

NORTH CAROLINA
MECKLENBURG COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT

No.: 08 CVS 22632

IRVING EHRENHAUS, On Behalf Of Himself And
All Others Similarly Situated,

Plaintiff,

(CLASS ACTION)

v.

JOHN D. BAKER, II, PETER C. BROWNING,
JOHN T. CASTEEN, III, JERRY GITT, WILLIAM
H. GOODWIN, JR., MARYELLEN C.
HERRINGER, ROBERT A. INGRAM, DONALD
M. JAMES, MACKEY J. MCDONALD, JOSEPH
NEUBAUER, TIMOTHY D. PROCTOR, ERNEST
S. RADY, VAN L. RICHEY, RUTH G. SHAW,
LANTY L. SMITH, G. KENNEDY THOMPSON,
DONA DAVIS YOUNG, WACHOVIA
CORPORATION, and WELLS FARGO &
COMPANY,


Defendants.

MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs hereby move for an injunction preliminarily and permanently enjoining defendants and all of those acting in concert with them from consummating (1) the merger announced on October 3, 2008, pursuant to which Wachovia Corporation ("Wachovia") will merge with Wells Fargo & Company ("Wells Fargo") and (2) the share exchange announced on October 3, 2008, pursuant to which Wachovia plans to issue to Wells Fargo preferred stock that votes as a single class with Wachovia's common stock, representing 39.9 percent of Wachovia's voting power. The bases for this Motion shall be set forth in a brief to be filed on a schedule to be set by the Court.

Dated: October ¹⁴ 2008

GREG JONES & ASSOCIATES, P.A.

By: 
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OF COUNSEL:

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CERTIFICATE OF SERVICE

This is to certify that the undersigned counsel has this day served the *Motion for Preliminary Injunction* in the referenced case upon the below-named individuals and/or corporations by depositing a copy of document, postage pre-paid, in the United State Mail, addressed to:

**Wells Fargo & Company
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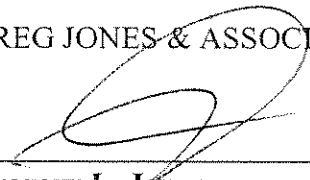
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This the 15 day of October, 2008.

GREG JONES & ASSOCIATES, P.A.



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