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15 **UNITED STATES DISTRICT COURT**
16 **SOUTHERN DISTRICT OF CALIFORNIA**
17 **SAN DIEGO DIVISION**

18 **IN RE BANK OF AMERICA**
19 **CALIFORNIA UNEMPLOYMENT**
20 **BENEFITS LITIGATION**

21 This Document Relates to All Actions

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

PLAINTIFFS' NOTICE RE:
BREACH OF FIDUCIARY DUTY
CLAIM AS TO CUSTOMER
SERVICE CLASS

Courtroom: 2D, Second Floor
Judge: Hon. Gonzalo P. Curiel

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Pursuant to the Court's ruling at the February 14, 2025 Status Conference, Plaintiffs were permitted to file a brief seeking to certify the breach of fiduciary duty claim as to the Customer Service Class. *See* Dkt. No. 423. Notice is hereby given that Plaintiffs will not seek to certify the breach of fiduciary duty claim as to the Customer Service Class and thus submit the Motion for Class Certification for decision without including the breach of fiduciary duty claim as to the Customer Service Class.

Respectfully submitted,

Dated: February 28, 2025

COTCHETT, PITRE & McCARTHY LLP

By: /s/ Brian Danitz
JOSEPH W. COTCHETT
BRIAN DANITZ
KARIN B. SWOPE
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VASTI S. MONTIEL

Dated: February 28, 2025

ALTSHULER BERZON LLP

By: /s/ Michael Rubin
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*Co-Lead Counsel for Plaintiffs and the
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SIGNATURE ATTESTATION

Pursuant to section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I, Brian Danitz, attest that the other signatories listed, and on whose behalf this filing is submitted, concur in the filing content and have authorized this filing.

Dated: February 28, 2025

/s/ Brian Danitz

Brian Danitz