

EXHIBIT 75

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Liaison Counsel for Individual Plaintiffs

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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 ROBERT MURPHY'S
OBJECTIONS AND SUPPLEMENTAL
RESPONSES TO BANK OF AMERICA, N.A.'S
FIRST SET OF INTERROGATORIES AND
ADMISSIONS

This Document Relates to All Actions

Judge: Hon. Gonzalo P Curiel

1 Plaintiff responds as follows: Plaintiff is willing to meet and confer with Defendant with respect
2 to this Interrogatory.

3 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1:**

4 Plaintiff incorporates by reference the Preliminary Statement and General Objections.

5 Accordingly, Plaintiff will limit their response to the period from January 1, 2020, to
6 present.

7 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
8 Plaintiff began receiving EDD Unemployment benefits around March of 2020. He does not
9 recall when his benefits ended. He worked as a boat mechanic prior to applying for benefits. His
10 income fluctuated. He made between \$10,000.00-\$15,000.00 (ten thousand dollars to fifteen
11 thousand dollars) in the six months prior to applying for EDD benefits. He received
12 unemployment benefits.

13 **INTERROGATORY NO. 3:**

14 State the principal facts RELATING TO whether YOU have ever requested or attempted
15 to request to receive EDD BENEFITS by check during the time period from August 1, 2016 to
16 the present, or asked for information about requesting EDD BENEFITS by check, including
17 when the request was made, whether the request was successful, the steps YOU took to make the
18 request if it was unsuccessful, and the time period(s) during which YOU received EDD
19 BENEFITS by check.

20 **RESPONSE TO INTERROGATORY NO. 3:**

21 Plaintiff incorporates by reference the Preliminary Statement and General Objections.

22 Plaintiff objects to this Interrogatory to the extent it requests information regarding the
23 “time period from August 1, 2016 to the present” as overly broad and not proportional to the
24 needs of the case. Plaintiff further objects to this Interrogatory as compound and counting as
25 multiple distinct interrogatories. Plaintiff further objects to this Interrogatory to the extent that it
26 seeks information that is equally available to Defendant or is in Defendant’s possession, custody,
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1 or control. Accordingly, Plaintiff will provide information relating to whether Plaintiff requested
2 to receive EDD BENEFITS by check from January 1, 2020 to present.

3 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
4 Plaintiff did not request payment by check as all EDD benefits administered by Bank of America
5 were required to be sent electronically.

6 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3:**

7 Plaintiff incorporates by reference the Preliminary Statement and General Objections.

8 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
9 Plaintiff recalls the process to receive EDD benefits via check was frustrating as he had to verify
10 his identity, and it was a long process. Once he was verified, he received the benefits via check
11 about three weeks later. He received the paper checks until the end of his eligibility (he does not
12 recall the date).

13 **INTERROGATORY NO. 4:**

14 State the principal facts RELATING TO whether YOU, or PERSONS acting on YOUR
15 behalf, have ever authorized another PERSON to access or make TRANSACTIONS on YOUR
16 ACCOUNT (including YOUR CARD), including IDENTIFYING that PERSON, the date(s)
17 authority was given to that PERSON, the duration of their authority (i.e., whether that authority
18 was ever revoked), the reason YOU gave that PERSON authority to use YOUR CARD, the
19 intended purchase and/or purchase amount by the PERSON using YOUR CARD, and whether
20 YOU disclosed YOUR pin to any other PERSON identified in response to this Interrogatory.

21 **RESPONSE TO INTERROGATORY NO. 4:**

22 Plaintiff incorporates by reference the Preliminary Statement and General Objections.

23 Plaintiff objects to this Interrogatory as vague and ambiguous to the extent it asks for the
24 principal facts “RELATING TO” whether YOU, or a PERSON acting on YOUR behalf, have
25 ever “authorized” another person to “access . . . YOUR ACCOUNT.” Plaintiff also objects to
26 this Interrogatory as compound and counting as multiple distinct interrogatories. Plaintiff further
27 objects to this Interrogatory as overly broad and unduly burdensome because it is not limited as
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REQUEST FOR ADMISSION NO. 6:

Admit that YOUR personal information was compromised by a THIRD PARTY since January 2019.

RESPONSE TO ADMISSION NO. 6:

Plaintiff incorporates by reference the Preliminary Statement and General Objections.

Plaintiff objects to the use of “compromised” and “was compromised . . . since” as vague and ambiguous. Plaintiff further objects to this Request as it is overbroad in that it requests information irrelevant to the issues in this litigation.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff admits that the unauthorized transactions on Plaintiff’s EDD Debit Card account reflected a compromise of Plaintiff’s personal information.

SUPPLEMENTAL RESPONSE TO ADMISSION NO. 6:

Plaintiff incorporates by reference the Preliminary Statement and General Objections.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff denies knowing his personal information was compromised by a third party since January 2019. However, he tried to use his card and all his money in the account was gone. He called Bank of America and was told his money was taken out in another town. Then, Plaintiff was locked out of his account.

Dated: July 17, 2024

SWIGART LAW GROUP, APC

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

Liaison Counsel for Individual Plaintiffs

In re Bank of America California Unemployment Benefits Litigation

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

VERIFICATION

I, Robert murphy, 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. SUPPLEMENTAL RESPONSES TO BANK OF AMERICA, N.A.'S

FIRST SET OF INTERROGATORIES AND ADMISSIONS

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 Jul 17 2024 06:05 PDT


