

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

5 SABRINA M. ROSE-SMITH (pro hac vice)
SRoseSmith@goodwinlaw.com
6 MATTHEW L. RIFFEE (pro hac vice)
MRiffee@goodwinlaw.com
7 **GOODWIN PROCTER LLP**
1900 N Street, NW
8 Washington, DC 20036
Tel.: +1 202 346 4000
9 Fax: +1 202 346 4444

10 Attorneys for Defendant
BANK OF AMERICA, N.A.

11
12 [ADDITIONAL COUNSEL LISTED IN SIGNATURE BLOCK]

13 **UNITED STATES DISTRICT COURT**
14 **SOUTHERN DISTRICT OF CALIFORNIA**
15 **SAN DIEGO DIVISION**

16 IN RE: BANK OF AMERICA
CALIFORNIA UNEMPLOYMENT
17 BENEFITS LITIGATION

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

**DEFENDANT’S UNOPPOSED
MOTION FOR EXTENSION OF
TIME TO FILE REPLY PAPERS
IN FURTHER SUPPORT OF
MOTIONS TO SEAL
DOCUMENTS FILED IN
SUPPORT OF PLAINTIFFS’
MOTION FOR CLASS
CERTIFICATION**

Ctrm: 2D – 2nd Floor
Judge: Hon. Gonzalo P. Curiel

1 Pursuant to Civil Local Rule 7.1, Bank of America, N.A. (“Defendant” or
2 “BANA”), by and through its attorneys, hereby respectfully moves for an order
3 extending the deadline by one week for BANA to file its reply papers in further
4 support of its Motion to Seal Documents Filed in Support of Plaintiffs’ Motion for
5 Class Certification (Dkt. 328) and its Motion to Seal Corrected Documents Filed in
6 Support of Plaintiffs’ Motion for Class Certification (Dkt. 337) as follows:

7 WHEREAS, on August 29, 2024, Plaintiffs filed a Motion to Certify Class
8 by Consolidated Plaintiffs, as well as 157 exhibits in support of that motion. (Dkts.
9 323, 324).

10 WHEREAS, on August 29, 2024, Plaintiffs filed a Motion to File Documents
11 Under Seal in connection with their Motion for Class Certification, as well as a
12 Proposed Order denying said motion. (Dkt. 322).

13 WHEREAS, on September 5, 2024, BANA filed a Motion to Seal Documents
14 filed in Support of Plaintiffs’ Motion for Class Certification, as well as a proposed
15 Order granting said motion. (Dkt. 328).

16 WHEREAS, on September 13, 2024, Plaintiffs filed a Notice of Filing of
17 Corrected Documents in support of Plaintiffs’ Motion for Class Certification. (Dkts.
18 333, 335, 336).

19 WHEREAS, on September 13, 2024, Plaintiffs filed a Motion to File
20 Documents Under Seal in connection with their Notice of Filing of Corrected
21 Documents in support of Plaintiffs’ Motion for Class Certification, as well as a
22 Proposed Order denying said motion. (Dkt. 322).

23 WHEREAS, on September 17, 2024, BANA filed a Motion to Seal Corrected
24 Documents filed in support of Plaintiffs’ Motion for Class Certification. (Dkt. 337).

25 WHEREAS, on September 19, 2024, Plaintiffs filed a Response in Opposition
26 to Defendant’s Motions to Seal Documents filed in support of Plaintiffs’ Motion for
27 Class Certification. (Dkt. 341).

28 WHEREAS, there is good cause to provide BANA with a brief extension of

1 time to address Plaintiffs' arguments opposing sealing given the voluminous
2 documents filed in support of class certification and in order for BANA to address
3 both the original documents filed on August 29, 2024 and the corrected documents
4 filed on September 17, 2024.

5 WHEREAS, this is BANA's first request for an extension of time to file a brief
6 in connection with its motions to seal.

7 WHEREAS, this extension does not affect any previously scheduled deadlines
8 and will not cause prejudice to Plaintiffs because no hearing is yet scheduled on the
9 motions to seal, and the Parties' briefing on Plaintiffs' underlying Motion for Class
10 Certification will not be complete until November 21, 2024.

11 WHEREAS, BANA conferred with Plaintiffs regarding the relief sought
12 in this motion and Plaintiffs stated that they do not oppose BANA's request for an
13 extension.

14 NOW, THEREFORE, Defendant respectfully requests an order extending the
15 deadline to file its Reply In Support of Motions to Seal by 7 days, from September
16 26, 2024 to October 3, 2024. Defendant has lodged a Proposed Order separately with
17 the Court.

18
19
20 Dated: September 25, 2024

Respectfully submitted,

21 By: /s/ James W. McGarry

22 JAMES W. MCGARRY (pro hac vice)
23 *JMcGarry@goodwinlaw.com*
24 **GOODWIN PROCTER LLP**
25 100 Northern Avenue
26 Boston, MA 02210
27 Tel.: +1 617 570 1000
28 Fax: +1 617 523 1231

THOMAS M. HEFFERON (pro hac vice)
THefferon@goodwinlaw.com
SABRINA M. ROSE-SMITH (pro hac vice)
SRoseSmith@goodwinlaw.com
MATTHEW L. RIFFEE (pro hac vice)
MRiffee@goodwinlaw.com

GOODWIN PROCTER LLP
1900 N St. NW
Washington, DC 20036
Tel: +1 202 346 4000
Fax: +1 202 346 4444

LAURA G. BRYs (SBN 242100)
LBrys@goodwinlaw.com
GOODWIN PROCTER LLP
601 S Figueroa St., Suite 4100
Los Angeles, CA 90017
Tel.: +1 213 426 2500
Fax: +1 617 346 4444

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

JANICE P. BROWN (SBN 114433)
jbrown@myersnave.com
MATTHEW B. NAZARETH (SBN
278405)
mnazareth@myersnave.com
MEYERS NAVE
600 B Street, Suite 1650
San Diego, CA 92101

Attorneys for Defendant
BANK OF AMERICA, N.A.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the clerk of the court for the United States District Court for the Southern District of California by using the CM/ECF system on September 25, 2024. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system. I certify under penalty of perjury that the foregoing is true and correct.

Executed: September 25, 2024

/s/ James W. McGarry