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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

**MOTION TO FILE DOCUMENTS
UNDER SEAL RE: PLAINTIFFS'
DAUBERT MOTION TO EXCLUDE
TESTIMONY OF CARL PRY**

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

This Document Relates to All Actions

Pursuant to Local Rule 79.2 and Section 12.5 of the Stipulated Protective Order (ECF 82) in this case and the Court's Civil Pretrial & Trial Procedures, Plaintiffs move to file under seal the following:

1. Portions of Plaintiffs' Memorandum of Points and Authorities in support of Plaintiffs' *Daubert* Motion to Exclude Testimony of Carl Pry, which quote portions of the Expert Report of Carl Pry which Defendant Bank of America, N.A. (the "Bank") has designated Highly Confidential in its entirety and excerpts of the deposition of Carl Pry which was designated Confidential by the Bank.
2. The April 4, 2025, Expert Report of Carl Pry, attached as **Exhibit 1** to the Declaration of Brian Danitz in Support of Plaintiffs' *Daubert* Motion to Exclude Certain Testimony of Carl Pry, which the Bank designated Highly Confidential in its entirety.
3. Excerpts of the transcript of the deposition of Carl Pry together with referenced exhibits, attached as **Exhibit 2** to the Declaration of Brian Danitz in Support of Plaintiffs' *Daubert* Motion to Exclude Certain Testimony of Carl Pry, which the Bank designated Confidential.
4. The March 3, 2025, Expert Report of William J. Abernathy, attached as **Exhibit 3** to the Declaration of Brian Danitz in Support of Plaintiffs' *Daubert* Motion to Exclude Testimony of Carl Pry which quotes portion of documents which the Bank designated Confidential and/or Highly Confidential.

Respectfully submitted,

Dated: October 17, 2025

COTCHETT, PITRE & McCARTHY, LLP

By: /s/ Brian Danitz
JOSEPH W. COTCHETT
BRIAN DANITZ
KARIN B. SWOPE
VASTI S. MONTIEL
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1 Dated: October 17, 2025

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3 By: /s/ Connie K. Chan
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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: October 17, 2025

/s/ Brian Danitz

Brian Danitz