evidence - Sexual Misconduct. The July 18 police report contains a very-carefully/deliberately/strategically conversation where I described to Police how I faithfully masturbated each day in front of the video camera. I am entitled to say anything I want to in my home and it does not have to be the truth as I was not under oath. My extensive research into Police and Security forces has indicated a wide variety of social problems resulting from sexual abuse as a child, repression and discomfort with honest and intellectual adult discussion of sexual topics in medical terms more pure than would be in a school health class. This



Corporate Security  
MAC P6101-165  
1300 - SW Fifth Avenue  
Portland, OR 97201  
503 886-1426

July 20, 2011

Andrew Clark  
3270 Stoney Ridge Road  
Eugene, OR 97405

Re: Account Numbers Ending in 3452 / 8709

Mr. Clark,

This letter will serve as notice that Wells Fargo Bank is exercising its right to close the accounts referenced above under the terms of the agreement governing those accounts.

- Your account will be closed on July 27, 2011, however, you may close your account prior to this date, if you desire.
- A cashier's check for the amount that remains in your account will be mailed to you within five business days of the date your account is closed.
- Checks drawn against your checking account that are presented to the bank after the account has been closed will be returned unpaid.
- Payments automatically deposited into your account will no longer be accepted after your account is closed. Similarly, any payments automatically withdrawn from your account will be discontinued after the account is closed. Therefore, you should make other arrangements to receive such deposits or make such withdrawals (payments).
- You are not permitted to visit any Wells Fargo store, except for the purpose of closing your accounts, Wells Fargo Bank reserves the right to terminate those relationships before the closing date indicated in this letter if you present yourself for any other purpose, or disrupt the bank in any way. Law Enforcement will be notified of any unauthorized visits or disruptions.
- Once your account is closed, you are not permitted to visit any Wells Fargo (Bank branch, Financial office, Mortgage office, etc.), or contact any Wells Fargo Bank employee. Failure on your part to comply with this request may result in Wells Fargo Bank taking additional action. Any questions regarding this matter may be directed only to me at 503-886-1426.

Thank you,

  
Martin Ogno  
Security Agent

DID NOT  
EVEN  
DO THAT!

**Affidavit**

My name is Brad Potter, identified below. It came to my attention via legal channels that my name and statements attributed to me were listed in July 18 and/or July 28 and/or July 29 2011 Police Reports relating to Andrew Clark.

My name and statements attributed to me are on page 3/5 of Eugene Police Supplemental Report. Only that page is attached.

This Affidavit is as an individual and is not affiliated with my employment.

This is to attest I did not see him trespass at location in report or elsewhere and he did not express to me a threat to "rape his bosses".

This is to attest I have known Andrew Glen Clark for over 10 years in the mortgage industry. I know him as non-violent. I consider him to be an intelligent, ethical, and caring professional.

Signed and Attested

-----  
Common name: Brad Potter

Legal Name \_\_\_\_\_

Address/Telephone \_\_\_\_\_

\_\_\_\_\_

**SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF OCTOBER  
2011**

-----  
Notary Public for Oregon My Commission Expires \_\_\_\_\_



OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.

Attorneys at Law

The KOIN Center  
222 SW Columbia Street, Suite 1500  
Portland, OR 97201  
Telephone: 503.552.2140  
Facsimile: 503.224.4518  
www.ogletreedeakins.com

Leah C. Lively  
503.552.2142  
leah.lively@ogletreedeakins.com

July 22, 2011

Mr. Andrew Clark  
3270 Stoney Ridge Road  
Eugene, OR 97405

RE: Andrew G. Clark/Wells Fargo Home Mortgage  
U.S. Department of Labor Case No. 0-1650-11-033

Dear Mr. Clark:

Pleased be advised that this firm represents Wells Fargo Home Mortgage in connection with U.S. Department of Labor Case No. 0-1650-11-033. All future communications regarding the allegations contained in your complaint, additional allegations against Wells Fargo, or questions related to your employment and/or separation there from should be directed to me at the above-listed address.

Wells Fargo hereby demands that you surrender your Company issued laptop as required under the Employment Agreement you signed on September 10, 2009, which states:

Upon commencement of employment, employees in certain job classifications may be issued a lap-top model computer. ***Such computer and all software therein is the property of Employer and is intended for business use only.*** Employee agrees to abide by all of Employer's policies and procedures regarding the use of the lap-top computer, as more fully set forth in the Wells Fargo Home Mortgage Laptop Policies and Procedures. Employee also agrees to reimburse Employer one hundred percent (100%) for any and all loss or damage to the computer. By his/her signature on this Agreement, Employee agrees that Employer may withhold the replacement cost of the laptop computer from any compensation due to Employee. However, Employer shall not be prohibited from making a claim against Employee to recover any amount due Employer by Employee, whether or not Employee is due sufficient compensation for Employer to recover any amount due Employer by Employee. In exchange for authority to receive from and use computer software of Employer, Employee agrees to cease using and return all copies of



**OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.**

*Attorneys at Law*

SunTrust Plaza, Suite 1200  
401 Commerce Street  
Nashville, Tennessee 37219-2446  
Telephone: 615.254.1900  
Facsimile: 615.254.1908  
www.ogletreedeakins.com

CHRISTOPHER A. MIXON  
DIRECT DIAL: 615.687.2234  
E-MAIL: Christopher.Mixon@odnss.com

September 7, 2011

**Via E-mail and U.S. Mail**

Mr. Andrew Clark  
3270 Stoney Ridge Rd.  
Eugene, Oregon 97405  
[mir99@comcast.net](mailto:mir99@comcast.net)

RE: Dodd-Frank Training

Dear Mr. Clark:

I am the Associate General Counsel for the law firm of Ogletree Deakins. This letter follows your correspondence to Kim Ebert regarding your proposal to engage in Dodd-Frank training along with Ogletree Deakins. Please be advised that Ogletree Deakins has no interest in entering into any business relationship with you for the purpose of conducting Dodd-Frank training or any similar venture.

Further, I understand that you have sent numerous communications to various members of our Firm concerning litigation that is currently pending between you and Wells Fargo. Any communications you may wish to send our Firm concerning that matter must be in writing to David Symes, in our Portland office.

Very truly yours,

Christopher A. Mixon  
Associate General Counsel

CAM/lr

10926894.1 (OGLETREE)