

WELLS FARGO & CO/MN  
Form 425  
December 11, 2008

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
Washington, D.C. 20549

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**FORM 8-K**

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**CURRENT REPORT**  
**Pursuant to Section 13 or 15(d) of the**  
**Securities Exchange Act of 1934**  
Date of report (Date of earliest event reported): December 5, 2008

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**WELLS FARGO & COMPANY**  
(Exact Name of Registrant as Specified in Its Charter)

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**Delaware**  
(State or Other Jurisdiction  
of Incorporation)

**001-02979**  
(Commission File Number)

**No. 41-0449260**  
(I.R.S. Employer  
Identification No.)

**420 Montgomery Street, San Francisco, California 94104**  
(Address of Principal Executive Offices) (Zip Code)  
**1-866-249-3302**  
(Registrant's Telephone Number, Including Area Code)

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Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- |                                            |                                                                                                        |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <input checked="checked" type="checkbox"/> | Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)                  |
| <input type="checkbox"/>                   | Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)                 |
| <input type="checkbox"/>                   | Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b)) |
| <input type="checkbox"/>                   | Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c)) |
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### Item 8.01. Other Events.

On December 5, 2008, the Superior Court for the County of Mecklenburg in the State of North Carolina issued an order (the Order ) in the case captioned Irving Ehrenhaus v. John D. Baker, et al. The Order is included as Exhibit 99.1 hereto and is incorporated herein by reference. On December 10, 2008, Wells Fargo & Company and Wachovia Corporation issued a joint news release regarding the Order (the News Release ). The News Release is included as Exhibit 99.2 hereto and is incorporated herein by reference.

### Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

| Exhibit | Description                                                                                                     |
|---------|-----------------------------------------------------------------------------------------------------------------|
| 99.1    | Order of the Superior Court for the County of Mecklenburg in the State of North Carolina dated December 5, 2008 |
| 99.2    | News release dated December 10, 2008                                                                            |

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**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: December 10, 2008

WELLS FARGO & COMPANY  
By: /s/ Laurel A. Holschuh  
Laurel A. Holschuh  
Senior Vice President and Secretary

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**EXHIBIT INDEX**

| <b>Exhibit</b> | <b><u>Description</u></b>                                                                                       |
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