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,

v.

WELLS FARGO & COMPANY, et al.,

Defendants.

Civil No. 1:23-cv-00009 CMH/LRV

DEFENDANT NAVY FEDERAL CREDIT UNION'S MOTION TO DISMISS THE AMENDED COMPLAINT

Defendant Navy Federal Credit Union ("Navy Federal"), by counsel and pursuant to Federal Rule of Civil Procedure 12(b)(6), moves to dismiss the Amended Complaint filed by Plaintiff Janine Satterfield in its entirety for failure to state a claim up which relief can be granted. Each of Plaintiff's claims fails as a matter of law and should be dismissed. In support of this Motion, Navy Federal relies on all filings of record and the memorandum filed herewith.

WHEREFORE, Defendant Navy Federal Credit Union respectfully requests that the Court grant its Motion to Dismiss, dismiss Plaintiff's Complaint with prejudice, and grant all further relief the Court finds equitable and just.

Dated: February 14, 2023 Respectfully submitted,

NAVY FEDERAL CREDIT UNION

By: /s/ Mary C. Zinsner

Mary C. Zinsner, VSB 31397

Troutman Pepper Hamilton Sanders LLP 401 9th Street NW, Suite 1000 Washington, DC 20004 Telephone: 202-274-1932

Facsimile: 703-448-6514

Email: mary.zinsner@troutman.com

David M. Gettings, VSB 80394 Troutman Pepper Hamilton Sanders LLP 222 Central Park Avenue, Suite 2000 Virginia Beach, VA 23462 Telephone: (757) 687-7500

Facsimile: (757) 687-7510

Email: david.gettings@troutman.com

Counsel for Navy Federal Credit Union

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of February 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Kimberley Ann Murphy, Esq.
Lisa M. Campo

HALE BALL CARLSON BAUMGARTNER MURPHY, PLC

10511 Judicial Drive
Fairfax, VA 22030
Tel: (703) 591-4900
Fax: (703) 591-5082
kmurphy@haleball.com
lcampo@haleball.com
Counsel for Plaintiff

Heather B. Chaney, Esq.
MCGUIRE WOODS
1750 Tysons Boulevard, Suite 1800
Tysons, VA 22102
Tel: (703) 712-5015
Fax: (703) 712-5236
hchaney@mcguirewoods.com

Counsel for Wells Fargo & Company

/s/ Mary C. Zinsner

Mary C. Zinsner (VA Bar No. 31397)