EXHIBIT 74

Joshua B. Swigart (SBN: 225557)
Josh@SwigartLawGroup.com
SWIGART LAW GROUP, APC
2221 Camino del Rio S, Ste 308
San Diego, CA 92108
Telephone: (866) 219-3343
Facsimile: (866) 219-8344

Liasson Counsel for Internal Plaintiffs

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

IN RE BANK OF AMERICA CALIFORNIA UNEMPLOYMENT BENEFITS LITIGATION	Case No. 3:21-md-02992-LAB-MSB PLAINTIFF EVETT JOHNSON'S OBJECTIONS AND RESPONSES TO BANK OF AMERICA, N.A.'S FIRST SET OF INTERROGATORIES, REQUEST FOR ADMISSIONS AND REQUEST FOR DOCUMENTS
This Document Relates to All Actions	Judge: Hon. Larry Alan Burns

that it requests information for the time period from August 1, 2016, to present which is not relevant to the claims in this action or proportional to the needs of the litigation. In addition, this Interrogatory is overbroad as it calls for premature disclosure of expert opinions and conclusions and information subject to the attorney client and attorney work product privileges. Plaintiff further objects to this Interrogatory on the grounds that it requests information that is equally available to and/or in the possession of Defendant.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: The Bank was well aware, long before issuing an EDD Debit Card to Plaintiff, that EMV chips were the industry standard, that limiting security measures to a magnetic stripe was insufficient to protect the PII and other account information of the cardholder, and that Plaintiff was a member of a class of particularly vulnerable individuals to which the Bank owed a duty to protect from fraudulent account transactions using readily available technology that was already widely in use by the Bank.

INTERROGATORY NO. 12:

If YOU contend that YOUR ACCOUNT was improperly frozen or blocked, then state the principal facts RELATING TO each instance YOU believe YOUR ACCOUNT was improperly frozen or blocked, including the time period(s) of each instance, whether the ACCOUNT was frozen or blocked, why YOU believe the freeze or block was improper, how YOU learned of the freeze or block, the amount of funds YOU were unable to access, and the amount of funds that were not deposited because of the freeze or block.

RESPONSE TO INTERROGATORY NO. 12:

Plaintiff incorporates by reference the Preliminary Statement and General Objections.

Plaintiff objects to this Interrogatory as compound and counting as multiple distinct interrogatories. Plaintiff also objects to this Interrogatory as unduly burdensome to the extent that the Interrogatory calls for information within Defendant's own possession, custody, or control, and well known to or readily obtainable by Defendant, including because to the extent any portion of these Requests are relevant, the information requested has been or may be incorporated into the payment schedules required by the CFPB/OCC Remediation Plan. Plaintiff further objects to this Interrogatory because it requests information that is not relevant to this litigation, including how Plaintiff learned of the freeze or block.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows:

Plaintiff would receive deposits in her account, and she would go to the bank around midnight to withdraw her funds. One night, she went did not go until the following morning. She went to withdraw funds, but she noticed the money was gone. She called Bank of America, and she was told that there was a withdrawal in another state at a branch. Plaintiff had no clue who withdrew the funds. Plaintiff was also told someone was attempting to access her account. Plaintiff lost about $1,200.00 (one thousand two hundred dollars) that she did not authorize to be used. Plaintiff's account was locked in November, and she did not get funds in December.

Plaintiff's account was frozen from November of 2020 until April of 2021. Bank of America froze client's account after she opened up the claim. Plaintiff ended up not using the card and she started receiving paper checks.

INTERROGATORY NO. 13:

State the principal facts RELATING TO all steps YOU took to remove any improper freeze or block on YOUR ACCOUNT, including whether YOU contacted BANA or EDD, when and how YOU contacted BANA or EDD, and what information YOU provided BANA or EDD to verify YOUR identity.

as follows:

Plaintiff has been part of a class action lawsuit before with Facebook but she did not qualify.

Dated: December 18, 2023

SWIGART LAW GROUP, APC

By: /s/ Joshua B. Swigart
JOSHUA B. SWIGART

Liasson Counsel for Individual Plaintiffs

In re Bank of America California Unemployment Benefits Litigation

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

VERIFICATION

I, Evett_jjohnson, declare:

I am one of the individual Plaintiffs in the above-entitled action, and I have been authorized to make this verification.

I have read the foregoing responses to:

1. **RESPONSE TO BANK OF AMERICA, N.A.'S FIRST SET OF REQUESTS FOR ADMISSIONS**
2. **RESPONSE TO BANK OF AMERICA, N.A.'S FIRST SET OF INTERROGATORIES**

I know the contents thereof; the same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe them to be true.

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

Executed in the State of California on Nov 02 2023 21:51 PDT.

Evett J Johnson