EXHIBIT 5

FILED PROVISIONALLY UNDER SEAL WITH REDACTIONS PURSUANT TO STIPULATED PROTECTIVE ORDER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

IN RE: BANK OF AMERICA CALIFORNIA UNEMPLOYMENT BENEFITS LITIGATION	Case No. 3:21-md-02992-GPC-MSB

EXPERT DECLARATION OF STEPHEN HINDLE

OCTOBER 24, 2024

FILED PROVISIONALLY UNDER SEAL

PURSUANT TO STIPULATED PROTECTIVE ORDER

I. QUALIFICATIONS

1. I have worked in the contact center industry for 30 years. Over the course of my career, I have held roles in direct service, operations management, and senior leadership in the contact center industry for several global multi-billion dollar public and private Business Process Outsource (BPO) organizations.

2. I began my career at Royal Bank of Scotland's support center in 1994. In 1996, I joined McQueen Ltd. a pioneer of offshore global Business Process Outsource (BPO) in the contact center industry. At McQueen Ltd., I served as an integral operations and technology leader, overseeing the architecture and infrastructure planning for the first global BPO organization in the Philippines. This initiative laid the foundation for the outsourced contact center and offshore customer service industry now utilized by Fortune 500 through Fortune 50 companies. I became a Regional Manager in 2016, after McQueen Ltd. was acquired by Sykes Enterprises Inc., a market leader in serving financial sector clients, predominantly global and geographically regional banks. From 1998 to 2016 at Sykes Enterprises Inc., my responsibilities increased to Senior Director of Global Security Operations. In 2016, I joined Sitel Group and became Global Vice President.

3. In 1998, I developed a specialized Training and Consultancy Solutions division at McQueen Ltd. that provided highly specialized training services; the two largest revenue clients for this contact center business unit were global banking institutions. As Senior Director of Sykes Enterprises Inc. in 2012, I developed and led the governance programs that ensured regulatory and industry compliance for, among others, global banking institutions, and their geographies. In 2016, I developed a client-metrics compliance program for a customer service, multi-million dollar line of business at Sykes Enterprises Inc. This program was

considered an industry differentiator, and pioneered operational metrics compliance programs and adoption across the contact center industry, in monitoring call center metrics, reducing fraud volumes, and ensuring the highest levels of customer satisfaction.

4. Throughout my contact center career, I have led technology teams to implement the strict requirements of financial institutions when engaging with BPOs to serve their customers, particularly around telephony and IT infrastructure that handles call volumes and facilitates omni-channel customer interactions through voice, email, and chat support. As Global Vice President at Sitel Group, a leading BPO serving the financial sector, I was accountable for $8 million P&L and managing technology for client programs that generated $4 billion in revenue. During the pandemic, I oversaw 160,000 contact center employees (60% of which were impacted and worked remotely), in over 40 countries, processing over 8 million customer interactions every day.

II. INTRODUCTION

5. Plaintiffs in this matter brought a proposed class action against Defendant Bank of America, N.A. ("Bank of America" or "Bank") for its alleged failures with regards to its contract with the California Employment Development Department (EDD) to issue and service prepaid debit cards to California residents who EDD determines are eligible for EDD benefits including, for example, benefit payments for unemployment insurance and disability insurance.[1] Among other things, Plaintiffs allege that Bank of America implemented a Claim

[1] Second Amended Master Consolidated Complaint, *In re: Bank of America California Unemployment Benefits Litigation*, No. 3:21-md-02992-GPC-MSB, United States District Court for the Southern District of California, July 16, 2024 ("SAMCC"), ¶¶ 38-41.

Fraud Filter on September 28, 2020[2] that deprived them of access to the benefits they allege they were legally entitled to.[3] Plaintiffs further claim that the bank failed to provide adequate customer service and issued prepaid debit cards without proper security features, making the accounts vulnerable to fraud.[4]

6. Plaintiffs seek certification of five classes, including a proposed "Customer Service Class" that is comprised of those who telephoned Bank of America's customer service telephone number for its EDD prepaid debit cardholders at any time between September 13, 2020 through November 21, 2020, and whose telephone call was routed to the Bank's Claims call center.[5]

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2 Memorandum of Points and Authorities in Support of Motion for Class Certification, *In re: Bank of America California Unemployment Benefits Litigation,* No. 3:21-md-02992-GPC-MSB, United States District Court for the Southern District of California, August 29, 2024 ("Motion for Class Certification") at 2.

3 SAMCC, ¶¶ 93-96.

4 SAMCC, ¶¶ 55-69, 97-105.

5 The other four proposed classes are:

- Claim Denial Class, defined as "[a]ll Bank of America EDD cardholders who notified the Bank that an unauthorized transaction had occurred on their Bank of America EDD debit card account ('Claim') at an automated teller machine ('ATM'), and whose Claim the Bank denied or closed at any time from September 28, 2020 through June 8, 2021, based solely on Indicator 1 of the Bank's CFF."
- Credit Rescission Class, defined as "[a]ll Bank of America EDD debit cardholders who received permanent credit from the Bank in connection with their Claim, which credit the Bank rescinded at any time from September 28, 2020 through June 8, 2021, based solely on Indicator 1 of the Bank's CFF."
- Account Freeze Class, defined as "[a]ll Bank of America EDD cardholders whose EDD debit card account ("Account") the Bank froze at any time from September 28, 2020 through March 18, 2021, based solely on Indicator 1 of the Bank's CFF, and whose Account the Bank (i) subsequently unfroze, or (ii) subsequently converted from frozen to blocked status on or after March 18, 2021, and then unblocked."
- EMV Chip Class, defined as "[a]ll members of the Claim Denial Class and/or the Credit Rescission Class whose EDD debit card did not include an EMV chip prior to June 9, 2021."

Expert Class Certification Report of Greg J. Regan, CPA/CFF, CFE, August 29, 2024, Motion for Class Certification, PX 4 ("Regan Report"), ¶ 4; Expert Report of Jay Minnucci, August 29, 2024, Motion for Class Certification, PX 3 ("Minnucci Report"), ¶ 2.

7. I have been retained by counsel for Defendant Bank of America, N.A. ("Bank of America" or "Bank") to address certain opinions offered by Mr. Jay Minnucci and Mr. Greg J. Regan in their expert reports dated August 29, 2024 (the "Minnucci Report" and the "Regan Report," respectively). Specifically, I have been asked to respond to:

   a. Assertions regarding customer service processes underlying Mr. Regan's opinion that actual damages for members of the proposed Customer Service Class can be calculated on a class wide basis;[6]
   b. Similar assertions underlying Mr. Regan's proposed methodology to calculate actual damages for members of the proposed Customer Service Class;[7] and
   c. Mr. Minnucci's opinion that the average speed to answer of 75 seconds (1.25 minutes) based on a survey of 214 call centers in 2020 is an appropriate industry benchmark to use against the wait times experienced by members of the proposed Customer Service Class.[8]

8. This report does not respond to all of the opinions in the Minnucci or Regan Reports. This report only responds to those specific opinions or assumptions that counsel has asked me to respond to for purposes of opposing Plaintiffs' Motion for Class Certification. I reserve the right to respond to additional opinions or assumptions in the Minnucci and Regan Reports if asked to do so by counsel in the future.

9. This declaration contains my current opinions in this matter. I reserve the right to supplement my opinions if additional relevant information becomes available.

10. The materials that I have personally reviewed and relied on in preparing this declaration are listed in **Appendix A** of this declaration. A copy of my CV is attached hereto as **Appendix B**. I have not provided any expert testimony in the past four years.

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6 Regan Report, ¶ 113.

7 Regan Report, ¶ 114.

8 Minnucci Report, ¶¶ 12, 37, 46.

11. Eleven Canterbury, an expert search firm, charges $925 per hour for my time spent on this matter, from which I receive $695 per hour for my time on this matter. Employees of Analysis Group, Inc. ("Analysis Group" or "AG") working under my direction have assisted me in this assignment. My fees, Eleven Canterbury's fees, and Analysis Group's fees do not depend upon the opinions I form or upon the outcome of this litigation.

III. SUMMARY OF OPINIONS

12. Based on my review of the facts in this case and my experience, I have formed the following opinions:

- Actual damages for individual members of the proposed Customer Service Class cannot reliably be calculated on a class wide basis using the methodology proposed by Mr. Regan; and
- Mr. Minnucci has not shown that his proposed industry benchmark for Average Speed to Answer ("ASA") is appropriate, which further renders Mr. Regan's proposed damages calculation on an aggregate level speculative and unreliable.

IV. A PROPOSED CUSTOMER SERVICE CLASS SEEKING ACTUAL DAMAGES BASED ON "AVERAGE EXCESS" WAIT TIMES CANNOT RELIABLY CALCULATE DAMAGES BECAUSE WAIT TIMES VARY INDIVIDUALLY, AND THE METHODOLOGY WRONGFULLY ASSUMES ALL CLASS MEMBERS WAITED EXACTLY THE AVERAGE WAIT TIME AND THEREFORE NECESSARILY INCLUDES CUSTOMERS WHO DID NOT EXPERIENCE WAIT TIMES IN EXCESS (OR MEANINGFULLY IN EXCESS) OF THE AVERAGE

13. Mr. Regan opines that actual damages for members of the proposed Customer Service Class can be calculated on a class wide basis.[9] Specifically, Mr. Regan opines that the actual damages can be measured by "the value of class members' lost time spent on hold with Bank of America's Claims call center that was greater than the reasonable wait-on-hold time by

[9] Regan Report, ¶ 113.

industry standards."[10] Mr. Regan claims such damages can be calculated as the product of (1) the number of times each class member called and was transferred to the Bank's Claims call center, (2) [redacted], and (3) the applicable minimum wage (or "other reasonable metric").[11]

14. Mr. Regan does not provide a methodology to calculate actual damages, if any, to individual class members using their actual wait times. Rather, Mr. Regan intends to use the average ASA of Bank of America's Claims call center over the entire Proposed Class Period and assumes that each individual class member's experience and alleged harm was the same. Based on my decades of experience leading contact center metrics compliance programs and teams, it is inappropriate because it does not represent each individual member's personal experience.

15. First, as Mr. Minnucci acknowledges, Bank of America's Claims call center data [redacted].[12] Data relied on by Mr. Minnucci show that [redacted][13] [redacted]

10 Regan Report, ¶ 113.

11 Regan Report, ¶¶ 18, 114. *See also* Minnucci Report, ¶ 46.

12 *See*, for example, note of Minnucci Report, Table 3.

13 [redacted]

[redacted].[14] Therefore, using data from the Bank's Claim call center relies on an unsupported assumption that wait times for CA EDD customers were the same as all prepaid card programs.

16. Moreover, Mr. Regan's damages methodology assumes that every *individual* class member's wait time experience was exactly the same as the average wait time throughout the Class Period, applies the *same* average wait time to each *individual* class member, and therefore assumes that individual class members actually experienced the exact average wait time. As an initial matter, this is contradicted by data in Appendix F of the Minnucci Report, which show that [redacted].[15] However, these weekly average ASAs cannot be used to represent the wait time experienced by individual class members who called during that week either. In my experience, each individual caller's experience varies. There will be individual data points both above and below the average, and those individual wait times can be very different than the "average." For example, wait times can differ, by the time of day and the day of the week when individuals call a call center.[16] In my experience, volume of calls to financial institutions' customer centers typically peak during lunch breaks, which commonly fall in the early afternoon through to the evening, when

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[redacted] *See* Declaration of Laura Brys in Support of Defendant's Opposition to Plaintiffs' Motion for Class Certification, Ex. ("DX") 104, Bank of America's Responses and Objections to Plaintiff Yick's Fifth Set of Interrogatories, *In re: Bank of America California Unemployment Benefits Litigation*, No. 3:21-md-02992-LAB-MSB, United States District Court for the Southern District of California, February 2, 2024 at 14-15.

14 Minnucci Report, Table 1 and ¶ 29.

15 Minnucci Report, Appendix F. *See also* DX 116, BANA_EDD_MDL-00719115.

16 "7 Tips for Getting Better Customer Service," TalkDesk, available at https://www.talkdesk.com/resources/infographics/tips-for-getting-better-customer-service/.

customers seek help with disputed transactions. In addition, in my experience, wait times for incoming calls that occurred at the same time can differ, depending on how the call is routed and the performance of Customer Service Representatives ("CSR") teams responding to the calls.

17. Even if one were to assume that each individual proposed Customer Service class member incurred commensurate harm relative to the amount of time they waited for their call to be answered (and I do not agree with that assumption since each individual caller's circumstances and impact (if any) will vary), applying an average wait time over the Proposed Class Period to the class members would overstate damages for some and understate damages for others. For example, callers who waited shorter than average would be compensated the same under Mr. Regan's methodology as callers who waited longer than average. Additionally, callers who experienced wait times below even what Mr. Minnucci claims were industry benchmarks at the time, which is not an appropriate benchmark for the reasons explained below (*see* Section V), would also receive the same amount of compensation under Mr. Regan's methodology as callers who waited the average amount of time or longer. Neither Mr. Regan nor Mr. Minnucci consider how many proposed class members experienced wait times either above or below the ASA.

18. While Mr. Regan relies on the average wait time for his proposed damages calculation, Mr. Minnucci appears to claim that specific wait times for specific callers are available. Specifically, he proffers that [redacted]

[redacted].[17] Mr. Regan does not explain or offer a methodology to calculate damages using the data Mr. Minnucci claims may exist. But contrary to Mr. Minnucci's statement, the Claim call center systems of record between September 13, 2020 and November 21, 2020 did not contain or retain data or information showing the time a particular, individual EDD prepaid cardholder spent on hold when calling the Claims call center during the Proposed Class Period.[18] This is consistent with my experience that while call centers may use ANI, they typically do not retain ASA (*i.e.,* call wait time) associated with particular ANIs or account holders. Without the wait time experienced by each individual member of the proposed Customer Service Class, which will vary individually for the reasons explained above, one cannot reliably calculate each individual member's actual damages using Mr. Regan's proposed methodology.

19. In summary, I conclude that the actual damages for individual members of the proposed Customer Service Class cannot reliably be calculated on a class wide basis using the methodology proposed Mr. Regan.

V. MR. MINNUCCI HAS NOT SHOWN THAT HIS PROPOSED INDUSTRY BENCHMARK IS APPROPRIATE, RENDERING MR. REGAN'S PROPOSED DAMAGES CALCULATION ON AN AGGREGATE LEVEL SPECULATIVE AND UNRELIABLE

20. In addition to Mr. Regan's methodology being unable to calculate damages for any individual class member, the proposed approach is speculative and unreliable on an aggregate level because Mr. Minnucci has not shown that the industry benchmark he

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[17] Minnucci Report, ¶ 94. Note that Mr. Minnucci claims [redacted]

[18] DX 9, Declaration of Kelley Lorenzen, ¶ 13.

proposed and Mr. Regan intends to use as an input to his proposed aggregate damages calculation is appropriate.[19] Specifically, Mr. Minnucci has not shown that his industry benchmark properly reflects the ASA experienced by other call centers comparable to Bank of America's Claims call center during the Proposed Class Period.

21. Mr. Minnucci considers the average ASA reported by ContactBabel based on a survey of 214 call centers in 2020, 75 seconds (or 1.25 minutes), as the appropriate "industry" benchmark.[20] As shown in **Table 1** below,[21] this average ASA was based on respondents across various industry verticals. Only 29 (or 13.6 percent) were from the finance industry.[22]

Table 1. Survey Respondents by Industry

Vertical Market	Number of Call Centers Interviewed	%
Finance	29	14%
Insurance	15	7%
Manufacturing	12	6%
Medical	28	13%
Outsourcing	28	13%
Public Sector	19	9%
Retail & Distribution	20	9%
Services	26	12%
Technology, Media and Telecoms (TMT)	24	11%
Transport & Travel	11	5%
None provided / other (not included in vertical market analysis)	2	1%
Total	**214**	**100%**

19 In addition, as I discussed above, [redacted]. Therefore, Mr. Regan's proposed approach for calculating aggregate damages also relies on an unsupported assumption that the average ASA for CA EDD customers is the same as the average ASA for all prepaid card programs. Neither Mr. Regan or Mr. Minnucci raised this assumption implicit in their analysis, nor did they provide anything to support its reasonableness.

20 Mr. Minnucci opines that this average ASA of 75 seconds is "consistent with (but on the higher end) of my understanding of the industry standard ASA generally." Minnucci Report, ¶ 12.

21 DX 119, The 2021 US Contact Decision-Makers' Guide, 13th Edition, ContactBabel at 15.

22 Minnucci Report, fn. 1.

22. In my experience, ASA, which measures the average amount of time that a customer waits before speaking with an agent, is a common performance metric used to assess call center performance across different industries. However, in my experience, the expectations of target ASAs and realized ASAs vary depending on the industry, contracts, and the nature and complexity of the requests handled.[23] For example, in my experience, wait times can be very different for call centers that handle general inquiries about account balance and certain transactions and those that handle more complex requests such as unauthorized transactions and account security. In my view, there is no standard ASA applicable to all call centers.

23. This is especially true in 2020 after the outbreak of the global COVID-19 pandemic, which had different effects on call centers depending on the industry served and requests handled. For example, in my experience, call volumes in the hospitality and travel industry, which accounts for 11 of the respondents in the ContactBabel survey,[24] plummeted as travel came to a halt at the onset of the pandemic. In contrast, Bank of America saw a massive growth in the number of new EDD prepaid accounts starting in April 2020, as business shutdowns and layoffs surged. During the 6-month period from March 2020 to August 2020, approximately [redacted] were created at Bank of America, compared to only [redacted] in the preceding six-month period from September 2019 to February 2020.[25] As the number of EDD prepaid accounts increased, so did the demand for customer support.

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23 For example, in my experience, call centers for a bank typically prioritize CSAT (Customer Satisfaction) over call times, while call centers serving the hospitality industry prioritize minimizing call length to reduce wait times.

24 DX 119, The 2021 US Contact Decision-Makers' Guide, 13th Edition, ContactBabel,

25 DX 120, BANA_EDD_MDL-00884198.

[redacted].[27] Mr. Minnucci provides no evidence, and I have no reason to believe, that any of the call centers surveyed by ContactBabel experienced such a significant and extended increase in call volume over such a short period in time.

24. Further, it is unreasonable to assume that any financial institution's call center, particularly one responsible for servicing complex requests like transactional fraud claims, could immediately respond to such a significant spike in call volume.[28] In my experience, the remote onboarding of new CSRs during the COVID-19 pandemic, including hiring, training, and then moving these CSRs to live calls, posed challenges for all call centers and in particular those that served highly regulated industries such as banking. This is because regulated contact centers supporting complex requests like Bank of America's Claims call center require CSRs to undergo extensive training and follow strict protocols, in order to ensure regulatory compliance. In my experience, changing from in-person training where new hires benefit from face-to-face interactions, immediate feedback, and hands-on exercise, to a remote setting, negatively impacted the effectiveness and speed of the training. This resulted in higher turnover rates among the CSRs, which in turn necessitated the hiring of additional CSRs, further delaying the onboarding process. Moreover, due to the complex

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[26] Number of calls offered include the number of calls handled as well as the number of calls abandoned. Minnucci Report, Appendix F. *See also* DX 116, BANA_EDD_MDL-00719115.

[27] Minnucci Report, Appendix F. *See also* DX 116, BANA_EDD_MDL-00719115.

[28] Besides the challenges with onboarding new CSRs that I discuss below, I note that another staffing issue during the pandemic in my experience was managing unpredictable and frequent sick leave among CSRs.

nature of the requests handled by the Claims call center, I would expect it to be also difficult to reassign existing CSRs from other programs or business lines to quickly respond to the unprecedented spike in call volume because these existing CSRs would require cross-training or retraining before going live.

25. Additionally, in my experience, vendors used by Bank of America are required to sign General Services Agreements (GSAs) [redacted].[29] Further, the outsourced call centers for large financial institutions typically do not have access to the systems that generate these data, nor are they provided these data by the Bank. Thus, it is likely that other similarly situated contact centers used by banks comparable to Bank of America would not be able to share such data with ContactBabel. This further supports that the average ASA reported by ContactBabel is derived from call centers not directly comparable to Bank of America's Claims call center.

26. In summary, for reasons discussed above, Mr. Minnucci has not shown that the industry benchmark he proposed appropriately reflects wait times experienced by call centers for the finance industry generally, much less call centers that serviced unemployment programs like CA EDD and similarly experienced unprecedented increase in volume and claims in 2020. Thus, he has not shown that it is appropriate to use his industry benchmark to compare against the experience of members of the proposed Customer Service Class. The approach proposed by Mr. Regan, which calculates aggregate damages based on Mr. Minnucci's industry benchmark, is speculative and unreliable.

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[29] *See* DX 118, BANA_EDD_MDL-00013111, section 15.0; DX 117, BANA_EDD_MDL-00012816, section 15.0.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on this 24th day of October, 2024.

By: ______________________________

Stephen Hindle

Appendix A
Documents Relied Upon

Legal Documents

1. Bank of America's Responses and Objections to Plaintiff Yick's Fifth Set of Interrogatories, *In re: Bank of America California Unemployment Benefits Litigation,* No. 3:21-md-02992-LAB-MSB, United States District Court for the Southern District of California, February 2, 2024.
2. Declaration of Kelly Lorenzen.
3. Memorandum of Points and Authorities in Support of Motion for Class Certification, *In re: Bank of America California Unemployment Benefits Litigation,* No. 3:21-md-02992-GPC-MSB, United States District Court for the Southern District of California, August 29, 2024.
4. Second Amended Master Consolidated Complaint, *In re: Bank of America California Unemployment Benefits Litigation,* No. 3:21-md-02992-GPC-MSB, United States District Court for the Southern District of California, July 16, 2024.

Expert Reports

1. Expert Class Certification Report of Greg J. Regan, CPA/CFF, CFE, August 29, 2024, Motion for Class Certification, PX 4.
2. Expert Report of Jay Minnucci, August 29, 2024, Motion for Class Certification, PX 3.

Bates Stamped Documents

1. BANA_EDD_MDL-00012816.
2. BANA_EDD_MDL-00013111.
3. BANA_EDD_MDL-00719115.
4. BANA_EDD_MDL-00884198.

Publicly Available Documents

1. "7 Tips for Getting Better Customer Service," TalkDesk, available at https://www.talkdesk.com/resources/infographics/tips-for-getting-better-customer-service/.
2. The 2021 US Contact Decision-Makers' Guide, 13th Edition, ContactBabel.

Note:
I also reviewed the materials listed in Appendix D of the Expert Report of Jay Minnucci, August 29, 2024 and Appendix B of the Expert Class Certification Report of Greg J. Regan, CPA/CFF, CFE, August 29, 2024.

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STEPHEN HINDLE
FLORIDA

EXPERIENCE

ACHILLES SHIELD LLC **2007 – Present**

Founder, Board Advisor, and Vice President, Tampa, FL

- Founder of consulting practice advising cybersecurity startups and VC Boards in partnership with the Israeli Economic and Trade Mission, Washington DC. VP and Operating Officer of consultancy business across four continents; APAC, EMEA, NAMER, LATAM.
- Board member of "The American Dog Society", a 501(c)(3) organization aiming to prevent and reduce dog abandonment.
- Board appointed fractional Chief IT & Security Officer for FinTech payments startup, "Orquid Finance" providing financial services to the immigrant labor industry.
- Board appointed fractional Chief IT & Security Officer for Television Station subsidiary of Berkshire Hathaway - ensuring compliance with SEC mandates for cybersecurity.
- Strategic cybersecurity advisory for disruptive data analytics startup, "Šóta Signal Analytics" identifying Public Co. accounting fraud. The organization was awarded Entrepreneur of the Year 2023, by Pasco Economic Development Council
- Board member and CISO in Residence for two global 501c3 cybersecurity community organizations.
- "The CISO Society" (>1,500 member CISOs), and "Infosec.Live" (>12,000 member cyber talent development).
- Principal Security Advisor in cybersecurity incident response and resilience planning for "Abira Security."
- Principal Chief Security Advisor for sensitive data discovery and loss prevention organization, "Spirion" providing SME advisory services to their prospective customers.
- Cybersecurity Board Advisor for Venture Capital group investing in Israeli cybersecurity startups.

MAD MOBILE INC. **2022 – 2023**

Disruptive global FinTech payments application development organization.

Global Chief Information Security Officer (CISO) & CIO, Tampa, FL

- Created and delivered a combined greenfield Cybersecurity and IT strategic plan, which transformed the organization's maturity to defined industry standards and defensible Board metrics reporting on cyber, legal, and risk landscape.
- Negotiated Cybersecurity and Tech E&O insurance with 75% increase to coverage limits and removal of 50% ransomware co-insurance obligation. Assessments by global insurance Carriers considered program and controls to be "Best in Class."
- Delivered protective controls, preventing inbound threats including 78 attempts to deploy ransomware.
- Restored client confidence and increased trust in CI/CD pipelines through automated application/code scanning platform.
- Ground-up creation of Governance, Risk Management, & Compliance program, delivering consolidation of multiple external audits for Anti Money Laundering (AML) and obtaining compliance certifications for PCI DSS, PCI P2PE, and SOC2.
- Undertook ownership of IT strategy development with oversight of IT Technical Operations group, as acting CIO.
- Established strategic partnership with leading IT solution providers, resulting in >50% reduction in renewal/replacement costs and improved efficiency by reducing deployment timeframes from >3 months to <4 days.
- Developed a strategy to perform Cloud consolidation, reduce complexity and overall cost-reduction of 25%.

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- Curated an Operational Risk Management framework with Board of Directors, providing quarterly reporting on risk and quantifiable FinOps technology metrics illustrating reduced Total Cost of Ownership and Return on Investment (ROI).

SITEL GROUP **2016 – 2021**
One of the world's leading business processing outsourcing (BPO) in the Call/Contact Center industry.
Vice President, Head of Global Security, Miami, FL

- Held accountability for $8MM P&L budget and managing client programs that generated $4B revenue across 40 countries and supporting 160K employees, 60% of which work remotely. Developed and managed diverse cyber talent in a team of 60 top performers with strategic oversight of enterprise-level risk management strategy.
- Championed data security for complex, internationally recognized clients in highly regulated verticals including banking and healthcare. Constantly driving innovation, effectiveness, and resilience in the evolving battle against cyberattacks and data breaches.
- Developed and maintained ownership and accountability of client relationships, designing, and promoting service offerings to grow revenue streams, building protection around vital infrastructure, business operating models, and security frameworks.
- Resolved cyber risk issues for clients with improved deterrence and protection of legacy systems, adapting to cloud-native architecture and tactics with upgraded internal controls and policies based upon NIST Cybersecurity Framework.
- Orchestrated crisis management for 70 global business continuity events since 2018, including cybersecurity, civil unrest, extreme weather, power outages, bomb threats, tsunamis, earthquakes, hurricanes, and Typhoons.
- Led incident response of three global cybersecurity incidents in 2020, including ransomware and DDOS. Increased client trust through collaboration and partnership with leading cybersecurity organizations, strengthening client relationships through transparency and trust, with no loss of business or revenue.

SYKES ENTERPRISES INC. **1998 – 2016**
$2BN public company in the BPO Call/Contact Center industry.
Senior Director, Global Security Operations, Tampa, FL (2008 – 2016)

- Formulated high level, strategic plans for multi-national Fortune 100-500 clients, prioritizing roadmaps for data security, business continuity, disaster recovery, physical safety, and compliance to cover 100 locations in 26 countries with over 33K associates. Supplied strategic leadership to seven managers and directors with a total team of 24 personnel.
- Brought to life a global compliance assurance program which encompassed contractual requirements alongside industry and regulatory compliance—served as an industry differentiator and created alignment among people, processes, and technologies to drive 20% revenue growth in the telecommunications vertical.
- Defined best practices based on emerging trends and aligning cyber solutions to business needs and appetite for risk, which included anti-fraud and social-threat programs as well as protection services in areas of political and civil unrest.
- Commended by U.S. military 3-star general for supplying critical intelligence crucial to success of ex-patriot evacuation during the 2011 "Arab Spring" civilian uprising in Egypt.

Director, Global Security (2003 – 2008)

- Formed and later Recognized for leading one of SC Magazine's Top Five "Best Security Teams" (2008)
- Championed new business development and global service delivery, offering strategic guidance on IT, security, & compliance programs.

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- Formation of the Corporate Security & Risk Management (CSRM) organization and Global Security Operations Center.
- Developed payment card industry (PCI) compliance program, servicing 43 clients, and yielding $850MM annual revenue.
- Established a robust incident response plan and managed cyber crises in coordination with government agencies, law enforcement and external counsel, to ensure solutions met with diverse and complex regulations.

Technical Lead, Regional Enterprise Engineering (2000 – 2003)

- Expert Witness in criminal trials in the UK and South Africa
- IT Architect & lead engineer for the EMEA region
- IT Architect & lead engineer for the EMEA region.
- Established 24/7/365 resilient, multi-regional data centers with supporting policies, standards, and processes to provide end-to-end service solutions related to intrusion detection, penetration testing, risk assessment and audit.
- Accountable for software licensing and IT standards compliance.
- Primary point of contact for security concerns and incident response prior to formal structure.

Manager, Training & Consultancy Solutions (1998 – 2000)

- Developed the first channel reseller training program for Citrix new 'Multi-user NT' platform
- Launched specialized IT consultancy division and developed bespoke training program for partner alliances, gaining highest-tier partner certification from Microsoft and Citrix to expand business opportunities.
- Led engineering of multi-user, thin-client, enterprise architecture for multinational banking, stock-market, and government customers.
- Developed bespoke technical training programs and through formation of a 5-person team, delivered to banking, oil, and defense industry clients globally in 3 languages.

MCQUEEN LTD. **1996 – 1998**

Pioneer of offshore global BPO in the Call/Contact Center industry and distribution centers in Europe, Asia and the USA.

Manager, Customer Engineering, Edinburgh, UK

- Led the provision of highly technical contact center teams
- Built and managed outsourced European Response Centre for Insignia Solutions, a cross-platform Operating System emulation and terminal services provider.
- Delivered architecture and infrastructure planning for the first multinational contact center in The Philippines in 1997.
- Developed IT infrastructure for manufacturing, printing, and fulfilment operations in Galashiels Scotland, Shannon Ireland, and Nashville Tennessee USA, for McQueen Ltd.
- Print and production services for NATO threat assessment targets and patented self-healing ballistic rubber; Rand McNally maps within the USA.

ROYAL BANK OF SCOTLAND **1996**

Analyst

- Online Banking platform development and support.
- Ensured all associates were appropriately trained for the call/contact center.
- Transition from mainframe/command-line to Windows.

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LAND REGISTRY OF SCOTLAND **1995**

Technician, Edinburgh, UK

- Geographical digitization and land dispute resolution of contested boundaries.
- Technology administration.

SCOTTISH NATURAL HERITAGE **1994**

Engineer, Edinburgh, UK

- Scottish Government conservation and oil-company partnerships.
- Documentation and technology management.

HM CUSTOM & EXCISE AND INLAND REVENUE **1993**

Secretary, London, UK

- Treasury and collection from debtors for the British government.
- HM Collector of Taxes and Inspector of Taxes. Documentation and initial contact triage.

EDUCATION

MBA, The PowerMBA, Harvard Business School
Harvard 'ManageMentor' Certificates, Harvard Business School, Corporate Learning
Executive & Cloud Financial Taxonomies, Technology Business Management (TBM Council)
Bachelor of Arts (BA), Criminal Justice: Homeland Security, Saint Leo University (with highest honors)
CISSP – Certified Information Systems Security Professional, (ISC)2 since 2007
Building Leadership Impact, Eckerd College
Accelerate Leadership Development, Spencer Stuart
Community-Led Action in Response to Violent Extremism, University of Maryland
Advanced OSINT Tradecraft 1-4, InfraGard National Members Alliance
Network Cyber Threat Hunting, Active Countermeasures
Active Shooter, FEMA
CORE Impact Certified Professional (CICP), Core Security
Advanced Interview & Interrogation, John Reid Institute
Internal Auditor – ISO27001, British Standards Institution (BSI)
Fighting COVID-19 with Epidemiology, Johns Hopkins Bloomberg School
Chinese for HSK Prep 1 – 3.1, Peking University
Microsoft Certified Systems Engineer (MCSE), Microsoft, 1999 – 2002

PUBLICATIONS

Everything Starts with a Why: How to Promote Meaningfulness at Work, AuditBoard
Journey of a CISO, Cisco Secure
Achieving Cyber Resilience in Today's Threat Landscape, Cyberclan
Cybersecurity Strategies & Challenges of a Hybrid World, Cisco
Success Stories, Sykes Enterprises Inc