

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

KATHLEEN BALDANZI and )  
GERALD P. LONG, on behalf of )  
themselves and all others similarly )  
situated, )

Plaintiffs, )

v. )

WFC HOLDINGS CORPORATION )  
d/b/a WELLS FARGO BANK, N.A., )

Defendant. )

CIVIL ACTION NO. 07-CV-9551 (LTS)

DECLARATION OF JEREMY HEISLER IN OPPOSITION TO  
DEFENDANT WFC HOLDINGS CORPORATION d/b/a WELLS  
FARGO BANK, N.A.'S MOTION TO DISMISS THE CLASS ACTION  
COMPLAINT ON FEDERAL PREEMPTION GROUNDS UNDER  
THE NATIONAL BANK ACT

Jeremy Heisler states as follows under the penalty of perjury, pursuant to 28  
U.S.C. §1746:

1. I am a member of the Bar of this Court and the law firm of Sanford  
Wittels & Heisler, LLP, counsel for Plaintiffs and the class herein.
2. Annexed hereto as Exhibit A is a true and accurate copy of the Complaint  
in the above-captioned matter, dated October 29, 2007
3. Annexed hereto as Exhibit B is a true and accurate copy of excerpts of:  
*Congressional Review of OCC Preemption: Hearing before the Subcomm. on Oversight  
and Investigations Comm. on Financial Services. 108<sup>th</sup> Cong. 65 (2004) (testimony of  
Julie L. Williams, First Senior Deputy Comptroller and Chief Counsel, Office of the*

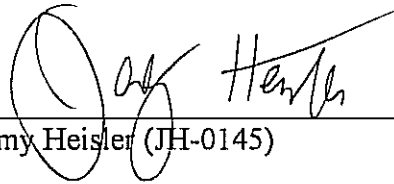
Comptroller of Currency), available as Serial No. 108-65 at:

<<http://www.access.gpo.gov/congress/house/house03ch108.html>>..

4. Annexed hereto as Exhibit C is a true and accurate copy of "Lender Lobbying Blitz Abetted Mortgage Mess." Pg. 1, col. 3. *Wall Street Journal*. 31 Dec. 2007.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: New York, New York  
February 26, 2008

A handwritten signature in black ink, appearing to read "Jeremy Heisler", is written over a horizontal line. The signature is stylized and cursive.

Jeremy Heisler (JH-0145)

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