

Corrected Exhibit 15

1 THE UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF CALIFORNIA
3 IN RE BANK OF AMERICA)
4 CALIFORNIA UNEMPLOYMENT) Case No. :
5 BENEFITS LITIGATION) 3:21-md-02992-LAB-MSB
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11 VIDEOTAPED ORAL DEPOSITION OF
12 BANK OF AMERICA, N.A.
13 BY AND THROUGH ITS DESIGNATED REPRESENTATIVE
14 ROBERT A. CHESTNUT
15 FEBRUARY 8, 2024

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18 On the 8th day of February, 2024, at 9:09 a.m.,
19 the videotaped oral deposition of the above-named
20 witness was taken at the instance of the Class
21 Plaintiffs, before Michelle L. Munroe, Certified
22 Shorthand Reporter in and for the State of Texas, at
23 Jones Day, 2727 N. Harwood Street, Suite 500, Dallas,
24 Texas, pursuant to Notice and the agreement
25 hereinafter set forth.

A P P E A R A N C E S

FOR THE PLAINTIFFS AND THE PROPOSED CLASS:

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1 A P P E A R A N C E S (continued)

2
3 ALSO PRESENT:

4 Phil Hall, Video Technician

5 Daniel Shay (via Zoom)

1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Michelle L. Munroe, Certified Shorthand
4 Reporter in and for the State of Texas, certify that
5 the foregoing deposition of ROBERT A. CHESTNUT was
6 reported stenographically by me at the time and place
7 indicated, said witness having been placed under oath
8 by me, and that the deposition is a true record of
9 the testimony given by the witness;

10 That the amount of time used by each party at
11 the deposition is as follows:

Mr. Kirtley - 5 hours, 26 minutes

12
13 I further certify that I am neither counsel for
14 nor related to any party in this cause and am not
15 financially interested in its outcome.

16 Given under my hand on this the 21st day
17 of February, 2024.

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Michelle L. Munroe, CSR No. 6011

Commission expires 1-31-26

Firm Registration #571

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In re Bank of America California Unemployment Benefits Litigation
Case No. 3:21-MD-02992-LAB-MSB

Errata for Deposition of Robert Chestnut, February 8, 2024

Page	Line(s)	Change	Reason
13	8-10	Change “Are you the only one asking questions that will be asking me questions . . .” to “Are you the only one asking questions -- that will be asking me questions . . .”	Clarification
18	20-21	Change “Bank of America ability is to analyze the transactions that have occurred” to “Bank of America has the ability to analyze the transactions that have occurred.”	Transcription error
19	19-21	Change “The application of the bank’s claim fraud filter is that either they had a card frozen based on . . .” to “Application of the bank’s claim fraud filter would mean that a claimant either had a card frozen based on . . .”	Clarification
22	20-21	Change “In the room virtual but with representative virtually, yes.” to “In the room virtually with Legal representation, yes.”	Transcription error
22	21	Change “representative” to “representation”	Transcription error
23	14-157	Change “client communications. Germane to this discussion, I think that’s really the limit of what would be my own personal notes related to this discussion . . .” to “client communications germane to this discussion. My own personal notes related to this discussion . . .”	Transcription error
24	8-9	Change “referencing was notes that I personally made with a...” to “referencing were notes that I made for weekly meetings...”	Clarification
25	21-24	Change “Yes. I would – just to add, the meetings started taking place on a weekly basis in 2020 per the bank’s request, and some of those, I wouldn’t say all, there would have been notes taken by me.” to “Yes. I will add that the meetings started taking place on a weekly basis in 2020 per the bank’s request, and some but not all of those meetings, I would have taken notes.”	Clarification
30	16-17	Change “around the distribution ramping up distribution capabilities” to “around the distribution – ramping up distribution capabilities”	Transcription error
30	22	Replace “...and..” with “...from...”	Transcription error
32	1-2	Change “around strategies that we are certainly issuing prepaid cards, Bank of America, for EDD” to “around strategies for issuing prepaid cards -- Bank of America -- for EDD”	Transcription error

34	15	Change “respond to bank” to “respond to the bank”	Transcription error
34	20	Change “...of our transactional information that we collect, we” to “...of our transactional information that we collected, we”	Transcription error
36	10	Change “..., but I can tell you that the bank and the...” to “..., but I can tell you that the bank’s...”	Transcription error
36	12	Change “California” to “California’s”	Transcription error
38	10-12	Change “the Bank of America’s obligations as a financial institution and the cardholder agreement” to “Bank of America’s obligations as a financial institution under the cardholder agreement”	Transcription error
39	18	Change “my responsibilities.” to “my responsibilities?”	Transcription error
41	1-2	Change “definition of the SLA but requirements of the contract.” to “definition of the SLA but they are requirements of the contract.”	Transcription error
42	4-5	Change “that were in existence today” to “that is in existence today”	Transcription error
43	4	Change “as agreed by the bank had” to “as agreed by the bank -- had”	Transcription error
45	12	Change “and accepted by EDD” to “that was accepted by EDD”	Transcription error
47	12-14	Change “I would just add that that’s based on market conditions, so to understand that that float amount is going to adjust with the rate environment.” to “I would just add that it’s based on market conditions, so to understand that the float amount is going to adjust with the rate environment.”	Transcription error
52	5	Change “we still use the claims fraud filter” to “we still used the claims fraud filter”	Transcription error
52	15	Change “fraud’s claim filter” to “fraud claim filter”	Transcription error
53	1	Change “fraud’s claim filter” to “fraud claim filter”	Transcription error
56	25	Change “Yes. It’s the -- it is the client, EDD’s,...” to “Yes. It’s the client’s, EDD’s...”	Transcription error
61	12-13	Change “Specific to revenue share, there were conversations I was present for.” to “Specific to revenue share, there were conversations I was not present for.”	Transcription error
64	9	Change “The – albeit...” to “There was, albeit a lower level of fraud than...”	Clarification
68	5	Change “accept it” to “accepted”	Transcription error

74	17-18	Change "...suspicious, which is not a response --- enrollment, not a responsibility for the bank." to "...suspicious, which is not a responsibility of the bank's."	Transcription error
76	23	Change "so that there was" to "so there were"	Transcription error
79	2	Change "Bank -- Yes. Bank of America..." to "Yes, Bank of America..."	Transcription error
81	25	Change "ability before they can clear" to "ability to block them before they can clear"	Clarification
93	11	Change "fraud's claim filter" to "fraud claim filter"	Transcription error
99	1	Change "filter." to "filter?"	Transcription error
100	9-11	Change "We communicated a fraud claims filter strategy, yes, to -- definitively I know we did on the 28th of September." to "We communicated a fraud claims filter strategy, definitively I know we did on the 28th of September."	Transcription error
101	15-19	Change "I don't have in my -- in my knowledge, I don't have a definitive time frame other than to generally speak that we had been discussing..." to "I don't have a definitive time frame other than to generally say that we had been discussing..."	Clarification
113	25	Change "but would have been on there" to "but one would have been on there"	Transcription error
114	13	Change "there was multitude of people" to "there was a multitude of people"	Transcription error
115	7-8	Change "...specifically on this date is because not always would all of their representatives attend." to "...specifically on this date because not always would all of their representatives attend."	Transcription error
117	16-18	Change "I can't speak to the nature of her specific, but in general speaking, that is the point of her sentence." to "I can't speak to the nature of her specific point, but in general speaking, that is the point of her sentence."	Transcription error
119	22	Change "I understand the definitions of the word." to "I understand the definitions of the words."	Transcription error
120	7-8	Change "in a high degree" to "to a high degree"	Transcription error
127	1	Change "frauds in the form" to "fraud in the form"	Transcription error
132	3-4	Change "transparency into is" to "transparency into as"	Transcription error
149	13	Change "I can't testify that each -- that there..." to "I can't testify that there..."	Clarification
153	17	Change "asking that broadly email" to "asking that, broadly, email"	Transcription error

166	11-12	Change “conversations about John Lawlor’s in” to “conversations above John Lawlor in”	Transcription error
168	8	Change “defining specifically about” to “talking specifically about”	Transcription error
169	14-16	Change “the three forms under the terms of the contract that the bank generates revenue” to “the three forms of revenue the bank generates under the terms of the contract”	Transcription error
170	3-8	Change “It depends on what fed fund’s effective rate. So not to be evasive, when the fed fund’s effective rate -- it floats set by the federal government. There is the floor. So depending upon what the fed fund’s effective rate, it could be a 50/50 split” ” to “It depends on what fed fund’s effective rate is. So -- not to be evasive -- when the fed fund’s effective rate is high enough -- it floats set by the federal government. There is the floor. So, depending upon what the fed fund’s effective rate is, it could be a 50/50 split.”	Transcription error
175	5	Change “card” to “cards”	Transcription error
181	1	Change “cut and paste” to “cut and pasted”	Transcription error
184	15-18	Change “This is a meeting where a variety of topics were discussed by the card product team that this was -- EMV - - not the first time it was discussed -- was one of the topics” to “This was a meeting where a variety of topics were discussed by the card product team that included EMV. This was not the first time it was discussed. It was one of the topics.”	Clarification
188	15	Change “in” to “into”	Transcription error
188	22	Change “...understanding or, slash, agreement...” to “...understanding or establishing an agreement...”	Transcription error
189	11-12	Change “Any new or reissued card would be an EMV chip technology employed.” to “Any new or reissued card would be EMV chip technology employed.”.”	Transcription error
198	13	Change “approve” to “approval”	Transcription error
198	23	Change “product team discussing” to “product teams – discussing”	Transcription error
200	22	Change “producing” to “presenting”	Transcription error
201	12	Change “process, that would” to “process; that would”	Transcription error

In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me. I have listed my changes on the above Errata Sheet, listing page and line numbers. I request that these changes be entered as part of the record of my testimony, and request and authorize that this Errata Sheet be appended to the transcript of my testimony and be incorporated therein.

Executed this 22 day of March, 2024.

A handwritten signature in black ink, appearing to read "RA Chestnut", with a stylized flourish at the end.

Robert A. Chestnut