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Interim Liaison Counsel for Individual
Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

IN RE: BANK OF AMERICA
CALIFORNIA UNEMPLOYMENT
BENEFITS LITIGATION

Case No. 3:21-MD-02992-LAB-MSB

**JOINT MOTION REGARDING
PROTECTION OF
CONFIDENTIAL INFORMATION**

Courtroom: 2C – 2nd Floor
Judge: Hon. Michael S. Berg

1 Defendant Bank of America (“BANA”) and the Individual Plaintiffs
2 represented by Interim Liaison Counsel for the Individual Plaintiffs (collectively
3 the “Parties”), through their undersigned counsel, hereby state as follows:

4 WHEREAS, on August 2, 2021, the Court scheduled an ENE Conference on
5 September 29, 2021, for certain Plaintiffs represented by Interim Liaison Counsel
6 for the Individual Plaintiffs, and ordered that BANA produce certain documents
7 regarding each of those Plaintiffs no later than September 13, 2021 (ECF No. 64);

8 WHEREAS, a protective order was entered in *Yick v. Bank of America, N.A.*,
9 No. 3:21-cv-01092-LAB-MSB on May 21, 2021 (N.D. Cal. No. 3:21-cv-00376-
10 VC, ECF No. 97) (the “Yick Protective Order”) prior to the transfer and
11 consolidation of cases in this multi-district litigation;

12 WHEREAS, on September 8, 2021, counsel for BANA sent Interim Co-Lead
13 counsel a revised version of the Yick Protective Order with certain changes to
14 comply with the rules of this Court and reflect the transfer and consolidation of
15 cases in this multi-district litigation (the “Proposed Protective Order”);

16 WHEREAS, the Proposed Protective Order has not yet been submitted to the
17 Court for approval and entry;

18 WHEREAS, Interim Liaison Counsel has agreed to maintain the
19 confidentiality of certain documents to be produced by BANA;

20 NOW, THEREFORE, the Parties stipulate and agree as follows:

21 1. The Individual Plaintiffs represented by Interim Liaison Counsel agree
22 to be bound by the terms of the Proposed Protective Order, pending its approval
23 and entry by the Court.

24 2. In the event that the Court modifies the Proposed Protective Order, or
25 in the event that the Court enters a different Protective Order, the Individual
26 Plaintiffs represented by Interim Liaison Counsel for the Individual Plaintiffs agree
27 to be bound by the Proposed Protective Order until such time as the Court may
28

1 enter such different Order.

2 3. The intent of this agreement is to allow for the production of
3 documents with confidential information under the terms of the Proposed Protective
4 Order, pending its entry (or the entry of a different protective order).

5 4. Counsel for Individual Plaintiffs solemnly promise and represent that
6 they will not disclose or use in any manner any information or item produced by
7 BANA except in strict compliance with the provisions of the Proposed Protective
8 Order (or with any other protective order to be entered by the Court).

9 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**
10

11 **SWIGART LAW GROUP, APC**
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14 Dated: September 13, 2021 By: /s/ Joshua Brandon Swigart
15 JOSHUA BRANDON SWIGART
16 *Counsel for Individual Plaintiffs*
17

18 **GOODWIN PROCTER LLP**
19

20
21 Dated: September 13, 2021 By: /s/ Yvonne W. Chan
22 LAURA A. STOLL
23 DAVID R. CALLAWAY
24 JAMES W. MCGARRY
25 YVONNE W. CHAN
26 THOMAS M. HEFFERON
27 *Counsel for Defendant Bank of America, N.A.*
28

SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to plaintiff's counsel, and that I have obtained their authorization to affix electronic signatures to this document.

Dated: September 13, 2021

/s/ Yvonne W. Chan
Yvonne W. Chan