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PROTECTIVE ORDER**

Videotaped Deposition of
Victor Oreste Stango, III
May 30, 2025

In Re Bank of America CA Unemployment Benefits Litigation
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Victor Oreste Stango, III **In Re Bank of America CA Unemployment Benefits Litigation**

1 IN THE UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF CALIFORNIA

3 IN RE: BANK OF AMERICA) Case No.
4 CALIFORNIA UNEMPLOYMENT) 3:21-md-02992-GPC-MSB
5 BENEFITS LITIGATION)
6)

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12 VIDEOTAPED EXPERT DEPOSITION OF
13 VICTOR ORESTE STANGO, III
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15 _____
16 Friday, May 30, 2025
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24 REPORTED BY:
ANGELA KOTT, CSR 7811
25 JOB NO: 10163427

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1 Q. Did you ask to speak with any Bank
2 employees at any time?

3 A. No.

4 Q. And why did you not ask to speak with any
5 Bank employees?

6 A. I didn't think that it was necessary to
7 speak with them in preparing my report.

8 MS. CHAN: Can I get Tab 2.

9 (Whereupon, Exhibit 4 was marked for
10 identification)

11 BY MS. CHAN:

12 Q. The court reporter has handed you a
13 document that's been marked Exhibit 4.

14 Do you recognize this document?

15 A. It appears to be a copy of my expert report
16 dated April 4th.

17 Q. And this is the report that you were
18 referring to earlier when we were looking at the
19 Bank's rebuttal expert designations, Exhibit 2?

20 A. Yes.

21 Q. This is the report that contains all of
22 your opinions that you intend to offer in this case,
23 correct?

24 A. This report and, to the extent that the
25 other report is still active, my opinions in that

1 report stand as well, yes.

2 Q. Are all of the -- you anticipated my next
3 question.

4 Are all of the opinions expressed in that
5 first report, the October 24th report, also
6 expressed in your April 4th report?

7 A. I believe that there are some differences
8 between them, so I would consider my opinions to be
9 expressed by the entirety of what I've said in those
10 two reports.

11 Q. To the extent that there are differences
12 between your October 24th report and your April 4th
13 report, does your April 4th report supersede the
14 opinions expressed in the October 24th report?

15 A. I'm not sure what you mean by "supersede."
16 I think that I would say that I consider both of
17 them to contain my opinions.

18 Q. If there's any inconsistency or conflict
19 between the two reports, does the April 4th report
20 supersede the opinions in the April -- in the
21 October 24th report?

22 A. I'm not aware of any such conflicts. If
23 there is something specific about the differences
24 you'd like to discuss, then I think I'd prefer to
25 take those example by example.

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1 Q. So between these two reports -- strike
2 that.

3 These two reports contain all the opinions
4 that you intend to provide in this case?

5 A. That's correct.

6 Q. And these two reports set forth all the
7 bases for all the opinions that you intend to
8 provide in this case?

9 A. That's correct.

10 Q. Have you formed any opinions in this case
11 that are not set forth in these two reports?

12 A. No.

13 Q. Have Bank counsel asked you to form any
14 opinions in this case that are not set forth in
15 these two reports?

16 A. No.

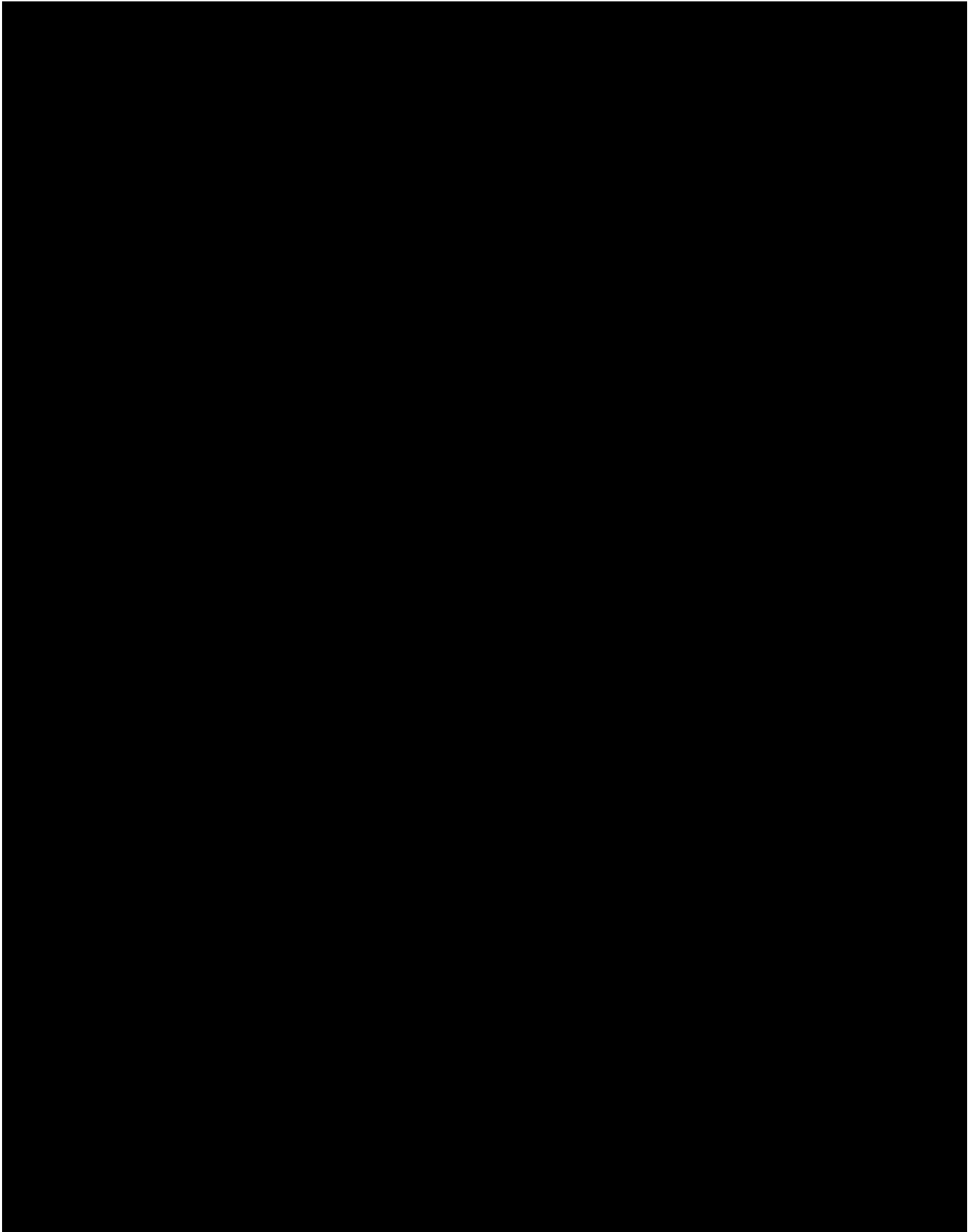
17 Q. If you could turn to page 2 of Exhibit 4.
18 And I'll be referring to this document as your --
19 either your rebuttal report or your April 4th report
20 throughout the day. This is Exhibit 4.

21 Under Section II, "Assignment,"
22 paragraph 6, it says, "I have been retained in this
23 matter by Goodwin Procter LLP, counsel for Bank of
24 America. I have been asked to review and respond to
25 certain opinions expressed by Greg J. Regan in his

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9 MS. CHAN: Can I get Tab 26.

10 (Whereupon, Exhibit 7 was marked for
11 identification)

12 BY MS. CHAN:

13 Q. The court reporter has handed you a
14 document that's been marked Exhibit 7.

15 Have you seen this document before?

16 A. Yes.

17 Q. This is the expert rebuttal report of Carl
18 Pry dated April 4th, 2025, correct?

19 A. Yes.

20 Q. And you cite this report in footnote 151 of
21 your report, correct?

22 A. Yes.

23 Q. Can you turn to paragraph 49 of Mr. Pry's
24 report. It's on page 24.

25 A. I'm there.

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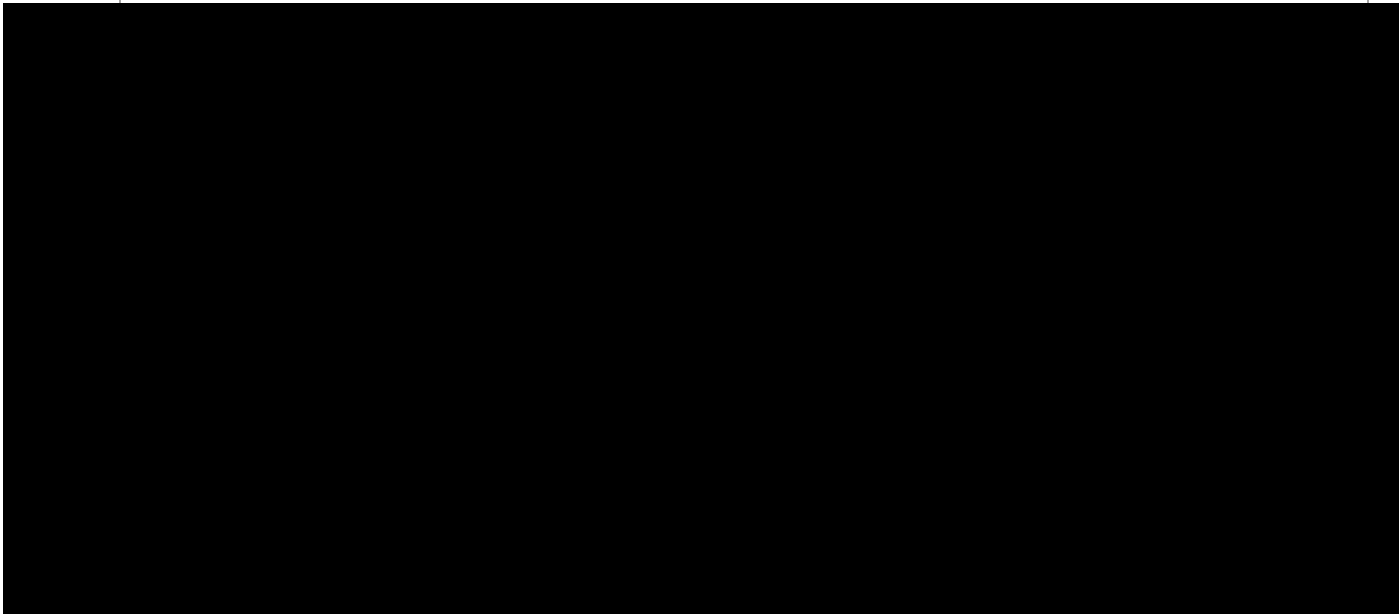
1 became examining their situations as of the time
2 period for which I had data.

3 Q. So up until the moment that the funds are
4 returned, the cardholder has lost the funds,
5 correct, from a damages perspective?

6 A. That could be true or it could not be true.
7 I think you're asking about a hypothetical different
8 from the situation I examined in my report.

9 Q. Why would that not be true?

10 A. Other things could have changed. I think
11 you're asking me to consider a hypothetical, and,
12 again, my focus in my report was to consider the
13 analysis in the Regan report as of the time period
14 that he undertook it and look at it from the vantage
15 point of the time period when I wrote my report,
16 during which consumers had had their funds returned
17 to them.



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7 BY MS. CHAN:

8 Q. So you were not asked to consider that
9 possibility?

10 A. I think that's correct, yes.

11 Q. And if you were asked to offer an opinion
12 as to whether the principal amount of that
13 cardholder's claim is part of their damages, what
14 would your opinion be?

15 MS. BRYS: Objection. Outside the scope.
16 Incomplete hypothetical.

17 THE WITNESS: I'm not sure. I don't have
18 an opinion about that.

19 BY MS. CHAN:

20 Q. Are you qualified to offer such an opinion?

21 A. It's possible that I could offer such an
22 opinion. But again, at a minimum, that would
23 require a hypothetical that were specified, data and
24 time to undertake an analysis.

25 Q. So can you turn to page 32 of your report.

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CERTIFICATE OF REPORTER

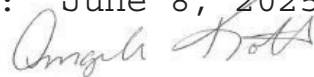
I, ANGELA T. KOTT, Certified Shorthand Reporter, hereby certify that the witness in the forgoing deposition was duly sworn to tell the truth, the whole truth and nothing but the truth in the within-entitled cause;

That said deposition was taken down in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition, review of the transcript [X] was [] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

Dated: June 8, 2025.



ANGELA T. KOTT, CSR 7811