

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

SERGIO NAVARRO, on their own behalf,
on behalf of all others similarly situated, and
on behalf of the Wells Fargo & Company
Health Plan and its component plans;
THERESA GAMAGE, on their own behalf,
on behalf of all others similarly situated, and
on behalf of the Wells Fargo & Company
Health Plan and its component plans;
DAYLE BULLA, on their own behalf, on
behalf of all others similarly situated, and on
behalf of the Wells Fargo & Company Health
Plan and its component plans; JANE
KINSELLA, on their own behalf, on behalf
of all others similarly situated, and on behalf
of the Wells Fargo & Company Health Plan
and its component plans; ERICA
MCKINLEY, on their own behalf, on behalf
of all others similarly situated, and on behalf
of the Wells Fargo & Company Health Plan
and its component plans,

Plaintiffs - Appellants,

v.

WELLS FARGO & COMPANY,

Defendant - Appellee.

Case No. 26-1620

APPELLANTS' STATEMENT OF THE ISSUES

Plaintiffs-Appellants Sergio Navarro, Theresa Gamage, Dayle Bulla, Jane Kinsella, and Erica McKinley hereby identify the following issues for appeal:

1. Whether Appellants have plausibly alleged Article III standing based on their allegations that Wells Fargo's ERISA violations with respect to the retention and oversight of the pharmacy benefit manager for the Wells Fargo & Company Health Plan ("Plan"), and in allowing prescription drug overcharges, caused them to pay more out of pocket for their prescription drugs than they otherwise would have paid.

2. Whether Appellants have plausibly alleged Article III standing based on their allegations that Wells Fargo's ERISA violations with respect to the retention and oversight of the pharmacy benefit manager for the Plan, and in allowing prescription drug and administrative fee overcharges, caused them to pay more in healthcare premiums while they were employed by Wells Fargo than they otherwise would have paid.

3. Whether Appellant Erica McKinley has plausibly alleged Article III standing based on her allegations that Wells Fargo's ERISA violations with respect to the retention and oversight of the pharmacy benefit manager for the Plan, and in allowing prescription drug and administrative fee overcharges, caused to her pay more in healthcare premiums while she was enrolled in continuation coverage under COBRA than she otherwise would have paid.

Dated: April 17, 2026

Respectfully Submitted,

/s/ Kai H. Richter

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CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2026, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Kai H. Richter
Kai H. Richter