

Navajo Nation files lawsuit against Wells Fargo

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WINDOW ROCK – Navajo Nation officials announced Dec. 12 that the Nation directed its legal counsel, Hueston Hennigan, to file suit against Wells Fargo. The suit alleges that Wells Fargo engaged in a campaign of predatory and unlawful practices that targeted and harmed the Navajo people. The Navajo Nation is seeking restitution, damages, and civil penalties based on Wells Fargo's violations of federal, state, and tribal law.

The complaint details a long pattern of misconduct by Wells Fargo at its branches that serve Navajo customers. For several years, Wells Fargo employees deceived and manipulated customers into opening unnecessary accounts, as stated in the complaint. As has now been well documented at other Wells Fargo branches, the bank obtained debit and credit cards without the consent of customers.

BFC vice chair Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) added that when confronted by the Navajo Nation Council about misconduct by its employees, Wells Fargo assured the Nation that no Navajo Nation members had been harmed by their sales practices.

Witherspoon said the Nation's investigation of this claim has revealed it to be false. In fact, Navajo people were easy targets for Wells Fargo's predatory sales practices, he added.

"The practices of Wells Fargo are shameful because Navajo elders, many of whom do not speak or read English fluently, were targeted into purchasing products to help Wells Fargo branches meet their quotas," stated Witherspoon. "Wells Fargo's practices were particularly egregious because many Navajo people often have no other choice but to bank with Wells

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Fargo because it is often the only banking option available.”

Council Delegate Seth Damon (Bááháálí, Chichiltah, Manuelito, Tsé Lichíí', Rock Springs, Tsayatoh) said the Council's Budget and Finance Committee began looking into the situation several months ago when the committee members were made aware of the allegations.

“Due to the actions of the Budget and Finance Committee, we are at this point,” said Damon, who chairs the BFC.

“We have had a business relationship with Wells Fargo since 1964 and if these allegations are accurate, we as the Navajo Nation need to reexamine our partnership with Wells Fargo and perhaps separate ourselves and work with a new trustworthy financial institution that will help move our people and our Nation forward.”

Navajo Nation Attorney General Ethel Branch said, “The Nation intends to hold Wells Fargo fully responsible for its unlawful, unfair, dishonest and despicable practices. The days of exploiting the Navajo people must come to an end.”

“Wells Fargo deceived the Navajo people and lied to the Navajo government, causing substantial suffering to those who trusted the bank, and subverting the government's ability to represent the legitimate interests of the tribe,” said attorney John Hueston.

The lawsuit was filed on Dec. 12 in the U.S. District Court for the District of New Mexico. John C. Hueston and Moez M. Kaba of Hueston Hennigan LLP, Branch, and Assistant Attorney General Jana Werner of the Navajo Nation Department of Justice represent the Navajo Nation in the case.