

**UNPUBLISHED**

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

---

**No. 21-1646**

---

**RALEIGH ROGERS,**

Plaintiff - Appellant,

v.

**WELLS FARGO,**

Defendant - Appellee.

---

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Robert J. Conrad, Jr., District Judge. (5:19-cv-00006-RJC)

---

Submitted: November 18, 2021

Decided: November 19, 2021

---

Before MOTZ, THACKER, and HARRIS, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Raleigh Rogers, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

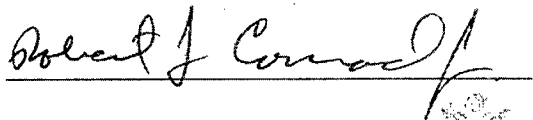


class members who timely opted out, (Doc. No. 4-2, Exs. A and B), and Plaintiff's primary argument that he opted out is simply that his failure to opt in meant, de facto, that he opted out. This argument is insufficient given the explicit Jabbari class opt out procedures that Plaintiff did not follow here.

Therefore, because Plaintiff meets the Jabbari class description and had actual notice of the settlement, but did not affirmatively opt out as required to avoid preclusive effect, "Plaintiff's claims lie exclusively under the jurisdiction of the United States District Court for the Northern District of California, pursuant to the Final Order in the Jabbari case . . . ." Muhammad v. Scharf, No. CV RDB-20-3020, 2021 WL 1198168, at \*4 (D. Md. Mar. 30, 2021) (citing the Jabbari Court as holding that the "Court reserves jurisdiction over the Class Representatives, the Settlement Class, and Defendants as to all matters concerning the administration, consummation, and enforcement of the Settlement Agreement"). This Court lacks jurisdiction over Plaintiff's claims, as the U.S. District Court for the Northern District of California retains exclusive jurisdiction over the released claims and parties in question.

**IT IS, THEREFORE, ORDERED** that Defendant's Motion to Dismiss, (Doc. No. 4), is **GRANTED**. The Clerk of Court is hereby directed to close the case.

Signed: May 3, 2021

  
Robert J. Conrad, Jr.  
United States District Judge

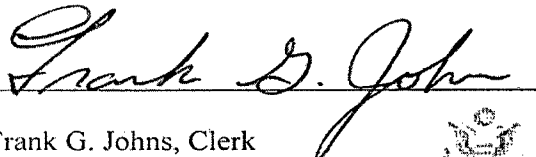
**United States District Court  
Western District of North Carolina  
Statesville Division**

Raleigh Rogers,	)	JUDGMENT IN CASE
	)	
Plaintiff(s),	)	5:19-cv-00006-RJC
	)	
vs.	)	
	)	
Wells Fargo,	)	
Defendant(s).	)	

DECISION BY COURT. This action having come before the Court and a decision having been rendered;

IT IS ORDERED AND ADJUDGED that Judgment is hereby entered in accordance with the Court's May 3, 2021 Order.

May 3, 2021

  
\_\_\_\_\_  
Frank G. Johns, Clerk  
United States District Court



FILED: January 3, 2022

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

No. 21-1646  
(5:19-cv-00006-RJC)

---

RALEIGH ROGERS

Plaintiff - Appellant

v.

WELLS FARGO

Defendant - Appellee

---

O R D E R

---

The petition for rehearing en banc was circulated to the full court. No judge requested a poll under Fed. R. App. P. 35. The court denies the petition for rehearing en banc.

For the Court

/s/ Patricia S. Connor, Clerk

**Additional material  
from this filing is  
available in the  
Clerk's Office.**