

EXHIBIT 76

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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 SEANTE GLASSFLOWERS'
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 present.
6 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff
7 does not recall the dates of her EDD benefits, but she recalls that she began receiving benefits
8 from the start of the COVID-19 Pandemic until the end of the COVID-19 Pandemic when she
9 had to return to work (around 2022). She worked as an independent contractor for Instawork as a
10 Chef. She made between \$24,000.00-\$48,000.00 the six months prior to applying for EDD
11 benefits. She received unemployment benefits.

12 **INTERROGATORY NO. 3:**

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

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

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

21 Plaintiff objects to this Interrogatory to the extent it requests information regarding the
22 “time period from August 1, 2016 to the present” as overly broad and not proportional to the
23 needs of the case. Plaintiff further objects to this Interrogatory as compound and counting as
24 multiple distinct interrogatories. Plaintiff further objects to this Interrogatory to the extent that it
25 seeks information that is equally available to Defendant or is in Defendant’s possession, custody,
26 or control. Accordingly, Plaintiff will provide information relating to whether Plaintiff requested
27 to receive EDD BENEFITS by check from January 1, 2020 to present.
28

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

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

5 Plaintiff incorporates by reference the Preliminary Statement and General Objections.
6 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff
7 recalls EDD advising her via phone that she would be receiving her benefits by paper check once
8 her account was found to be compromised and they were investigating. However, she does not
9 recall the date of that phone call. In addition, she was told that she would be receiving all future
10 payments by check until her benefits ended.

11 **INTERROGATORY no. 4:**

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

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

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

21 Plaintiff objects to this Interrogatory as vague and ambiguous to the extent it asks for the
22 principal facts “RELATING TO” whether YOU, or a PERSON acting on YOUR behalf, have
23 ever “authorized” another person to “access . . . YOUR ACCOUNT.” Plaintiff also objects to
24 this Interrogatory as compound and counting as multiple distinct interrogatories. Plaintiff further
25 objects to this Interrogatory as overly broad and unduly burdensome because it is not limited as
26 to time and to the extent it seeks information that is neither relevant to any claim or defense in
27 this action, nor proportional to the needs of this case.

1 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
2 Plaintiff denies knowing his personal information was compromised by a third party since
3 January 2019.
4

5 Dated: July 17, 2024

SWIGART LAW GROUP, APC

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

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9 Liaison Counsel for Individual Plaintiffs
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In re Bank of America California Unemployment Benefits Litigation

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

VERIFICATION

I, chef SeanteGlassFlowers, 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 15 2024 17:28 PDT


