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11 Attorneys for Defendant
12 BANK OF AMERICA, N.A.

13 **UNITED STATES DISTRICT COURT**
14 **SOUTHERN DISTRICT OF CALIFORNIA**
15 **SAN DIEGO DIVISION**

16 IN RE: BANK OF AMERICA
17 CALIFORNIA UNEMPLOYMENT
18 BENEFITS LITIGATION

Case No. 21-MD-02992-GPC-MSB

19 **DECLARATION OF LAURA G. BRYN**
20 **IN SUPPORT OF DEFENDANT BANK**
21 **OF AMERICA, N.A.'S REQUEST FOR**
22 **JUDICIAL NOTICE**

23 Date: April 17, 2026
24 Time: 1:30 p.m.
25 Ctrm: 12A – 12th Floor
26 Judge: Hon. Gonzalo P. Curiel

1 I, Laura G. Brys, hereby declare as follows:

2 1. I am an attorney licensed to practice before this Court.

3 2. I am a senior attorney at Goodwin Procter LLP, attorneys of record for
4 Defendant BANK OF AMERICA, N.A. (BANA) in this action.

5 3. I make this declaration in support of BANA's Request for Judicial
6 Notice filed concurrently and in support of its Motion for Partial Summary Judgment.
7 I have personal knowledge of the matters set forth in this Declaration and/or upon a
8 review of non-privileged records kept by Goodwin Procter LLP in the regular course
9 of its business, and if called upon to do so, I could and would testify competently to
10 the same.

11 4. BANA's Exhibits to this Declaration shall be referred to as "RJN" in
12 BANA's Motion for Partial Summary Judgment and its supporting documents.

13 **Materials Published by Government Entities**

14 5. Attached hereto as **RJN Exhibit 1** is a true and correct copy of
15 California State Auditor Report 2020-502, dated November 19, 2020. The report is
16 available through the California State Auditor's website at
17 <https://information.auditor.ca.gov/reports/2020-502/index.html> (last accessed
18 October 17, 2025).

19 6. Attached hereto as **RJN Exhibit 2** is a true and correct copy of
20 California State Auditor Report 2020-628.2 titled *Significant Weaknesses in EDD's*
21 *Approach to Fraud Prevention Have Led to Billions of Dollars in Improper Benefit*
22 *Payments*, dated January 2021. The report is available through the California State
23 Auditor's website at <https://information.auditor.ca.gov/pdfs/reports/2020-628.2.pdf>
24 (last accessed October 17, 2025).

25 7. Attached hereto as **RJN Exhibit 3** are true and correct copies of
26 Financial Crimes Enforcement Network's (FinCEN) press releases and advisory
27 notices, dated between March 16, 2020 and February 24, 2021. The press releases
28 are available through FinCEN's website at <https://www.fincen.gov/news/press->

1 releases (last accessed October 17, 2020). The advisory notices are available at
2 through FinCEN's website at [https://www.fincen.gov/resources/](https://www.fincen.gov/resources/advisoriesbulletinsfact-sheets/advisories)
3 [advisoriesbulletinsfact-sheets/advisories](https://www.fincen.gov/resources/advisoriesbulletinsfact-sheets/advisories) (last accessed October 17, 2025).

4 8. Attached hereto as **RJN Exhibit 4** is a true and correct copy of the U.S.
5 Department of Justice (DOJ) National Unemployment Insurance Fraud Task Force's
6 guide titled *Unemployment Insurance Fraud Consumer Protection Guide*, dated
7 September 21, 2020. The guide is available through the Department of Labor's
8 website at [https://www.oig.dol.gov/public/Unemployment%20Insurance%20Fraud](https://www.oig.dol.gov/public/Unemployment%20Insurance%20Fraud%20Consumer%20Protection%20Guide,%20Final.pdf)
9 [%20Consumer%20Protection%20Guide,%20Final.pdf](https://www.oig.dol.gov/public/Unemployment%20Insurance%20Fraud%20Consumer%20Protection%20Guide,%20Final.pdf) (last accessed October 17,
10 2025).

11 9. Attached hereto as **RJN Exhibit 5** is a true and correct copy of the U.S.
12 Secret Service's alert titled *Massive Fraud Against State Unemployment Insurance*
13 *Programs*, dated May 14, 2020. The alert can be found in the Congressional Record
14 Vol. 169, No. 180 (May 11, 2023) at [https://www.govinfo.gov/content/pkg/CREC-](https://www.govinfo.gov/content/pkg/CREC-2023-05-11/html/CREC-2023-05-11-pt1-PgH2281.htm)
15 [2023-05-11/html/CREC-2023-05-11-pt1-PgH2281.htm](https://www.govinfo.gov/content/pkg/CREC-2023-05-11/html/CREC-2023-05-11-pt1-PgH2281.htm) (last accessed October 17,
16 2025). A copy of the alert was produced in this litigation at Bates No.
17 BANA_EDD_MDL-00205361.

18 10. Attached hereto as **RJN Exhibit 6** is a true and correct copy of a
19 Consumer Financial Protection Bureau (CFPB) report titled *The Consumer Credit*
20 *Card Market*, dated December 2015. The report is available through CFPB's
21 website at [https://files.consumerfinance.gov/f/201512_cfpb_report-the-consumer-](https://files.consumerfinance.gov/f/201512_cfpb_report-the-consumer-credit-card-market.pdf)
22 [credit-card-market.pdf](https://files.consumerfinance.gov/f/201512_cfpb_report-the-consumer-credit-card-market.pdf) (last accessed October 17, 2025).

23 11. Attached hereto as **RJN Exhibit 7** is a true and correct copy of a
24 Congress.gov report titled *Unemployment Rates During the COVID-19 Pandemic*,
25 dated August 20, 2021. The report is available through Congress's website at
26 <https://www.congress.gov/crs-product/R46554> (last accessed October 17, 2025).

27 12. Attached hereto as **RJN Exhibit 8** is a true and correct copy of EDD's
28 news release No. 20-49 titled *EDD Announces Reset in Response to Strike Team*

1 *Recommendations to Process Claims Faster, Reduce Fraud and Tackle Backlog*
2 *Issue*, dated September 19, 2020. The news release is available via Wayback Machine
3 at [https://web.archive.org/web/20220319041344/https://edd.ca.gov/About_EDD/](https://web.archive.org/web/20220319041344/https://edd.ca.gov/About_EDD/pdf/news-20-49.pdf)
4 [pdf/news-20-49.pdf](https://web.archive.org/web/20220319041344/https://edd.ca.gov/About_EDD/pdf/news-20-49.pdf) (last accessed October 17, 2025).

5 13. Attached hereto as **RJN Exhibit 9** is a true and correct copy of the
6 EDD's news release No. 24-06 titled *EDD benefit payments now issued on new*
7 *Money Network prepaid debit cards*, dated February 15, 2024. The news release is
8 available through EDD's website at [https://edd.ca.gov/en/about_edd/news_](https://edd.ca.gov/en/about_edd/news_releases_and_announcements/news-24-06/#:~:text=Payroll%20Tax%20Webinars-,EDD%20benefit%20payments%20now%20issued%20on%20new%20Money%20Network%20prepaid,is%disabled%20in%20your%20browser)
9 [releases_and_announcements/news-24-06/#:~:text=Payroll%20Tax%20Webinars-](https://edd.ca.gov/en/about_edd/news_releases_and_announcements/news-24-06/#:~:text=Payroll%20Tax%20Webinars-,EDD%20benefit%20payments%20now%20issued%20on%20new%20Money%20Network%20prepaid,is%disabled%20in%20your%20browser)
10 [,EDD%20benefit%20payments%20now%20issued%20on%20new%20Money](https://edd.ca.gov/en/about_edd/news_releases_and_announcements/news-24-06/#:~:text=Payroll%20Tax%20Webinars-,EDD%20benefit%20payments%20now%20issued%20on%20new%20Money%20Network%20prepaid,is%disabled%20in%20your%20browser)
11 [%20Network%20prepaid,is%disabled%20in%20your%20browser](https://edd.ca.gov/en/about_edd/news_releases_and_announcements/news-24-06/#:~:text=Payroll%20Tax%20Webinars-,EDD%20benefit%20payments%20now%20issued%20on%20new%20Money%20Network%20prepaid,is%disabled%20in%20your%20browser) (last accessed
12 October 17, 2025).

13 14. Attached hereto as **RJN Exhibit 10** is a true and correct copy of the
14 Federal Reserve's 2022 Payments Study, released November 2024. The study is
15 available through the Federal Reserve's website at
16 https://www.federalreserve.gov/paymentsystems/frps_previous.htm (last accessed
17 October 17, 2025).

18 15. Attached hereto as **RJN Exhibit 11** is a true and correct copy of the
19 Legislative Analyst's Office's report titled *Legislative Oversight of Ongoing*
20 *Challenges at EDD*, dated January 26, 2021. The report is available through the
21 Legislative Analyst's Office's (LAO) website at [https://lao.ca.gov](https://lao.ca.gov/Publications/Report/4319)
22 [/Publications/Report/4319](https://lao.ca.gov/Publications/Report/4319) (last accessed October 17, 2025).

23 16. Attached hereto as **RJN Exhibit 12** is a true and correct copy of the U.S.
24 House Committee on Oversight and Accountability's report titled *Examining*
25 *Widespread Fraud in Pandemic Unemployment Relief Programs*, dated September
26 10, 2024. The report is available through the Committee on Oversight's website at
27 [https://oversight.house.gov/report/examining-widespread-fraud-in-pandemic-](https://oversight.house.gov/report/examining-widespread-fraud-in-pandemic-unemployment-relief-programs/)
28 [unemployment-relief-programs/](https://oversight.house.gov/report/examining-widespread-fraud-in-pandemic-unemployment-relief-programs/) (last accessed October 17, 2025).

1 17. Attached hereto as **RJN Exhibit 13** is a true and correct copy of an EDD
2 brochure titled *Unemployment Insurance Benefits: What You Need to Know* last
3 accessed on October 13, 2025. The brochure is available via Wayback Machine at
4 [https://web.archive.org/web/20200229092618/https://edd.ca.gov/pdf_pub_ctr/de12](https://web.archive.org/web/20200229092618/https://edd.ca.gov/pdf_pub_ctr/de1275b.pdf)
5 [75b.pdf](https://web.archive.org/web/20200229092618/https://edd.ca.gov/pdf_pub_ctr/de1275b.pdf) (last accessed October 17, 2025).

6 18. Attached hereto as **RJN Exhibit 14** is a true and correct copy of the
7 U.S. House Committee on Ways and Means article titled *Ways and Means Votes to*
8 *Claw Back Billions in Stolen Pandemic-Era Unemployment Benefits, Protect*
9 *Taxpayer Rights*, dated February 12, 2025. The article is available through the United
10 States House Committee on Ways & Means' website at
11 [https://waysandmeans.house.gov/2025/02/12/ways-and-means-votes-to-claw-back-](https://waysandmeans.house.gov/2025/02/12/ways-and-means-votes-to-claw-back-billions-in-stolen-pandemic-era-unemployment-benefits-protect-taxpayer-rights/)
12 [billions-in-stolen-pandemic-era-unemployment-benefits-protect-taxpayer-rights/](https://waysandmeans.house.gov/2025/02/12/ways-and-means-votes-to-claw-back-billions-in-stolen-pandemic-era-unemployment-benefits-protect-taxpayer-rights/)
13 (last accessed October 17, 2025).

14 19. Attached hereto as **RJN Exhibit 15** is a true and correct copy of
15 California State Auditor Report 2020-128/628.1 titled *EDD's Poor Planning and*
16 *Ineffective Management Left It Unprepared to Assist Californians Unemployed by*
17 *COVID-19 Shutdowns*, dated January 2021. The report is available through the
18 California State Auditor's website at [https://information.auditor.ca.gov/pdfs/](https://information.auditor.ca.gov/pdfs/reports/2020-128and628.1.pdf)
19 [reports/2020-128and628.1.pdf](https://information.auditor.ca.gov/pdfs/reports/2020-128and628.1.pdf) (last accessed October 17, 2025).

20 Other Publications

21 20. Attached hereto as **RJN Exhibit 16** is a true and correct copy of KCRA
22 3's article titled *Analysis shows California EDD fraud at \$32.6 Billion and Counting*,
23 dated October 6, 2022. The article is available through KCRA's website at
24 [https://www.kcra.com/article/analysis-edd-fraud-326-billion-and-](https://www.kcra.com/article/analysis-edd-fraud-326-billion-and-counting/41281662)
25 [counting/41281662](https://www.kcra.com/article/analysis-edd-fraud-326-billion-and-counting/41281662) (last accessed October 17, 2025).

26 21. Attached hereto as **RJN Exhibit 17** is a true and correct copy of
27 Decipher's article titled *Criminals Find a Way to Clone EMV Cards*, dated July 31,
28 2020. The article is available through Wayback Machine at

1 [https://web.archive.org/web/20250615021941/https://duo.com/decipher/criminals-](https://web.archive.org/web/20250615021941/https://duo.com/decipher/criminals-find-a-way-to-clone-emv-cards)
2 [find-a-way-to-clone-emv-cards](https://web.archive.org/web/20250615021941/https://duo.com/decipher/criminals-find-a-way-to-clone-emv-cards) (last accessed October 17, 2025).

3 22. Attached hereto as **RJN Exhibit 18** is a true and correct copy of
4 WQOW.com article titled *Shimmers: the new credit card skimmers*, dated June 29,
5 2018. The article is available through WQOW's website at
6 [https://www.wqow.com/news/shimmers-the-newcredit-card-skimmers/article_](https://www.wqow.com/news/shimmers-the-newcredit-card-skimmers/article_8a075616-886b-558d-9a42-8ca5ea3e578f.html)
7 [8a075616-886b-558d-9a42-8ca5ea3e578f.html](https://www.wqow.com/news/shimmers-the-newcredit-card-skimmers/article_8a075616-886b-558d-9a42-8ca5ea3e578f.html) (last accessed October 17, 2025).

8 23. Attached hereto as **RJN Exhibit 19** is a true and correct copy of ID.me's
9 article titled *Calculating the Road to Losing \$400 Billion Dollars*, dated January 20,
10 2022. The article is available through ID.me's website at
11 <https://network.id.me/article/calculating-the-road-to-losing-400-billion-dollars/> (last
12 accessed October 17, 2025).

13 24. Attached hereto as **RJN Exhibit 20** is a true and correct copy of Nilson
14 Report, Issue 1187, dated December 2020. The report is available though the Nilson
15 Report website at <https://nilsonreport.com/newsletters/1187/> (available via free trial
16 at <https://nilsonreport.com/newsletter-trial-offer>) (both last accessed October 17,
17 2025).

18 25. Attached hereto as **RJN Exhibit 21** is a true and correct copy of
19 YouTube video titled "EDD" by ShotOff & Nuke Bizzle, dated October 22, 2020.
20 The video is available through YouTube at [https://www.youtube.com/watch](https://www.youtube.com/watch?v=K0ck7hTsug8)
21 [?v=K0ck7hTsug8](https://www.youtube.com/watch?v=K0ck7hTsug8) (last accessed October 17, 2025).

22 26. Attached hereto as **RJN Exhibit 22** is a true and correct copy of
23 YouTube video titled "Bandemic (E.D.D.)" by Shoreline Mafia, dated April 20,
24 2021. The video is available through YouTube at [https://www.youtube.com/](https://www.youtube.com/watch?v=vut-17KzZJk)
25 [watch?v=vut-17KzZJk](https://www.youtube.com/watch?v=vut-17KzZJk) (last accessed October 17, 2025).

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1 I declare under the penalty of perjury that the foregoing is true and correct.

2 Executed on this 17th day of October, 2025.

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/s/ Laura G. Brys
LAURA G. BRYs

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