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6 Attorneys for Defendant
7 BANK OF AMERICA, N.A.

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10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA –**
12 **SAN DIEGO DIVISION**

13 IN RE: BANK OF AMERICA
14 CALIFORNIA UNEMPLOYMENT
15 BENEFITS LITIGATION

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

16 **DECLARATION OF ROBERT**
17 **CHESTNUT IN SUPPORT OF**
18 **DEFENDANT BANK OF**
19 **AMERICA, N.A.’S MOTION TO**
20 **DISMISS MASTER**
21 **CONSOLIDATED COMPLAINT**
22 **PURSUANT TO FED. R. CIV. P.**
23 **12(B)(1) AND 12(B)(6)**

24 Date: January 10, 2022
25 Time: 11:30 a.m.
26 Ctrm: 14A – 14th Floor
27 Judge: Hon. Larry Alan Burns

28 Filed/Lodged Concurrently with:

1. Notice of Motion & Motion
2. Memorandum
3. Request for Judicial Notice
4. Declaration of Shane Daniels
5. [Proposed] Order

1 I, Robert Chestnut, declare as follows:

2 1. I am employed by Bank of America, N.A. ("BANA"). One of my
3 responsibilities at BANA is oversight of the California Employment Development
4 Department ("EDD") prepaid card account.

5 2. I make this declaration based upon personal knowledge and belief,
6 upon BANA's records maintained in the ordinary course and scope of business, and
7 upon information gathered from other BANA employees. If called to testify as to
8 any of the matters set forth in this declaration, I could and would competently
9 testify thereto.

10 3. A true and correct copy of the Account Agreement between BANA
11 and each EDD cardholder is attached hereto as Exhibit 1.

12 4. A true and correct copy of excerpts of the agreement between BANA
13 and EDD currently in effect is attached hereto as Exhibit 2.

14 5. A true and correct copy of an August 24, 2020 Letter Agreement
15 between BANA and EDD is attached hereto as Exhibit 3.

16
17 I declare under the penalty of perjury that the foregoing is true and correct.

18 Executed on this 29 day of April, 2021.

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21 By: 
22 ROBERT CHESTNUT
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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 Robert Chestnut, and that I have obtained Mr. Chestnut's electronic signature in the filing of this document.

Dated: October 1, 2021

s/ Yvonne W. Chan

Yvonne W. Chan