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Co-Lead Counsel for Plaintiffs and the Class

**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 PLAINTIFFS'
DAUBERT MOTION TO EXCLUDE
TESTIMONY OF CARL PRY**

Date: April 17, 2026
Judge: Hon. Gonzalo P. Curiel
Ct rm: 2D (2nd Floor)

This Document Relates to All Actions

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 Class in this multi-district litigation. I submit this declaration
4 in support of the Plaintiffs' *Daubert* Motion to Exclude Testimony of Carl Pry. I have
5 personal knowledge of the matters stated herein and, if called as a witness, I could and
6 would testify competently thereto.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of the Expert Rebuttal
8 Report of Carl Pry, dated April 4, 2025.

9 3. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts of the
10 transcript of the Deposition of Carl Pry dated May 16, 2025, together with true and correct
11 copies of referenced exhibits from that deposition.

12 4. Attached hereto as **Exhibit 3** is a true and correct copy of the Expert Report
13 of William J. Abernathy, dated March 3, 2025.

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15 I declare, under penalty of perjury, that the foregoing is true and correct. Executed
16 this 17th day of October 2025, at Burlingame, California.

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18 /s/ Brian Danitz

19 BRIAN DANITZ
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