

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

Andrew Glen Clark

9<sup>th</sup> Cir. Case No. 17-35247

Appellant

Originating Court Case No.6:14-cv-01103-JR

vs. Appellees

Wells Fargo Bank, NA Attorney of Record

Christian Rowley Seyfarth Shaw 560 Mission St. #3100 San  
Francisco, CA 94105

Ogletree Deakins et al c/o General Counsel Christopher  
Mixon 401 Commerce Street #1200

Nashville, TN 37219

City of Eugene, OR Attn: Ben Miller 125 East 8th Ave. Eugene OR 97401 County of

Lane, OR Attn: Steven Dingle 125 East 8th Ave. Eugene OR 97401 State of Oregon via

Attorney General Ellen Rosenblum –and-

Lane County Prosecutor Erik Hasselman and then District Attorney Alexander Gardner via Denise  
Gale Fjordbeck Asst. Attorney General for Oregon

1162 Court Street NE Salem OR 97301-4096

**Motion to Take Judicial Notice of Adjudicative Fact  
I am a Federal Witness/Informant  
For Immediate Hearing In Court, Oral Arguments**

To assist this Court in coming to a correct and just decision, pro se Appellant Andrew Clark respectfully  
requests judicial notice of fact that is common knowledge or can be readily determined as true. Rule  
201(d) specifies that can be motioned at any stage of the proceeding.

Court recognition of adjudicative fact is essential to lawful administration of justice.

**Fact: I am a Federal Witness or Informant effective 5.25.11**

**Common knowledge supported by Criminal Resource Manual 1729: a person who makes Crime Reports to Federal Bureau - Investigation is a Federal Witness or Informant regardless of FBI investigation at that time.**

**I declare:**

1. I worked at Wells Fargo (Home Mortgage) for approximately two of my 30 year career. I reported serious business issues to my management. Perceived retaliation required me to use the "Ethics Line" while employed.
2. Increased retaliation followed and required me to hand-deliver a written report along with evidence to the Eugene Oregon Office of Federal Bureau-Investigation while employed on 5.25.11. I augmented my reports after local police were sent to my home by Wells Fargo security worker Martin Ogno in Portland OR and on 7.27.11, I again walked all of it into the Eugene Oregon Office of Federal Bureau - Investigation with a signed and notarized affidavit along with statement of credentials and standing.
3. Physical retaliation followed use of company directed local police forces is evidenced by internal audio recording made by police inside their headquarters and inside my home. That audio recording and other related police and court records have never been heard by any court. Instead, attorneys for Wells Fargo have impeded and obstructed Court attention to evidence. Audio and transcripts are posted on [www.RisePatriot.com](http://www.RisePatriot.com).

I was a lowest level worker and it badly frightened me to walk into an FBI office with such crime reports. It is mandated by Wells Fargo policy and training. It is an action rarely taken by an employee in advance of most of the retaliation actions. My over-length filing detailed and evidenced facts of the case. I am working to shorten it and I once again reach out to Wells Fargo et al for serious conference of facts and evidence, something that has never occurred due to attorney refusal to confer.

/s/ Andrew Clark

Andrew Glen Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915 July 22, 2017

9th Circuit Case Number(s)

17-35247 Clark v. Wells Fargo and Ogletree Deakins et al

**NOTE:** To secure your input, you should print the filled-in form to PDF (File > Print > PDF Printer/Creator).

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CERTIFICATE OF SERVICE

When All Case Participants are Registered for the Appellate CM/ECF System

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on

(date) 07/22/2017

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Signature (use "s/" format)

s/ Andrew Clark

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I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

Signature (use "s/" format) /s/ Andrew Clark