

1 JOSEPH W. COTCHETT (SBN 36324)
jcotchett@cpmlegal.com

2 BRIAN DANITZ (SBN 247403)
bdanitz@cpmlegal.com

3 KARIN B. SWOPE (Pro Hac Vice)
kswope@cpmlegal.com

4 ANDREW F. KIRTLEY (SBN 328023)
akirtley@cpmlegal.com

5 VASTI S. MONTIEL (SBN 346409)
vmontiel@cpmlegal.com

6 **COTCHETT, PITRE & McCARTHY, LLP**

7 840 Malcolm Road, Suite 200

8 Burlingame, CA 94010

Telephone: (650) 697-6000

9 Fax: (650) 697-0577

MICHAEL RUBIN (SBN 80618)
mrubin@altber.com

STACEY M. LEYTON (SBN 203827)
sleyton@altber.com

CONNIE K. CHAN (SBN 284230)
cchan@altber.com

KATHERINE G. BASS (SBN 344748)
kbass@altber.com

COLIN C. JONES (SBN 354301)
cjones@altber.com

ALTSHULER BERZON LLP

177 Post Street, Suite 300

San Francisco, CA 94108

Telephone: (415) 421-7151

Fax: (415) 362-8064

10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**
12

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

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

**DECLARATION OF CONNIE K. CHAN IN
SUPPORT OF PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

Judge: Hon. Gonzalo P. Curiel

Ctrm: 2D (2nd Floor)

Date: January 17, 2025

Time: 1:30pm

19
20 This Document Relates to All Actions
21
22
23
24
25
26
27
28

DECLARATION OF CONNIE K. CHAN

I, Connie K. Chan, hereby declare as follows:

1. I am a partner at the law firm of Altshuler Berzon LLP, co-lead counsel for Plaintiffs and the putative class in this action. I submit this declaration in support of Plaintiffs' Motion for Class Certification. I have personal knowledge of the facts set forth in this declaration and if called as a witness in this action, I could and would testify competently to these facts.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the Expert Report of Daniel Kreis in Support of Plaintiffs' Motion for Class Certification, and appendices thereto.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Expert Report of Jane Cloninger in Support of Plaintiffs' Motion for Class Certification, and appendices thereto.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the Expert Report of Jay Minnucci in Support of Plaintiffs' Motion for Class Certification, and appendices thereto.

5. Attached hereto as **Exhibit 4** is a true and correct copy of the Expert Report of Greg J. Regan, CPA/CFF, CFE in Support of Plaintiffs' Motion for Class Certification, and appendices thereto.

6. Attached hereto as **Exhibit 5** is a true and correct copy of the Declaration of proposed class representative Plaintiff Kuang Ting Chong ("Chong Dec.").

7. Attached hereto as **Exhibit 6** is a true and correct copy of the Declaration of proposed class representative Plaintiff Candace Koole ("Koole Dec.").

8. Attached hereto as **Exhibit 7** is a true and correct copy of the Declaration of proposed class representative Plaintiff Lindsey McClure ("McClure Dec.").

9. Attached hereto as **Exhibit 8** is a true and correct copy of the Declaration of proposed class representative Plaintiff Azuri Moon ("Moon Dec.")

1 10. Attached hereto as **Exhibit 9** is a true and correct copy of the Declaration
2 of proposed class representative Plaintiff Stephanie Moore (“Moore Dec.”).

3 11. Attached hereto as **Exhibit 10** is a true and correct copy of the Declaration
4 of proposed class representative Plaintiff Roland Oosthuizen (“Oosthuizen Dec.”).

5 12. Attached hereto as **Exhibit 11** is a true and correct copy of the Declaration
6 of proposed class representative Plaintiff Vanessa Rivera (“Rivera Dec.”).

7 13. Attached hereto as **Exhibit 12** is a true and correct copy of the Declaration
8 of proposed class representative Plaintiff J. Michael Willrich (“Willrich Dec.”).

9 14. Attached hereto as **Exhibit 13** is a true and correct copy of the Declaration
10 of proposed class representative Plaintiff Alex Yuan (“Yuan Dec.”).

11 15. Attached hereto as **Exhibit 14** is a true and correct copy of excerpts from
12 the transcript of Plaintiffs’ deposition of Defendant Bank of America, N.A.’s
13 (“Defendant,” “BANA,” or the “Bank”) Rule 30(b)(6) designee, Shane Daniels, taken
14 on February 6, 2024 (“Daniels Tr.”).

15 16. Attached hereto as **Exhibit 15** is a true and correct copy of excerpts from
16 the transcript of Plaintiffs’ deposition of the Bank’s Rule 30(b)(6) designee, Robert
17 Chestnut, taken on February 8, 2024 (“Chestnut Rule 30(b)(6) Depo.”).

18 17. Attached hereto as **Exhibit 16** is a true and correct copy of excerpts from
19 the transcript of Plaintiffs’ deposition of the Bank’s Rule 30(b)(6) designee, William
20 (“Matt”) Martin, taken on February 14, 2024 (“Martin Rule 30(b)(6) Depo.”).

21 18. Attached hereto as **Exhibit 17** is a true and correct copy of excerpts from
22 the transcript of Plaintiffs’ deposition of the Bank’s Rule 30(b)(6) designee, Michael
23 Letson, taken on February 16, 2024 (“Letson Rule 30(b)(6) Depo.”).

24 19. Attached hereto as **Exhibit 18** is a true and correct copy of excerpts from
25 the transcript of Plaintiffs’ deposition of the Bank’s Rule 30(b)(6) designee, William
26 Golden, taken on February 22, 2024 (“Golden Rule 30(b)(6) Depo.”).

27 20. Attached hereto as **Exhibit 19** is a true and correct copy of excerpts from
28 the transcript of Plaintiffs’ deposition of the Bank’s Rule 30(b)(6) designee, Jennifer

1 Lennon, taken on February 23, 2024 (“Lennon Rule 30(b)(6) Depo.”).

2 21. Attached hereto as **Exhibit 20** is a true and correct copy of excerpts from
3 the transcript of Plaintiffs’ deposition of Renee Johnson, taken on May 7, 2024
4 (“Johnson Tr.”).

5 22. Attached hereto as **Exhibit 21** is a true and correct copy of Plaintiffs’
6 Revised Notice of Rule 30(b)(6) Deposition of Defendant Bank of America, which was
7 marked Exhibit 1 to Plaintiffs’ Rule 30(b)(6) deposition of the Bank.

8 23. Attached hereto as **Exhibit 22** is a true and correct copy of a document
9 titled, “Response to State of California Electronic Benefits Payments RFP Vol I & II,”
10 dated July 10, 2015, which was marked Exhibit 26 to the Chestnut 30(b)(6) Deposition.

11 24. Attached hereto as **Exhibit 23** is a true and correct copy of a Business
12 Wire article titled, “Bank of America Begins Rollout of Chip Debit Cards,” dated
13 September 30, 2014, which was marked Exhibit 44 to the Martin 30(b)(6) Deposition.

14 25. Attached hereto as **Exhibit 24** is a true and correct copy of a document
15 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00123235-36,
16 which was marked Exhibit 49 to the Martin 30(b)(6) Deposition.

17 26. Attached hereto as **Exhibit 25** is a true and correct copy of a document
18 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00167019–24.

19 27. Attached hereto as **Exhibit 26** is a true and correct copy of a document
20 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00370150-55,
21 which was marked Exhibit 46 to the Martin 30(b)(6) Deposition.

22 28. Attached hereto as **Exhibit 27** is a true and correct copy of a document
23 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00351839-40,
24 which was marked Exhibit 47 to the Martin 30(b)(6) Deposition.

25 29. Attached hereto as **Exhibit 28** is a true and correct copy of a document
26 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00116001-02,
27 which was marked Exhibit 39 to the Chestnut 30(b)(6) Deposition.

28 30. Attached hereto as **Exhibit 29** is a true and correct copy of a document

1 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00124142,
2 which was marked Exhibit 40 to the Chestnut 30(b)(6) Deposition.

3 31. Attached hereto as **Exhibit 30** is a true and correct copy of a document
4 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00352396-97,
5 which was marked Exhibit 51 to the Martin 30(b)(6) Deposition.

6 32. Attached hereto as **Exhibit 31** is a true and correct copy of a document
7 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00059312-18,
8 which was marked Exhibit 54 to the Martin 30(b)(6) Deposition.

9 33. Attached hereto as **Exhibit 32** is a true and correct copy of a document
10 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00228914-15.

11 34. Attached hereto as **Exhibit 33** is a true and correct copy of a document
12 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00455617-19.

13 35. Attached hereto as **Exhibit 34** is a true and correct copy of a document
14 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00297295.

15 36. Attached hereto as **Exhibit 35** is a true and correct copy of a document
16 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00001312-30,
17 which was marked Exhibit 6 to the Daniels 30(b)(6) Deposition.

18 37. Attached hereto as **Exhibit 36** is a true and correct copy of a document
19 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00004535-80,
20 which was marked Exhibit 5 to the Daniels 30(b)(6) Deposition.

21 38. Attached hereto as **Exhibit 37** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00290330-34,
23 which was marked Exhibit 82 to the Letson 30(b)(6) Deposition.

24 39. Attached hereto as **Exhibit 38** is a true and correct copy of a document
25 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00630836.

26 40. Attached hereto as **Exhibit 39** is a true and correct copy of a document
27 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00371977,
28 which was marked Exhibit 83 to the Letson 30(b)(6) Deposition.

1 41. Attached hereto as **Exhibit 40** is a true and correct copy of a document
2 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00372012-13.

3 42. Attached hereto as **Exhibit 41** is a true and correct copy of a document
4 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00 694889-
5 90.

6 43. Attached hereto as **Exhibit 42** is a true and correct copy of a document
7 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00087760-65,
8 which was marked Exhibit 75 to the Letson 30(b)(6) Deposition.

9 44. Attached hereto as **Exhibit 43** is a true and correct copy of a document
10 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00087749-51,
11 which was marked Exhibit 74 to the Letson 30(b)(6) Deposition.

12 45. Attached hereto as **Exhibit 44** is a true and correct copy of a document
13 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00450516-18,
14 which was marked Exhibit 85 to the Letson 30(b)(6) Deposition.

15 46. Attached hereto as **Exhibit 45** is a true and correct copy of a document
16 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00125863-64,
17 which was marked Exhibit 86 to the Letson 30(b)(6) Deposition.

18 47. Attached hereto as **Exhibit 46** is a true and correct copy of a document
19 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-000497802-
20 04.

21 48. Attached hereto as **Exhibit 47** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00100634-79,
23 which was marked Exhibit 17 to the Daniels 30(b)(6) Deposition.

24 49. Attached hereto as **Exhibit 48** is a true and correct copy of a document
25 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00090695-98,
26 which was marked Exhibit 55 to the Martin 30(b)(6) Deposition.

27 50. Attached hereto as **Exhibit 49** is a true and correct copy of excerpts of
28 Defendant's Responses and Objections to Plaintiffs' Fourth Set of Interrogatories,

1 served on Plaintiffs January 2, 2024, along with associated exhibits and verification,
2 which were marked Exhibits 143, 143-09, 143-10, and 143-11 to the Lennon 30(b)(6)
3 Deposition.

4 51. Attached hereto as **Exhibit 50** is a true and correct copy of a document
5 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00090640-47,
6 which was marked Exhibit 61 to the Martin 30(b)(6) Deposition.

7 52. Attached hereto as **Exhibit 51** is a true and correct copy of a document
8 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00159125.

9 53. Attached hereto as **Exhibit 52** is a true and correct copy of a document
10 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00012790,
11 which was marked Exhibit 15 to the Daniels 30(b)(6) Deposition.

12 54. Attached hereto as **Exhibit 53** is a true and correct copy of documents
13 produced and subsequently reproduced without a confidentiality designation by the
14 Bank in this action Bates-stamped BANA_EDD_MDL-00411205,
15 BANA_EDD_MDL-00556094, BANA_EDD_MDL-00556122, BANA_EDD_MDL-
16 00556152, BANA_EDD_MDL-00556324, BANA_EDD_MDL-00558991,
17 BANA_EDD_MDL-00558996, BANA_EDD_MDL-00559094, BANA_EDD_MDL-
18 00559101, and documents produced by Plaintiffs Bates-stamped PLFF00000008, and
19 Yuan_A_00000003-4, which were marked Exhibit 16 to the Daniels 30(b)(6)
20 Deposition.

21 55. Attached hereto as **Exhibit 54** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00273305-07,
23 which was marked Exhibit 91 to the Letson 30(b)(6) Deposition.

24 56. Attached hereto as **Exhibit 55** is a true and correct copy of a document
25 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00163307-08,
26 which was marked Exhibit 52 to the Martin 30(b)(6) Deposition.

27 57. Attached hereto as **Exhibit 56** is a true and correct copy of a document
28 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00172469-73,

1 which was marked Exhibit 53 to the Martin 30(b)(6) Deposition.

2 58. Attached hereto as **Exhibit 57** is a true and correct copy of a document
3 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00107327-35,
4 which was marked Exhibit 63 to the Martin 30(b)(6) Deposition.

5 59. Attached hereto as **Exhibit 58** is a true and correct copy of a document
6 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00090683-86,
7 which was marked Exhibit 64 to the Martin 30(b)(6) Deposition.

8 60. Attached hereto as **Exhibit 59** is a true and correct copy of excerpts of
9 Defendant's Responses and Objections to Plaintiffs' Third Set of Interrogatories,
10 served on Plaintiffs December 21, 2023, and Supplemental Exhibit 6 to Defendant's
11 Response to Interrogatory No. 21, which were marked Exhibits 139 and 140-6,
12 respectively, to the Lennon 30(b)(6) Deposition.

13 61. Attached hereto as **Exhibit 60** is a true and correct copy of a document
14 produced by the Bank identifying the Plaintiff Card Alias IDs for Exhibits 1-5 to
15 Defendant's Responses to Plaintiffs' Interrogatories Nos. 2-6, 14-15 (First Set), which
16 was marked Exhibit 135-7 to the Lennon 30(b)(6) Deposition.

17 62. Attached hereto as **Exhibit 61** is a true and correct copy of a document
18 produced by Plaintiffs in this action Bates-stamped Moore_S_0000367.

19 63. Attached hereto as **Exhibit 62** is a true and correct copy of a document
20 produced by Plaintiffs in this action Bates-stamped PLFF00000011.

21 64. Attached hereto as **Exhibit 63** is a true and correct copy of a document
22 titled, "Employment Development Department Strike Team Detailed Assessment and
23 Recommendations," dated September 16, 2020, which was marked Exhibit 36 to the
24 Chestnut 30(b)(6) Deposition.

25 65. Attached hereto as **Exhibit 64** is a true and correct copy of a document
26 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00090721-26,
27 which was marked Exhibit 59 to the Martin 30(b)(6) Deposition.

28 66. Attached hereto as **Exhibit 65** is a true and correct copy of a document

1 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00452786-02,
2 which was marked Exhibit 58 to the Martin 30(b)(6) Deposition.

3 67. Attached hereto as **Exhibit 66** is a true and correct copy of a document
4 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00874570-71.

5 68. Attached hereto as **Exhibit 67** is a true and correct copy of a document
6 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00452826-27,
7 which was marked Exhibit 69 to the Letson 30(b)(6) Deposition.

8 69. Attached hereto as **Exhibit 68** is a true and correct copy of a document
9 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00630754-58.

10 70. Attached hereto as **Exhibit 69** is a true and correct copy of a document
11 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00347350.

12 71. Attached hereto as **Exhibit 70** is a true and correct copy of the Order Re
13 Preliminary Injunction in *Yick v. Bank of America*, Case No. 21-cv-00376-VC, filed on
14 May 17, 2021.

15 72. Attached hereto as **Exhibit 71** is a true and correct copy of the Preliminary
16 Injunction in *Yick v. Bank of America*, Case No. 21-cv-00376-VC, filed on June 2,
17 2021.

18 73. Attached hereto as **Exhibit 74** is a true and correct copy of a document
19 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00102554-77,
20 which was marked Exhibit 132 to the Lennon 30(b)(6) Deposition.

21 74. Attached hereto as **Exhibit 75** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00225375-93,
23 which was marked Exhibit 79 to the Letson 30(b)(6) Deposition.

24 75. Attached hereto as **Exhibit 76** is a true and correct copy of a document
25 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00536398-06.

26 76. Attached hereto as **Exhibit 77** is a true and correct copy of a document
27 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00118438,
28 which was marked Exhibit 105 to the Golden 30(b)(6) Deposition.

1 77. Attached hereto as **Exhibit 78** is a true and correct copy of a document
2 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00129422-26.

3 78. Attached hereto as **Exhibit 79** is a true and correct copy of a document
4 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00012738-39,
5 which was marked Exhibit 2 to the Daniels 30(b)(6) Deposition.

6 79. Attached hereto as **Exhibit 80** is a true and correct copy of a document
7 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00003887-
8 11, which was marked Exhibit 182 to the Johnson Deposition.

9 80. Attached hereto as **Exhibit 81** is a true and correct copy of a document
10 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00592324-30,
11 which was marked Exhibit 80 to the Letson 30(b)(6) Deposition.

12 81. Attached hereto as **Exhibit 82** is a true and correct copy of a document
13 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00559693-
14 980.

15 82. Attached hereto as **Exhibit 83** is a true and correct copy of a document
16 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00100506-29,
17 which was marked Exhibit 7 to the Daniels 30(b)(6) Deposition.

18 83. Attached hereto as **Exhibit 84** is a true and correct copy of a document
19 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00006482-35,
20 which was marked Exhibit 181 to the Johnson Deposition.

21 84. Attached hereto as **Exhibit 85** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00718756-70.

23 85. Attached hereto as **Exhibit 86** is a true and correct copy of a document
24 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00003912-37,
25 which was marked Exhibit 183 to the Johnson Deposition.

26 86. Attached hereto as **Exhibit 87** is a true and correct copy of a document
27 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00100616-33,
28 which was marked Exhibit 9 to the Daniels 30(b)(6) Deposition.

1 87. Attached hereto as **Exhibit 88** is a true and correct copy of a document
2 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00125177-79,
3 which was marked Exhibit 68 to the Letson 30(b)(6) Deposition.

4 88. Attached hereto as **Exhibit 89** is a true and correct copy of a document
5 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00057504-06,
6 which was marked Exhibit 45 to the Martin 30(b)(6) Deposition.

7 89. Attached hereto as **Exhibit 90** is a true and correct copy of a document
8 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00218489-
9 535.

10 90. Attached hereto as **Exhibit 91** is a true and correct copy of a document
11 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00125919-23,
12 which was marked Exhibit 60 to the Martin 30(b)(6) Deposition.

13 91. Attached hereto as **Exhibit 92** is a true and correct copy of a document
14 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00570333-34,
15 which was marked Exhibit 156 to the Johnson Deposition.

16 92. Attached hereto as **Exhibit 93** is a true and correct copy of a document
17 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00517105-26,
18 which was marked Exhibit 23 to the Daniels 30(b)(6) Deposition.

19 93. Attached hereto as **Exhibit 94** is a true and correct copy of a document
20 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00159469-74,
21 which was marked Exhibit 100 to the Letson 30(b)(6) Deposition.

22 94. Attached hereto as **Exhibit 95** is a true and correct copy of a document
23 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00592192-94,
24 which was marked Exhibit 166 to the Johnson Deposition.

25 95. Attached hereto as **Exhibit 96** is a true and correct copy of a document
26 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00090135-37.

27 96. Attached hereto as **Exhibit 97** is a true and correct copy of a document
28 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00406128-30,

1 which was marked Exhibit 96 to the Letson 30(b)(6) Deposition.

2 97. Attached hereto as **Exhibit 98** is a true and correct copy of excerpts of
3 Defendant's First and Second Responses and Objections to Plaintiffs' Seventh Set of
4 Interrogatories, along with associated exhibits and verification.

5 98. Attached hereto as **Exhibit 99** is a true and correct copy of a document
6 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00547571-77,
7 which was marked Exhibit 98 to the Letson 30(b)(6) Deposition.

8 99. Attached hereto as **Exhibit 100** is a true and correct copy of a document
9 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00572766-70,
10 which was marked Exhibit 177 to the Johnson Deposition.

11 100. Attached hereto as **Exhibit 101** is a true and correct copy of a document
12 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00510141-48,
13 which was marked Exhibit 137 to the Lennon 30(b)(6) Deposition.

14 101. Attached hereto as **Exhibit 102** is a true and correct copy of a document
15 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00158953,
16 which was marked Exhibit 18 to the Daniels 30(b)(6) Deposition.

17 102. Attached hereto as **Exhibit 103** is a true and correct copy of a document
18 the Bank produced Bates-stamped BANA_EDD_MDL-00518186-91, which was
19 marked Exhibit 27 to the Chestnut 30(b)(6) Deposition, and subsequently reproduced
20 by the Bank without a confidentiality designation.

21 103. Attached hereto as **Exhibit 104** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00663724-45,
23 which was marked Exhibit 14 to the Daniels 30(b)(6) Deposition.

24 104. Attached hereto as **Exhibit 105** is a true and correct copy of a document
25 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00169912-15,
26 which was marked Exhibit 84 to the Letson 30(b)(6) Deposition.

27 105. Attached hereto as **Exhibit 106** is a true and correct copy of a document
28 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00293818-21,

1 which was marked Exhibit 89 to the Letson 30(b)(6) Deposition.

2 106. Attached hereto as **Exhibit 107** is a true and correct copy of a document
3 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00104742-46,
4 which was marked Exhibit 48 to the Martin 30(b)(6) Deposition.

5 107. Attached hereto as **Exhibit 108** is a true and correct copy of a document
6 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00102937.

7 108. Attached hereto as **Exhibit 109** is a true and correct copy of a document
8 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00389851-65.

9 109. Attached hereto as **Exhibit 110** is a true and correct copy of a document
10 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00059687-90.

11 110. Attached hereto as **Exhibit 111** is a true and correct copy of a document
12 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00171972-73.

13 111. Attached hereto as **Exhibit 112** is a true and correct copy of a report titled,
14 “The US Contact Center Decision-Makers’ Guide 2021,” 13th Edition, published by
15 ContactBabel in 2021.

16 112. Attached hereto as **Exhibit 113** is a true and correct copy of a document
17 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00643363-68.

18 113. Attached hereto as **Exhibit 114** is a true and correct copy of Defendant’s
19 Responses and Objections to Plaintiffs’ Fifth Set of Interrogatories, served on Plaintiffs
20 February 2, 2024, which was marked Exhibit 141 to the Lennon 30(b)(6) Deposition.

21 114. Attached hereto as **Exhibit 115** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00002286-51.

23 115. Attached hereto as **Exhibit 116** is a true and correct copy of a document
24 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00153666-75,
25 which was marked Exhibit 32 to the Chestnut 30(b)(6) Deposition.

26 116. Attached hereto as **Exhibit 117** is a true and correct copy of an excerpt
27 containing columns A and NN from the tab labeled, “ATM.POS.ACH,” and columns
28 A and MK-MR from the tab labeled, “Exec Summary_CA_Only,” from a native Excel

1 file produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00859710.

2 117. Attached hereto as **Exhibit 118** is a true and correct copy of a document
3 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00172236-44.

4 118. Attached hereto as **Exhibit 119** is a true and correct copy of a document
5 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00060229-56.

6 119. Attached hereto as **Exhibit 120** is a true and correct copy of a document
7 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00246360-63,
8 which was marked Exhibit 102 to the Golden 30(b)(6) Deposition.

9 120. Attached hereto as **Exhibit 121** is a true and correct copy of a document
10 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00356313-16,
11 which was marked Exhibit 124 to the Golden 30(b)(6) Deposition.

12 121. Attached hereto as **Exhibit 122** is a true and correct copy of a document
13 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00171905.

14 122. Attached hereto as **Exhibit 123** is a true and correct copy of a document
15 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00013111-63,
16 which was marked Exhibit 118 to the Golden 30(b)(6) Deposition.

17 123. Attached hereto as **Exhibit 124** is a true and correct copy of a document
18 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00719115,
19 which was marked Exhibit 103 to the Golden 30(b)(6) Deposition.

20 124. Attached hereto as **Exhibit 125** is a true and correct copy of a document
21 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00719116,
22 which was marked Exhibit 106 to the Golden 30(b)(6) Deposition.

23 125. Attached hereto as **Exhibit 126** is a true and correct copy of a document
24 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00090040-47.

25 126. Attached hereto as **Exhibit 127** is a true and correct copy of a document
26 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00013074-81
27 and BANA_EDD_MDL-00013086-93, which were marked Exhibit 127 to the Golden
28 30(b)(6) Deposition.

1 127. Attached hereto as **Exhibit 128** is a true and correct copy of a document
2 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00012875-85.

3 128. Attached hereto as **Exhibit 129** is a true and correct copy of a document
4 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00012792.

5 129. Attached hereto as **Exhibit 130** is a true and correct copy of a document
6 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00012800.

7 130. Attached hereto as **Exhibit 131** is a true and correct copy of a report titled,
8 “The 2023 US Contact Center Decision-Makers’ Guide,” 15th Edition, published by
9 ContactBabel in 2023.

10 131. Attached hereto as **Exhibit 132** is a true and correct copy of a document
11 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-0013096-06.

12 132. Attached hereto as **Exhibit 133** is a true and correct copy of a document
13 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00060337-39.

14 133. Attached hereto as **Exhibit 134** is a true and correct copy of a document
15 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00106092-94,
16 which was marked Exhibit 104 to the Golden 30(b)(6) Deposition.

17 134. Attached hereto as **Exhibit 135** is a true and correct copy of a document
18 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00382181-88.

19 135. Attached hereto as **Exhibit 136** is a true and correct copy of a document
20 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00352985-87.

21 136. Attached hereto as **Exhibit 137** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00288637-41,
23 which was marked Exhibit 122 to the Golden 30(b)(6) Deposition.

24 137. Attached hereto as **Exhibit 138** is a true and correct copy of a document
25 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00424944-49.

26 138. Attached hereto as **Exhibit 139** is a true and correct copy of a document
27 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00718992-04.

28 139. Attached hereto as **Exhibit 140** is a true and correct copy of a document

1 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00021102-36.

2 140. Attached hereto as **Exhibit 142** is a true and correct copy of a document
3 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00417487-90,
4 which was marked Exhibit 93 to the Letson 30(b)(6) Deposition.

5 141. Attached hereto as **Exhibit 143** is a true and correct copy of a document
6 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00077223-25,
7 which was marked Exhibit 25 to the Daniels 30(b)(6) Deposition.

8 142. Attached hereto as **Exhibit 144** is a true and correct copy of a document
9 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00205620-29.

10 143. Attached hereto as **Exhibit 145** is a true and correct copy of a document
11 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00125186-87,
12 which was marked Exhibit 138 to the Lennon 30(b)(6) Deposition.

13 144. Attached hereto as **Exhibit 146** is a true and correct copy of excerpts of
14 Defendant's Revised Second Supplemental Responses to Plaintiffs' Interrogatories
15 Nos. 2-6 (First Set), along with associated revised exhibits, which were marked
16 Exhibits 136, 136-1, 136-2, and 136-3, respectively, to the Lennon 30(b)(6)
17 Deposition, and verification thereof.

18 145. Attached hereto as **Exhibit 147** is a true and correct copy of a document
19 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00102520-43,
20 which was marked Exhibit 133 to the Lennon 30(b)(6) Deposition.

21 146. Attached hereto as **Exhibit 148** is a true and correct copy of a document
22 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00282498-23.

23 147. Attached hereto as **Exhibit 149** is a true and correct copy of a document
24 produced by the California Employment Development Department in response to a
25 Public Records Act request Bates stamped EDD_PRA_00000235.

26 148. Attached hereto as **Exhibit 150** is a true and correct copy of a document
27 produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00057837-78,
28 which was marked Exhibit 42 to the Martin 30(b)(6) Deposition.

149. Attached hereto as **Exhibit 151** is a true and correct copy of a document produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00103075-83, which was marked Exhibit 123 to the Golden 30(b)(6) Deposition.

150. Attached hereto as **Exhibit 152** is a true and correct copy of a document produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00012816-74.

151. Attached hereto as **Exhibit 153** is a true and correct copy of a document produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00421427-28.

152. Attached hereto as **Exhibit 154** is a true and correct copy of a document produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00015042-44.

153. Attached hereto as **Exhibit 155** is a true and correct copy of a document produced by the Bank in this action Bates-stamped BANA_EDD_MDL-0087742-43, which was marked Exhibit 81 to the Letson 30(b)(6) Deposition.

154. Attached hereto as **Exhibit 156** is a true and correct copy of a document produced by the Bank in this action Bates-stamped BANA_EDD_MDL-00426935-39.

155. Attached hereto as **Exhibit 157** is Class Plaintiffs' Proposed Trial Plan.

I declare under penalty of perjury that that the foregoing is true and correct.
Executed this 29th day of August, 2024 in Burlingame, California.

/s/ Connie K. Chan
Connie K. Chan