Navajo Nation refiles lawsuit against Wells Fargo

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WINDOW ROCK, Ariz. – Navajo Nation officials announced they have directed their legal counsel, Hueston Hennigan, to refile the Nation's suit against Wells Fargo Bank in Navajo Nation District Court and to file an appeal in the United States Court of Appeals for the Tenth Circuit.

The Nation's lawsuit details Wells Fargo's long campaign of predatory and unlawful practices that targeted and harmed the Navajo people.

The Nation's lawsuit in the Window Rock District Court alleges that Wells Fargo defrauded Navajo citizens with a variety of unlawful practices, including opening fake accounts in their name, and then made misrepresentations to the Nation's leaders about those practices in order to avoid an investigation.

"Wells Fargo's egregious and predatory misconduct defrauded and harmed the Nation," Navajo Nation President Russell Begaye said. "As we have said all along, we intend to hold Wells Fargo accountable through whatever means necessary and we are committed to seeking recovery for our people."

Navajo Nation Budget and Finance Committee Chairman Seth Damon agreed.

“The fact remains that after taking advantage of Navajo people for years, Wells Fargo lied to Navajo leadership about whether any of these unlawful sales practices affected members of the Nation. Wells Fargo cannot escape these facts,” he said.

The Nation originally filed suit in United States District Court in December 2017.

The complaint detailed a long pattern of misconduct by Wells Fargo, and brought claims under the Federal Consumer Financial Protection Act, claims under other federal consumer protection laws, and claims under state, tribal and common law.

While the United States District Court recently dismissed the federal claims on technical grounds, the Nation has also filed an appeal of those claims in the United States Court of Appeals for the Tenth Circuit.

The Nation believes it is entitled to continue pursuing its federal claims arising out of Wells Fargo’s outrageous and improper practices.

“The Navajo Nation is confident that its federal claims will be vindicated on appeal and that Wells Fargo will be held accountable for its egregious targeting of the Navajo people, especially our elders, with unlawful sales practices,” Navajo Nation Attorney General Ethel Branch said.

The Navajo Nation is represented by Attorney General Ethel Branch, Assistant Attorneys General Paul Spruhan and Jana Werner of the Navajo Nation Department of Justice, and John C. Hueston and Moez M. Kaba of Hueston Hennigan LLP.