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*Attorneys for Defendant
BANK OF AMERICA, N.A.*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**IN RE BANK OF AMERICA
CALIFORNIA UNEMPLOYMENT
BENEFITS LITIGATION**

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

**JOINT MOTION FOR LEAVE TO
APPEAR BY ZOOM AT MARCH
28 STATUS CONFERENCE AND
HEARING ON DEFENDANT'S
MOTION TO STAY**

This Document Relates to All Actions

Hearing Date: March 28, 2025
Time: 1:30 p.m.
Ct rm: 2d, Second Floor
Judge: Hon. Gonzalo P. Curiel

1 Plaintiffs and Defendant (the “Parties”) hereby respectfully jointly move the
2 Court to conduct the upcoming status conference and hearing on Defendant’s Motion
3 to Stay Pending Supreme Court Review, set for March 28, 2025 at 1:30 p.m. before the
4 Honorable Gonzalo P. Curiel, solely by Zoom.

5 The Parties bring this application for good cause and on the grounds that co-lead
6 counsel for Plaintiffs and the proposed class, attorney Michael Rubin, who has long
7 been planning to present the argument for Plaintiffs on the Bank’s motion, has a
8 medical appointment and other conflicts on March 28 that make him unable to travel
9 to San Diego for an in-person hearing that day. Declaration of Michael Rubin ¶¶ 1, 3,
10 5. Plaintiffs had previously understood the docket entry at ECF 423 to indicate that
11 both the status conference and hearing on Defendant’s stay motion would be conducted
12 via Zoom on March 28. *Id.* ¶ 4.

13 Upon receiving the Court’s March 24, 2025 order regarding the March 28 in-
14 person hearing, Plaintiffs’ counsel promptly notified counsel for Defendant of their
15 intent to request that the Court allow the stay motion to be argued by Zoom rather than
16 in person. *Id.* ¶ 5. Defendant’s counsel informed Plaintiffs that, as a personal
17 accommodation to Mr. Rubin, the Bank would not oppose a request to have both the
18 status conference and the hearing on the Bank’s motion conducted via Zoom only. *Id.*
19 ¶ 6. Plaintiffs’ counsel subsequently communicated with the Court’s courtroom deputy
20 Andrew Sacco, who advised the Parties to file the instant motion requesting leave of
21 Court to appear by Zoom. *Id.* ¶ 7.

22 For the reasons set forth above, the Parties respectfully request leave to appear
23 by Zoom for both the status conference and the hearing on Defendant’s Motion to Stay
24 Pending Supreme Court Review to be held before this Court on March 28, 2025.
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Respectfully submitted,
COTCHETT, PITRE & McCARTHY, LLP
Dated: March 26, 2025
By: /s/ Brian Danitz
JOSEPH W. COTCHETT
BRIAN DANITZ
KARIN B. SWOPE
BLAIR V. KITTLE
VASTI S. MONTIEL

Dated: March 26, 2025
ALTSHULER BERZON LLP
By: /s/ Michael Rubin
MICHAEL RUBIN
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SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of this Court's Electronic Case Filing
Administrative Policies and Procedures Manual, I, Michael Rubin, hereby certify
that the content of this document is acceptable to all the signatories herein and that I
have obtained counsel's authorization to affix their electronic signatures to this
document.

/s/ Michael Rubin

MICHAEL RUBIN