WELLS FARGO

Research & Correspondence
P.O. Box 5667
Portland, OR 97228

December 22, 2016

Consumer Financial Protection Bureau
1700 G Street
Washington, DC 20552

Subject: CFPB Case 161123-001479/ E. M. Felix

Dear Consumer Financial Protection Bureau:

Our records show we previously responded to this inquiry under related CFPB case 150828-000390. Please see the attached copy of our response to that inquiry. Wells Fargo's position regarding the customer's issues remain unchanged.

Thank you.

Sincerely,

Gregory G. Hopkin
Department Manager
Research & Correspondence

Enclosure

Ref #: 117844543

WELLS FARGO

Research & Correspondence
MAC A0143-043
San Francisco, CA 94163

September 15, 2015

Consumer Financial Protection Bureau

Subject: **E. M. Felix**, CFPB 150828-000390

Dear Consumer Financial Protection Bureau:

Thank you for forwarding information related to the above case.

AXJ may be a third party; however, our records show that we responded directly to our customer in writing at the same address and by telephone on several occasions related to the following closed claims.

The complaint references paid ACH claim number 2011042360559 and checking account 0035008715, but is not related to any checks or debit card withdrawals. We show there were no debit card claims filed on this account. This ACH claim was filed on April 22, 2011, in dispute of three electronic transactions totaling $304.01, which were presented to the account between February 18, 2011, and February 22, 2011. Although these types of ACH transactions were Cash Concentration or Disbursement (CCD) items, we informed the customer that we were able to recover these funds from the merchants. Copies of statements were provided to the customer showing the credits were applied to their account 9398180209 on May 6, 2011, and May 11, 2011.

Additionally the customer does not agree with our decision to decline the following claims. After we responded to these same concerns by telephone and writing on several occasions, we advised our customer that we are no longer responding to any customer communications related to the following claims.

Check fraud claim 2011042500643 was filed on April 25, 2011, in dispute of 22 checks totaling approximately $34,690.68. The claim was denied due to the late reporting timeframe. The disputed check transactions started on January 26, 2011, and ended on April 19, 2011. The reporting did not meet the time frame requirements as defined in our Business Account Agreement.

Online claim 90845214 in dispute of 12 online transactions totaling $6,681.36 which were presented to the account between January 12, 2011, and April 18, 2011. This claim was denied because authorization was provided to access the account, no notification of revocation of access was received by the bank and there was a failure to keep the online password and/or ATM PIN confidential. On April 28, 2011, in a banking location in Las Vegas, Nevada, the customer notified us that he allowed the purported perpetrator access to the account.

An extensive review of these claims was completed, and we will be respectfully standing by our denial of the above denied claims for the reasons outlined above.

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WELLS FARGO

Prevention Contact Center
MAC A0143-043
P.o. Box 7406
San Francisco, Ca 94120-7406

DATE REPLIED

April 6, 2015

E. M. Felix
70 Chase Street
Huntsville, NY 11550

Subject: Check Fraud Claim 2011042500643, ACH Claim 2011042360559, and Online case 90845214

Dear E. M. Felix:

We are in receipt of your request for additional information received via emails and during telephone calls with our representatives related to the following claims.

Check Fraud Claim 2011042500643
This claim was filed on April 25, 2011, in dispute of 22 checks totaling approximately $34,690.68. We understand that you had a question about the Business Account Agreement under the section titled *Your obligation to review statements and account-related information and to notify Bank of errors.* The six month time frame mentioned under this section of the Business Account Agreement is specifically related to the time frame requirement for reporting an unauthorized claim of forged endorsement (or breach of warranty). In cases of claimed forged endorsement, the claim would be that the check was not endorsed as drawn (or fraudulently endorsed) and that the intended payee did not receive benefit of the funds from the check. The six month time frame is not applicable to claims of forged maker signatures. According to our Business Account Agreement your obligation to review statements and account-related information and to notify Bank of errors applicable for this claim, for any amount, would have been:

> *"Within 30 days after the Bank mails, sends electronically, or otherwise makes available to you, a statement or other account-related information, you must notify the Bank of any claim for credit or refund due to an unauthorized transaction."*

Additionally, you requested statements with one of our representatives for May 2011 through November 2011 for your account ending in 8715; however, this account was closed during this timeframe and therefore no statements are available. If you would like to order statements for any period of time prior to the account closing, please contact our 24-hour Phone Bank at 1-800-869-3557.

WE EMAILED BOB.BLACK@WELLSFARGO.COM ON MARCH 30 2015 @ 1:42PM FOR JAN 2011 – APRIL 2011

028

ACH Claim 2011042360559

We understand that you had a question about the account number that was credited when this claim was completed on May 11, 2011. The credit for this claim was applied to your account ending in 0209 after the Bank was able to recover these funds from the merchants for the three disputed transactions totaling $304.01. We have included a copy of your statement showing these credits for your records. Additionally, at your request, we have included a redacted Business Account Application which shows that this account belonged to you.

Online Case 90845214

You let us know that you wanted further clarification on the denial of this claim. On April 28, 2011, in our office on Spring Mountain Road in Las Vegas, Nevada, you let us know that you allowed the purported perpetrator access to your account.

We respectfully stand by our decisions to decline payment for claims 2011042500643 and 90845214. The Bank has thoroughly reviewed your claims and cannot assume liability for the suspected unauthorized transactions. We have informed you of our decision in written letters and by telephone on several occasions.

As we mentioned previously, you may consider pursuing recovery of any funds you may have lost from any potential perpetrators.

We consider the decisions final and this matter closed.

Thank you.

Sincerely,

E. Russell

Eugenia K. Russell
Department Manager
Prevention Contact Center

Enc. 2

Ref # 94403883

029

150828-000390

"AAJ"

WELLS FARGO

Prevention Contact Center
MAC A0143-043
P.o. Box 7406
San Francisco, Ca 94120-7406

April 27, 2015

E. M. Felix
70 Chase Street
Huntsville, NY 11550

Subject: Check Fraud Claim 2011042500643, ACH Claim 2011042360559, and Online case 90845214

Dear E. M. Felix:

Your complaint filed with Wells Fargo President, Chairman and CEO John Stumpf and Wells Fargo Board Communications was forwarded to us for response.

Our records show that we previously responded to similar concerns regarding the above denied claims in written letters and by telephone on several occasions.

We understand that you do not agree with our decision to decline your claims. Wells Fargo has thoroughly explained our reasons for denying your claims in our previous communications. We have found no errors in the investigation of these claims. We suggest you follow up with your local law enforcement officials for any further attempts to recover these funds.

Additionally, we have confirmed that the other account mentioned in your complaint is not associated with you, nor was it linked to your profile at any time. That account has no bearing on the claims.

You also mention that you did not receive the statements you requested. We have enclosed copies of these statements for your records. If you would like to order additional statements, please contact our 24-hour Phone Bank at 1-800-869-3557. The Bank does not require a subpoena to supply you with copies of your statements, although there may be a photocopy fee.

We will not be responding to any future communications from you regarding these claims. Our decision to decline payment is final.

Thank you.

Sincerely,

E. Russell

Eugenia K. Russell
Department Manager
Prevention Contact Center

Enc. 4

Ref # 94403883

022

WELLS FARGO

Prevention Contact Center
MAC A0143-043
P.o. Box 7406
San Francisco, Ca 94120-7406

March 13, 2015

E. M. Felix
70 Chase Street
~~Huntsville~~, NY 11550
HEMPSTEAD

Subject: Check Fraud Claim 2011042500643

Dear E. M. Felix:

We are in receipt of a correspondence request received during a telephone call with one of our representatives on March 13, 2015.

We are including a copy of the above mentioned claim resolution letter, along with copies of the resolution letters for ACH claim number 2011042360559 and Online claim 90845214. We apologize if you did not receive all of these letters previously.

Additionally, for your records, we have also enclosed a portion of the Business Account Agreement specifically related to the time frame requirement for reporting an unauthorized transaction.

Also, if you have any questions regarding credit cards, please call Customer Service at 1-800-642-4720. Agents are available to assist you 24 hours a day, 7 days a week.

Thank you.

800 869-3557
RALPH 877509086
0335

Sincerely,

E. Russell

Eugenia K. Russell
Department Manager
Prevention Contact Center

Enc. 4

Ref # 93902969

011

150828-000390 Dated 05/11/2011

B

Liability Fraud and Claims Mgt.
ACH Claims
P.O. Box 7406
MAC A0143-049
San Francisco, CA 94120-7406

05/11/2011

NATIONAL SURVIVAL STORE INC
4663 SPRING MOUNTAIN RD STE A
LAS VEGAS, NV 89102-8782

RE: Resolution of claim
Claim number 2011042360559

Dear NATIONAL SURVIVAL STORE INC:

We completed our analysis of your recent claim about specific charge(s) to your account. We have determined that the transaction(s) in question were unauthorized. As a result, a total of $304.01 was deposited to your account on the following dates and this claim is now closed.

Account XXXXXX0209:

- 05/04/2011 $178.12
- 05/11/2011 $125.89

How Do you REPLACE MONEY INTO ANOTHER ACCT THAT DOES NOT BELONG TO NATIONAL SURVIVAL STORE ACCT# 35088715

For assistance or if you have questions, please call us at 1-877-548-9230 Monday through Friday from 7:00 a.m. to 6:00 p.m. or Saturday from 7:00 a.m. to 3:00 p.m., Pacific Time.

Thank you for choosing Wells Fargo. We appreciate your business.

Liability Fraud and Claims Mgt.
ACH Claims

A/c # 9398180209
Opening. April 21st 2011
Sept. 14th 2011

$65.00 > Sept 14, 2011

009

[CLMDP000|000000|01|00|0|0|0|0]

WELLS FARGO

Online Customer Service
P.O. Box 6782
Concord, CA 94524
www.wellsfargo.com

ID Theft Hotline at 877-438-4338 and/or visit their website: http://www.ftc.gov/idtheft .

If you have any questions, our specialists are available to assist you 24 hours a day, 7 days a week at 1-866-867-5568. You may forward written correspondence to the above mailing address.

You can request a copy of any document that we relied upon during our investigation. To request copies, you may call us at 1-800-956-4442 or you may send written correspondence requesting this information to the above mailing address. We will send the requested information to the address listed on your account(s).

Sincerely,

ARTHUR LAGASCA
ISG Fraud Operations

WELLS FARGO

Liability Fraud and Claims
Check Fraud
P.O. Box 5810
MAC E2001-013
El Monte, CA 91734

150828-000390

Z

05/06/2011

NATIONAL SURVIVAL STORE INC
4663 SPRING MOUNTAIN RD STE A
LAS VEGAS, NV 89102-8782

RE: Immediate Action Requested
Claim No. 2011042500643

Dear NATIONAL SURVIVAL STORE INC:

On 04/25/2011, an Affidavit of Check Fraud was mailed to you. We have not received the completed Affidavit as of the date of this letter. We are unable to continue the review of your fraud claim until we receive the requested form.

In order for us to proceed, please take the following actions:

- **Complete and sign** the enclosed Affidavit
- **Return** completed Affidavit of Check Fraud in the envelope provided or directly to your local store
- **Note**, Affidavit must be received within 10 days from the date of this letter

If we do not receive your completed Affidavit, we will discontinue our research and your claim will be closed.

If you have any questions, please contact us at 1-877-548-9230 Monday through Friday between 7:00 a.m. and 6:00 p.m., or on Saturday between 7:00 a.m. and 3:00 p.m. Pacific Time.

Thank you for choosing Wells Fargo. We appreciate your business and cooperation.

Liability Fraud and Claims
Check Fraud Claims

Enclosure

001047

019

[CLMPPAXJ|000788|01|04|1|0|0|0]

150828-000390 Dated MARCH 25, 2011

WELLS FARGO KSLN-A2KTKW

Legal Order Processing
P.O. BOX 29728 MAC# S3928-020
Phoenix, AZ 85038-9728
Voice: (480) 724-2000
Fax: (866) 359-9145

AA

March 25, 2011

Agent Tommy Ho
Bureau of Alcohol, Tobacco, Firearms & Explosives
8965 S Eastern Ave, Suite 200
Las Vegas, Nevada 89123

Re:	Subpoena
Case Number:	101794
Case Name:	Edward Mark Felix
Bank Reference No:	1298173

Dear Tommy Ho:

This letter is sent as confirmation of our communication of March 25, 2011, concerning legal process served upon Wells Fargo Bank, NA ("Wells Fargo"), in the above-referenced matter. Pursuant to our communication, it was agreed that Wells Fargo need only provide copies of customer statements and signature cards to satisfy partial compliance of the above-referenced legal order. During this conversation, you also instructed Wells Fargo to discontinue further production of records until you are able to review and identify specific items needed.

ACCT WAS CLOSED BY WELLS FARGO ONLY

As agreed, your file has been extended until April 21, 2011. Please contact Wells Fargo immediately upon completion of your review of customer statements. If Wells Fargo does not hear from you regarding further production, it will close the file with the mutual understanding that it fully complied with the above-referenced legal order and no further production is necessary.

If you disagree with any part of this response, please notify Wells Fargo immediately.

Sincerely,

Linda McCurry
Subpoena Department
Legal Order Processing
Wells Fargo Bank, N.A.

Who gave ATF Special AgentTommy Ho the right to discontinue any paperwork that pertains the Edward Mark Felix and Wells Fargo Bank?

During the month of march, Tommy ho had wrote a check on March 4, 2011, CK# 5996 for 948.00 to RSR
Again another non authorized signature. During which anytime after reporting still falls into the 30 day notice if you choose to push this statement, Wells fargo failed to investigate properly and secure assests because clearly this letter shows communtication over phone and rep of WF bank to hinder/ obstruction under color of authority towards Edward Mark Felix from knowing anything about his account or being able to view and act on any illegal transaction against his account.

00180

BRIAN FAMILY PARTNERSHIP OWNED NSS ACCT STARTING NOV 2010. YET WF CLOSED NSS ACCOUNT AS PER BANK RECORD APRIL 21, 2011 ?

[redacted]

004