

EXHIBIT 8

**FILED
PROVISIONALLY
UNDER SEAL WITH
REDACTIONS
PURSUANT TO
STIPULATED
PROTECTIVE ORDER**

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11 Attorneys for Defendant
12 BANK OF AMERICA, N.A.

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

16 IN RE: BANK OF AMERICA
17 CALIFORNIA UNEMPLOYMENT
18 BENEFITS LITIGATION,
19

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

20 **DECLARATION OF JENNIFER**
21 **LENNON IN SUPPORT OF**
22 **DEFENDANT'S MEMORANDUM**
23 **IN OPPOSITION TO PLAINTIFFS'**
24 **MOTION FOR CLASS**
25 **CERTIFICATION**

26 Date: January 17, 2025

27 Time: 1:30 p.m.

28 Ctrm: 2D – 2nd Floor

Judge: Hon. Gonzalo P. Curiel

FILED PROVISIONALLY UNDER SEAL
PURSUANT TO STIPULATED PROTECTIVE
ORDER

1 I, Jennifer Lennon, hereby declare as follows:

2 1. I am employed by Bank of America, N.A. (“BANA”) as a Senior Vice
3 President and a Product Management and State Liaison. I make this declaration
4 based upon personal knowledge and belief, upon BANA’s records maintained in the
5 ordinary course and scope of business, and upon information gathered from other
6 BANA employees. If called to testify as to any of the matters set forth in this
7 declaration, I could and would competently testify thereto.

8 2. In my capacity as a Product Management and State Liaison for BANA,
9 my responsibilities include strategy, client care related to operations support, and
10 major project implementation, including BANA’s implementation of certain
11 requirements under the preliminary injunction order in this case, and BANA’s
12 response to and implementation of the regulators’ consent orders and the
13 Remediation Plans and Addenda in connection with BANA’s prepaid unemployment
14 insurance EDD program.

15 3. BANA entered into consent orders with the OCC and the CFPB in 2021.
16 In connection with those consent orders, BANA also submitted Remediation Plans
17 and Addenda (collectively, the “Remediation Plan”) for and received non-objection
18 from those regulators. The Remediation Plan was submitted in connection with
19 Plaintiffs’ Motion for Class Certification as Exhibit 74 to the Declaration of Connie
20 K. Chan.

21 **The Remediation Plan Definition of Eligible Cardholders**

22 4. The Remediation Plan was designed [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
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6. Prior to the implementation of the Remediation Plan,

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[REDACTED]

9. Under the Remediation Plan, [REDACTED]

[REDACTED]

10. The Remediation Plan also provides [REDACTED]

[REDACTED]

11. BANA’s remediation efforts and implementation of the Remediation Plan were designed [REDACTED]

[REDACTED]

12. BANA’s remediation efforts and implementation of the Remediation Plan were not designed [REDACTED]

[REDACTED]

The Status of Remediation Plan Implementation

13. BANA’s remediation efforts and implementation of the Remediation Plan, [REDACTED] remain ongoing.

14. [REDACTED]

[REDACTED]

1 15. [REDACTED]

2 [REDACTED]

3 16. [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 17. [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

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

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17 Executed on this 23rd day of October, 2024.

18

19 By: Jennifer Lennon

20 JENNIFER LENNON

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