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Attorneys for Defendants

Wells Fargo & Company and

Wells Fargo, N. A.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

iFINEX INC., BFXNA INC., BFXWW,
and TETHER LIMITED

Plaintiff,

v.

WELLS FARGO & COMPANY, WELLS
FARGO BANK, N.A.,

Defendants.

Case No. 3:17-cv-01882-JSC

**DECLARATION OF CAROLEE A.
HOOVER RE DEFENDANT'S
OPPOSITION TO PLAINTIFFS'
APPLICATION FOR TRO AND REQUEST
FOR TIME TO FILE OPPOSITION BRIEF
AND FOR HEARING (DKT 6)**

Complaint Filed: April 5, 2017

I, Carolee A. Hoover, declare the following:

1. I am an attorney at McGuireWoods LLP, counsel for Defendants Wells Fargo & Company and Wells Fargo Bank, N.A. (collectively, "Defendants").

2. I have knowledge of the matters set forth in this Declaration, and if called upon to testify in court, I could and would competently do so. I submit this declaration in response to Plaintiffs iFinex Inc., BFXNA, Inc., BFXWW Inc., and Tether Limited (collectively, "Plaintiffs") Ex Parte Application for Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue ("TRO Application") (Dkt. 6), in the above-referenced action.

1 3. On April 5, 2017, Plaintiffs filed a Complaint for Intentional Interference with
2 Contractual Relations and Injunctive Relief against Defendants (the "Complaint"), along with the
3 TRO Application. (Dkts. 1, 6).

4 4. On April 5, 2017, Plaintiffs' counsel, Michael Baratz and Jack Hayes of Steptoe &
5 Johnson LLP, provided Defendant's counsel, David C Powell, of McGuireWoods LLP, courtesy
6 copies of the Complaint and the TRO Application.

7 5. As of the date and time of this Declaration, Defendants have not been formally
8 served with the Complaint or the TRO Application.

9 6. Defendants oppose the issuance of the requested Temporary Restraining Order
10 "enjoying [sic] Wells Fargo from suspending wire transfers of U.S. dollars from plaintiffs'
11 correspondent accounts, without further order of the Court or plaintiffs' written consent" (Dkt. 6,
12 p. 10:15-17), for several reasons, not the least of which is that it seeks to place an affirmative duty
13 on Defendants where none currently exists.

14 7. As of the date and time of this Declaration, no order on the Application of the TRO
15 has been issued.

16 8. In the event the Court is inclined to grant the TRO, Defendants respectfully request
17 an opportunity to be heard on the TRO Application and to file briefing in opposition thereto prior
18 to issuance of the TRO.

19 9. In the event the Court is inclined to deny the TRO and set a hearing for a
20 preliminary injunction, Defendants will submit opposition papers in the time set forth in the
21 Court's Order.

22
23 DATED: April 6, 2017

MCGUIREWOODS LLP

24 By: /s/ Carolee A. Hoover

25 Carolee Hoover
26 Attorneys for Defendants
27 Wells Fargo & Company and
28 Wells Fargo Bank, N.A.