

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

IN RE: ESTATE OF LARRY W. COOK)	
Deceased)	
)	
JANINE SATTERFIELD, in her capacity as)	
Administrator for the Estate of Larry W.)	
Cook,)	
)	
Plaintiff,)	Civil Action No. 1:23-cv-00009-CMH-LRV
)	
v.)	
)	
WELLS FARGO BANK, N.A., et al.,)	
)	
Defendants.)	

**DEFENDANT WELLS FARGO BANK, N.A.’S MOTION TO DISMISS
PLAINTIFF’S AMENDED COMPLAINT**

Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby moves to dismiss the Amended Complaint filed by Plaintiff Janine Satterfield, in her capacity as Administrator for the Estate of Larry W. Cook (“Plaintiff”) in its entirety for failure to state a claim for which relief can be granted. Plaintiff’s single cause of action against Wells Fargo fails as a matter of law and should be dismissed. Wells Fargo requests that the Court grant its Motion for the reasons set forth in its Memorandum in Support, filed contemporaneously herewith.

WHEREFORE, Defendant Wells Fargo respectfully moves this Court to dismiss the Amended Complaint with prejudice as to Wells Fargo and to award Wells Fargo its costs and any other relief the Court deems just and proper.

Dated: February 14, 2023

Respectfully submitted,

WELLS FARGO BANK, N.A.

By Counsel

/s/ Heather Britton Chaney

Heather Britton Chaney (VSB No. 78313)

MCGUIREWOODS LLP

1750 Tysons Boulevard, Suite 1800

Tysons Corner, Virginia 22102

Tel: (703) 712-5015

Fax: (703) 712-5236

hchaney@mcguirewoods.com

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send a true and correct copy to all counsel of record.

/s/ Heather Britton Chaney _____
Heather Britton Chaney (VSB No. 78313)
MCGUIREWOODS LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, Virginia 22102
Tel: (703) 712-5015
Fax: (703) 712-5236
hchaney@mcguirewoods.com

Counsel for Defendant Wells Fargo Bank, N.A.

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[PROPOSED] ORDER

UPON CONSIDERATION of the Motion to Dismiss the Amended Complaint (“Motion to Dismiss”) and supporting Memorandum of Law filed by Defendant Wells Fargo Bank, N.A. (“Wells Fargo”), and any oppositions or replies thereto, it is this _____ day of _____, 2023, by the United States District Court for the Eastern District of Virginia hereby:

ORDERED that the Motion to Dismiss is GRANTED; and it is further

ORDERED that Plaintiff’s Amended Complaint is dismissed with prejudice as to Defendant Wells Fargo.

The Honorable Claude M. Hilton
United States District Court for the Eastern District of
Virginia