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15

16 **UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT OF CALIFORNIA –**
18 **SAN DIEGO DIVISION**

19 IN RE: BANK OF AMERICA
20 CALIFORNIA UNEMPLOYMENT
21 BENEFITS LITIGATION
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Case No. 21-MD-02992-LAB-MSB

**DEFENDANT'S RESPONSE TO
PLAINTIFFS' REQUEST TO
APPEAR IN-PERSON FOR THE
SCHEDULED EARLY NEUTRAL
EVALUATION**

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

1 Defendant Bank of America, N.A. (“BANA”) submits this response to
2 Plaintiffs’ Request to Appear In-Person for the Scheduled Early Neutral Evaluation
3 (ECF No. 77), pursuant to the Court’s September 17, 2021 Order Requiring
4 Response (ECF No. 78).

5 One of BANA’s counsel is unable to appear in person, and therefore BANA
6 requests that its counsel be permitted to appear by Zoom, as originally planned.
7 BANA believes that it would be more efficient to conduct the entire ENE by Zoom,
8 rather than adopting a “hybrid” approach, but does not object to Plaintiffs’ counsel
9 appearing in person if that is what the Court prefers.
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1 Dated: September 21, 2021

Respectfully Submitted,

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3 By: *s/ Yvonne W. Chan*

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the clerk of the court for the United States District Court for the Southern District of California by using the CM/ECF system on September 21, 2021. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system. I certify under penalty of perjury that the foregoing is true and correct.

Executed: September 21, 2021 s/ Yvonne W. Chan