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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-GPC-MSB

**DECLARATION OF BRIAN DANITZ
IN SUPPORT OF OPPOSITION TO
DEFENDANT'S MOTION FOR A
PROTECTIVE ORDER**

This Document Relates to All Actions

Judge: Hon. Gonzalo P. Curiel
Ctvm: 2D (2nd Floor)

1 I, **BRIAN DANITZ**, declare as follows:

2 1. I am a partner at the law firm of Cotchett, Pitre & McCarthy, LLP, Co-Lead
3 Counsel for Plaintiffs and the Proposed Class in this multi-district litigation. I submit this
4 declaration in support of the Opposition to Defendants' Motion for Protective Order. I
5 have personal knowledge of the matters stated herein and, if called as a witness, I could
6 and would testify competently thereto.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of Board of Director
8 Meeting Minute Excerpts produced by Defendant Bank of America (the "Bank"), dated
9 October 6, 2020.

10 3. Attached hereto as **Exhibit 2** is a true and correct copy of Board of Directors
11 Meeting Minutes produced by the Bank, dated October 6, 2020.

12 4. Attached hereto as **Exhibit 3** is a true and correct copy of Board of Directors
13 Meeting Minutes produced by the Bank, dated November 30, 2020.

14 5. Attached hereto as **Exhibit 4** is a true and correct copy of an email produced
15 by the Bank, from Emily Crenshaw to William M. Martin, dated September 2, 2020.

16 6. Attached hereto as **Exhibit 5** is a true and correct copy of an email produced
17 by the Bank, from Gregory B. Kavanaugh to Paul Acomb, dated September 27, 2020.

18 7. Attached hereto as **Exhibit 6** is a true and correct copy of an email produced
19 by the Bank, from Gregory B. Kavanaugh to Bradley Garfield, dated September 10,
20 2020.

21 8. Attached hereto as **Exhibit 7** is a true and correct copy of an email produced
22 by the Bank, from Ryan J. Schwartz to Anne Holt, dated September 19, 2020.

23 9. Attached hereto as **Exhibit 8** is a true and correct copy of an email produced
24 by the Bank, from Paul Simpson to William Golden, dated September 21, 2020.

25 10. Attached hereto as **Exhibit 9** is a true and correct copy of an email produced
26 by the Bank, from Jose Firpi to Megan Buchheit, dated September 21, 2020.

27 11. Attached hereto as **Exhibit 10** is a true and correct copy of an email
28 produced by the Bank, from Faiz Ahmad to Paul Donofrio, dated September 23, 2020.

1 12. Attached hereto as **Exhibit 11** is a true and correct copy of an email
2 produced by the Bank, from Jose Firpi to William Fox, dated September 23, 2020.

3 13. Attached hereto as **Exhibit 12** is a true and correct copy of an email
4 produced by the Bank, from Gregory B. Kavanaugh to Brian T. Moynihan, dated
5 September 25, 2020.

6 14. Attached hereto as **Exhibit 13** is a true and correct copy of an email
7 produced by the Bank, from William Golden to William Lorenz, dated September 28,
8 2020.

9 15. Attached hereto as **Exhibit 14** is a true and correct copy of an email
10 produced by the Bank, from Renee T. Johnson to Bradley Garfield, dated September 29,
11 2020.

12 16. Attached hereto as **Exhibit 15** is a true and correct copy of an email
13 produced by the Bank, from Dean Athanasia to Brian T. Moynihan, dated October 31,
14 2020.

15 17. Attached hereto as **Exhibit 16** is a true and correct copy of an email
16 produced by the Bank, from William Golden to Jackleen N. Govoni, dated December 2,
17 2020.

18 18. Attached hereto as **Exhibit 17** is a true and correct copy of an email
19 produced by the Bank, from Jennifer M. Ehresman to Renee T. Johnson, dated December
20 15, 2020.

21 19. Attached hereto as **Exhibit 18** is a true and correct copy of an email
22 produced by the Bank, from Cathy P. Bessant to Kellie Wheeling, dated December 15,
23 2020.

24 20. Attached hereto as **Exhibit 19** is a true and correct copy of an email
25 produced by the Bank, to Christine K. Channels dated December 16, 2020.

26 21. Attached hereto as **Exhibit 20** is a true and correct copy of an email
27 produced by the Bank, from Faiz Ahmad to Gregory B. Kavanaugh, dated December 17,
28 2020.

22. Attached hereto as **Exhibit 21** is a true and correct copy of an email produced by the Bank, from Holly O'Neill to Christine K. Channels, dated January 21, 2021.

23. Attached hereto as **Exhibit 22** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan, dated October 15, 2020.

24. Attached hereto as **Exhibit 23** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan, dated October 23, 2020.

25. Attached hereto as **Exhibit 24** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan, dated October 23, 2020.

26. Attached hereto as **Exhibit 25** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan, dated November 3, 2020.

27. Attached hereto as **Exhibit 26** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan, dated November 10, 2020.

28. Attached hereto as **Exhibit 27** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan, dated November 13, 2020.

29. Attached hereto as **Exhibit 28** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan, dated November 17, 2020.

30. Attached hereto as **Exhibit 29** is a true and correct copy of an email produced by the Bank, containing a cardholder complaint sent to Thomas Montag and Brian T. Moynihan, dated November 20, 2020.

31. Attached hereto as **Exhibit 30** is a true and correct copy of an email

1 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
2 dated December 24, 2020.

3 32. Attached hereto as **Exhibit 31** is a true and correct copy of an email
4 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
5 dated January 11, 2021.

6 33. Attached hereto as **Exhibit 32** is a true and correct copy of an email
7 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
8 dated February 20, 2021.

9 34. Attached hereto as **Exhibit 33** is a true and correct copy of an email
10 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
11 dated February 23, 2021.

12 35. Attached hereto as **Exhibit 34** is a true and correct copy of an email
13 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
14 dated February 23, 2021.

15 36. Attached hereto as **Exhibit 35** is a true and correct copy of an email
16 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
17 dated February 23, 2021.

18 37. Attached hereto as **Exhibit 36** is a true and correct copy of an email
19 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
20 dated February 23, 2021.

21 38. Attached hereto as **Exhibit 37** is a true and correct copy of an email
22 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
23 dated February 25, 2021.

24 39. Attached hereto as **Exhibit 38** is a true and correct copy of an email
25 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,
26 dated February 25, 2021.

27 40. Attached hereto as **Exhibit 39** is a true and correct copy of an email
28 produced by the Bank, containing a cardholder complaint sent to Brian T. Moynihan,

1 dated April 6, 2021.

2 41. Attached hereto as **Exhibit 40** is a true and correct copy of excerpts to the
3 deposition transcript of Jennifer Lennon, dated February 23, 2024.

4 42. Attached hereto as **Exhibit 41** is a true and correct copy of excerpts to the
5 deposition transcript of Renee Johnson, dated May 7, 2024.

6 43. Attached hereto as **Exhibit 42** is a true and correct copy of a letter to Brian
7 T. Moynihan from the California Legislature, dated November 24, 2020.

8 44. Attached hereto as **Exhibit 43** is a true and correct copy of an email
9 produced by the Bank, from Paul Donofrio to Thomas K. Montag, dated August 6, 2020.

10 45. Attached hereto as **Exhibit 44** is a true and correct copy of an email
11 produced by the Bank, from Gregory B. Kavanaugh to Thomas K. Montag, dated
12 September 11, 2020.

13 46. Attached hereto as **Exhibit 45** is a true and correct copy of an email
14 produced by the Bank, from John Lawlor to James DeMare, dated September 22, 2020.

15 47. Attached hereto as **Exhibit 46** is a true and correct copy of an email
16 produced by the Bank, from Jose Firpi to William Fox, dated September 23, 2020.

17 48. Attached hereto as **Exhibit 47** is a true and correct copy of an email
18 produced by the Bank, from John Lawlor to James DeMare, dated September 23, 2020.

19 49. Attached hereto as **Exhibit 48** is a true and correct copy of Committee
20 Minutes produced by the Bank, dated September 29, 2020.

21 50. Attached hereto as **Exhibit 49** is a true and correct copy of excerpts to the
22 deposition transcript of Paul Simpson, dated February 21, 2025.

23 51. Attached hereto as **Exhibit 50** is a true and correct copy of excerpts to the
24 deposition transcript of Faiz A. Ahmad, dated January 29, 2025.

25 52. Attached hereto as **Exhibit 51** is a true and correct copy of excerpts to the
26 deposition transcript of William J. Fox, dated February 13, 2025.

27 53. Attached hereto as **Exhibit 52** is a true and correct copy of excerpts to the
28 deposition transcript of Jennifer Ehresman, dated February 19, 2025.

1 54. Attached hereto as **Exhibit 53** is a true and correct copy of excerpts to the
2 deposition transcript of Melissa Ramirez, dated February 11, 2025.

3 55. Attached hereto as **Exhibit 54** is a true and correct copy of excerpts to the
4 deposition transcript of Bradley Garfield, dated December 10, 2024.

5 56. Attached hereto as **Exhibit 55** is a true and correct copy of an email
6 produced by the Bank, from Anne Holt to Ryan J. Schwartz and Michael J. Letson, dated
7 September 19, 2020.

8 57. Attached hereto as **Exhibit 56** is a true and correct copy of an email
9 produced by the Bank, from Paul Simpson to William Golden, dated September 21,
10 2020.

11 58. Attached hereto as **Exhibit 57** is a true and correct copy of an email
12 produced by the Bank, from Paul Simpson to William Fox, dated September 25, 2020.

13 59. Attached hereto as **Exhibit 58** is a true and correct copy of an email
14 produced by the Bank, from Paul Simpson to Faiz Ahmad, dated September 27, 2020.

15 60. Attached hereto as **Exhibit 59** is a true and correct copy of an email
16 produced by the Bank, from Bradley Garfield to Paul Simpson, dated September 28,
17 2020.

18 61. Attached hereto as **Exhibit 60** is a true and correct copy of an email
19 produced by the Bank, from William Fox to Faiz Ahmad, dated September 28, 2020.

20 62. Attached hereto as **Exhibit 61** is a true and correct copy of an email
21 produced by the Bank, from Christine Channels to Jennifer Ehresman, dated September
22 23, 2020.

23 63. Attached hereto as **Exhibit 62** is a true and correct copy of an email
24 produced by the Bank, from Cathy Bessant to Dean Athanasia, dated November 30,
25 2020.

26 64. Attached hereto as **Exhibit 63** is a true and correct copy of an email
27 produced by the Bank, from Thomas Montag to Paul Donofrio, dated August 6, 2020.

28 65. Attached hereto as **Exhibit 64** is a true and correct copy of a Report

1 produced by the Bank, dated October 9, 2020.

2 66. Attached hereto as **Exhibit 65** is a true and correct copy of an email
3 produced by the Bank, dated September 28, 2020.

4
5 I declare under penalty of perjury that the foregoing is true and correct. Executed
6 on April 25, 2025 at Burlingame, California.

7 /s/ Brian Danitz

8 Brian Danitz
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