

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: BANK OF AMERICA CALIFORNIA
UNEMPLOYMENT BENEFITS LITIGATION

Case No.: 21md2992-LAB (MSB)

ORDER RE: REMEDIATION PLAN

On August 25, 2023, this Court directed Defendant Bank of America, N.A. (“Defendant”) to determine whether the Consumer Financial Protection Bureau (“CFPB”) and the Office of the Comptroller of the Currency (“OCC”) (collectively, “the Agencies”) intended to assert privilege claims on the remediation plan implementing the Consent Orders issued on July 14, 2022 by the CFPB (2022-CFPB-0004) and by the OCC (AA-ENF-2022-21) (the “Remediation Plan”), and to produce the Remediation Plan if the Agencies agreed to waive their privilege claims or did not intend to assert privilege.

Defendant informed the Court that, on August 30, 2023, it had sent letters to the Agencies requesting permission for Defendant to produce the Remediation Plan and any addenda to the Plan to Plaintiffs in response to Request for Production No. 70, and that Defendant later followed up on that request. Defendant further informed the Court that, to date, the Agencies have not responded.

Now therefore, for good cause shown, **IT IS ORDERED THAT:**

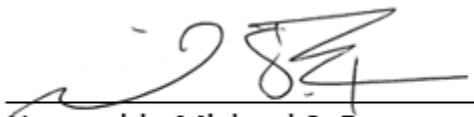
1. Defendant shall produce the Remediation Plan and any addenda to the Plan to Plaintiffs **no later than October 25, 2023**, subject to a timely assertion of privilege by the Agencies.

2. Any objection by the Agencies to this production shall be deemed waived unless it is filed in this Court **no later than October 24, 2023**.

3. Defendant shall provide a copy of this Order to the CFPB and OCC **no later than October 11, 2023**.

IT IS SO ORDERED.

Dated: October 10, 2023



Honorable Michael S. Berg
United States Magistrate Judge