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BLOCK*]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

IN RE: BANK OF AMERICA
CALIFORNIA UNEMPLOYMENT
BENEFITS LITIGATION

This Document Relates to All Actions

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

**JOINT MOTION TO EXPEDITE
BRIEFING SCHEDULE ON
MOTION TO STAY**

Filed/Lodged Concurrently with:

1. [Proposed] Order

1 Plaintiffs in this Multidistrict Litigation (“MDL”), by and through their
2 attorneys, and Bank of America, N.A. (“BANA”), by and through its attorneys
3 (collectively, the “Parties”), hereby stipulate and jointly move for an expedited
4 briefing schedule on the Motion to Stay Certain Individual Cases (the “Motion”)
5 [ECF No. 311] as follows:

6 **WHEREAS**, on July 20, 2021, the Court entered a Case Management Order,
7 directing Plaintiffs to file a Master Consolidated Complaint and staying any claims
8 by Individual Plaintiffs not included therein [ECF No. 48].

9 **WHEREAS**, on July 11, 2024, BANA served a document entitled, Notice of
10 Deposition to the Individual Plaintiffs, and requested dates for the depositions of the
11 remaining Individual Plaintiffs, commencing September 16, 2024. Co-liaison
12 Counsel for the Individual Plaintiffs, Joshua Swigart, disputes the validity of the
13 Notice.

14 **WHEREAS**, on July 25, 2024 and August 6, 2024, Mr. Swigart, raised with
15 Magistrate Judge Berg the Individual Plaintiffs’ intention to file a motion to stay all
16 Individual Plaintiffs’ matters pending the resolution of the class action. Judge Berg
17 requested the Motion be filed on or before August 13, 2024.

18 **WHEREAS**, counsel for the Parties met and conferred on August 6, 2024 and
19 agreed that the interests of the Parties, judicial economy and efficiency would be
20 served by an expedited briefing and hearing process on the Motion given BANA’s
21 intention to commence with depositions as noticed and the closure of fact discovery
22 on December 12, 2024, if such a request was agreeable by the District Court.

23 **WHEREAS**, on August 7, 2024, counsel for BANA called the Court and was
24 advised that September 6 was an available hearing day. Counsel for BANA, then,
25 advised Mr. Swigart that September 6, 2024 was an available hearing date with the
26 District Court.

27 **WHEREAS**, on August 9, 2024, BANA served an Amended Notice of
28

Deposition to the Individual Plaintiffs. The Parties agree that the Amended Notice is valid.

WHEREAS, on August 13, 2024, Plaintiffs filed the Motion [ECF No. 311].

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. BANA will file its opposition to Plaintiffs' Motion on or before August 23, 2024.
2. Plaintiffs will file their reply in support of the Motion on or before August 30, 2024.
3. The Parties agree to a hearing date on the Motion of September 6, 2024 at 1:30 P.M., if convenient with the District Court.

Dated: August 13, 2024

Respectfully submitted,

By: s/Laura G. Brys

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Dated: August 13, 2024

Respectfully submitted,

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ATTORNEY ATTESTATION

Pursuant to Local Rule 5-4.3.4, I hereby attest that all other signatories listed and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

s/Laura G. Brys

LAURA G. BRYs