JAMES W. MCGARRY (admitted pro hac vice)
JMcGarry@goodwinlaw.com
GOODWIN PROCTER LLP
100 Northern Avenue
Boston, MA 02210
Tel.: +1 617 570 1000
Fax: +1 617 523 1231

YVONNE W. CHAN (admitted pro hac vice)
YChan@jonesday.com
JONES DAY
100 High Street
Boston, MA 02110
Tel.: +1 617 960 3939
Fax: +1 617 449 6999

Attorneys for Defendant
BANK OF AMERICA, N.A.

[*ADDITIONAL COUNSEL LISTED IN SIGNATURE BLOCK*]

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN DIEGO DIVISION

IN RE: BANK OF AMERICA CALIFORNIA UNEMPLOYMENT BENEFITS LITIGATION,

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

DECLARATION OF JENNIFER LENNON IN SUPPORT OF DEFENDANT'S MOTION TO DISSOLVE PRELIMINARY INJUNCTION

Date: TBD
Time: TBD
Ctrm: 14A - 14th Floor
Judge: Hon. Larry Alan Burns

Filed/Lodged Concurrently with:
1. Notice of Motion & Motion to Dissolve Preliminary Injunction
2. Memorandum of Points and Authorities
3. [Proposed] Order

I, Jennifer Lennon, declare as follows:

1. I am a Product Management and State Liaison for Bank of America, N.A. ("BANA").

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

3. Beginning on February 15, 2024, the California Employment Development Department ("EDD") has stopped funding any benefits through BANA's prepaid debit cards. Instead, EDD has transitioned to a new vendor, Money Network, for the distribution of unemployment, disability, and Paid Family Leave benefits.

4. EDD has publicly announced the transition from BANA to Money Network, and has informed BANA that it has notified all active EDD benefits recipients of the transition from BANA to Money Network, and that these individuals have been sent a new Money Network card for future EDD benefits loads.

5. In connection with this transition, BANA has begun the process of closing all of its EDD prepaid debit cards and accounts.

6. Any BANA EDD prepaid debit account that is inactive (meaning it has not had a deposit from EDD or transacted within the prior 120 days) and has a balance greater than zero has been closed or will be closed in the coming days. BANA has sent or will send these cardholders a notice (which was approved by EDD) notifying them that their BANA EDD prepaid debit card accounts have been closed and their cards deactivated, and providing them with instructions for contacting BANA to receive a check for the remaining balance in their account. A

true and correct copy of that notice is attached as Exhibit A.

7. Active BANA EDD prepaid debit cardholders (*i.e.*, those who have received a deposit from EDD or transacted within the prior 120 days) were sent or will be sent a notice (which was approved by EDD) informing them that (1) they can use the balance on their BANA EDD prepaid debit cards by transacting normally (*e.g.*, at retailers, ATMs, online) through April 15, 2024, (2) they can access their BANA EDD prepaid debit card account online to make transfers through April 30, 2024; (3) their accounts will be closed after April 30, 2024; and (4) after that date, they may call BANA to receive a check for the remaining balance on their BANA EDD prepaid debit card account. A true and correct copy of that notice is attached as Exhibit B.

8. BANA EDD prepaid debit cardholders have been instructed to contact BANA's Main Servicing Call Center to request a check if there is a balance remaining in their BANA EDD prepaid debit card account after it is closed. Cardholders may request a check at any time, including before their BANA EDD prepaid debit card account is closed, up until the point, following account closure, at which any remaining unclaimed funds escheat to the state pursuant to state law.

9. Callers must authenticate their identity with BANA in order to request a check. Callers with a blocked account or those who fail multiple levels of authentication will be directed to the Fraud Call Center for additional assistance with authentication before they can request a check for the balance in their accounts.

10. The Fraud Call Center will not be able to assist any users with regaining access to their BANA EDD prepaid debit cards after April 30, 2024, as all accounts will be closed. The only assistance that the Fraud Call Center can provide is to authenticate callers with blocked accounts or those who have failed authentication so that they can request a check for the remaining funds in their

account or view their transaction history online.

11. EDD has reviewed and approved BANA's plan for the transition and closure of accounts, including BANA's notices to cardholders, the timeline and approach for account closure, and the issuance of checks for remaining funds.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on this 22 day of February, 2024.

By: JENNIFER LENNON

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 Jennifer Lennon, and that I have obtained Ms. Lennon's electronic signature in the filing of this document.

Dated: February 22, 2024 */s/ Matthew L. Riffee*