

Exhibit 1

Confidential

**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

EXPERT REPORT OF JAY MINNUCCI

March 4, 2025

REDACTED PUBLIC VERSION

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*Confidential***I. ASSIGNMENT**

1. I have been retained as an expert witness in this matter by Cotchett, Pitre & McCarthy LLP, and Altshuler Berzon LLP (“Counsel”), co-lead counsel for the Class Plaintiffs.

2. I understand from Counsel that Class Plaintiffs are seeking certification of five classes, three of which are relevant to this report: (1) a “Claim Denial” class, defined as all Bank of America EDD debit cardholders who notified the Bank that an unauthorized transaction had occurred on their Bank of America EDD debit card account (“Claim”) at an automated teller machine (“ATM”), and whose Claim the Bank denied or closed at any time from September 28, 2020, through June 8, 2021, based solely on Indicator 1 of the Bank’s Claim Fraud Filter (“CFF”); (2) a “Credit Rescission” class, defined as all Bank of America EDD debit cardholders who received permanent credit from the Bank in connection with their Claim, which credit the Bank rescinded at any time from September 28, 2020 through June 8, 2021, based solely on Indicator 1 of the Bank’s CFF; and (3) a “Customer Service” class, defined as all members of the Claim Denial Class and/or Credit Rescission Class who telephoned the Bank’s customer service telephone number for its EDD debit cardholders at any time between September 13, 2020 through November 21, 2020, and whose telephone call was routed to the Bank’s Claims call center. Counsel have asked me to review and analyze certain documents and data produced by the Bank and testimony provided by the Bank’s Rule 30(b)(6) designees on matters related to the Customer Service Class’s claims. Specifically, counsel have asked me to determine the following:

- a. The Bank’s Claims call center performance metrics during 2020 and 2021, as measured using industry standard metrics;
- b. Whether the Bank’s Claims call center performance metrics fell below industry standards, and if so, to what extent and during what period;

- c. Whether the operational processes, including call forecasting and staffing, and technology the Bank utilized in its Claims call center in 2020 and 2021 fell below industry standards, norms, and best practices;
- d. Whether there were reasonable alternative actions the Bank could have taken consistent with industry standard practices to avoid or mitigate the adverse impact on EDD debit cardholders who telephoned the Bank's customer service telephone number for its EDD debit cardholders at any time between September 13, 2020 through November 21, 2020, and whose telephone call was routed to the Bank's Claims call center; and
- e. The effects on EDD debit cardholders of the Bank's performance failures in its Claims call center between September 13, 2020 and November 21, 2020.

II. SUMMARY OF EXPERT QUALIFICATIONS

3. I am the founder and owner of Service Agility, Inc. ("Service Agility"), an S-Corp domiciled in Pennsylvania. Service Agility was founded in 2008 and provides consulting, training, and related services to the call center industry.

4. I received a Bachelor of Business Administration from Temple University in 1984, graduating magna cum laude.

5. My entire professional career—more than four decades—has been in the call center industry, working for and advising in-house departments and third-party vendors that handle inbound and outbound customer service calls, and the corporate managers that oversee those departments and vendors. I spent 17 years in various leadership positions in a call center and have served as a consultant, author, speaker, and trainer for more than the last two decades.

6. In October 1983, I began working in the 800-seat call center serving the AARP Group Health Insurance Program, where I held a variety of supervisory and management roles, in both the call center and related back-office departments.

7. In 1995, I was promoted to Director and Senior Director roles at that call center, where I established policies and practices to maximize call center performance while minimizing staffing expenses. Some of my core responsibilities over the next five years in those positions included:

- a. Forecasting and budgeting oversight, including developing staffing expense estimates and monitoring actual spend vs. projections.
- b. Meeting our key performance metric of service level, which is a measurement of the percentage of calls answered within a certain number of seconds (e.g., 70% of calls answered within 30 seconds), while minimizing staffing expenses.
- c. Designing and developing the organization's first Workforce Management Team. In a call center, the Workforce Management ("WFM") team is responsible for forecasting incoming call volumes and associated average handling times (the amount of time required to complete a call from the time it is answered), and using those projections to calculate the number of staff needed to meet the organization's targeted service level objectives.
- d. Overseeing proper maintenance and support for key applications and systems, including overseeing telephone IT support positions (which perform technology related functions that are essential to satisfying call center performance metrics, such as designing and maintaining phone

systems, Interactive Voice Response (IVR) systems, outbound calling, and call monitoring).

8. Following my 17 years of work in a call center, I began work as a call center consultant, first as Vice President of Consulting from 2000 to 2008 at the International Customer Management Institute (“ICMI”), where I provided call center consulting services to the Federal Reserve Bank, Discovery Financial, Charles Schwab, Wells Fargo, and dozens of other clients. During that time, I grew the firm’s consulting revenue from \$0 to over \$3 million per year. In 2008, I founded my own company, Service Agility, which has provided consulting services to over 100 clients operating call center services, including MetLife, Nationwide Insurance, Guardian Life, LGE Community Credit Union, Thrift Savings Plan, United Healthcare, Allstate, and UBS Group. Through my work at both ICMI and Service Agility, I have, among other things: advised clients on best practices in selecting and managing an outsourcing provider; overseen the drafting, negotiation, and revision of General Service Agreements (GSAs) and Statements of Work (SOWs) involving dozens of call centers; provided guidance on determining proper staffing levels, including for call center agent positions, as well as other support positions; created forecasts and scheduling tools to help determine staffing needs; built quality assurance programs to help clients optimize call handling processes and results; educated clients on recruitment, training and employee retention strategies; and counseled executive teams on setting objectives and monitoring performance in call centers.

9. In addition to my consulting work, I speak at industry events and I have published several articles in leading trade publications, focusing on best practices for the management of call centers. More detail on my background is provided in my Curriculum Vitae in **Appendix A**. Details of my published works in the past ten years are included in **Appendix B**.

10. I have designed and delivered training courses for call center managers around the globe. Through those courses, I estimate that I have trained well over one thousand call center managers.

11. I have also worked as an expert witness in several cases involving call center operations, technology, service contracts, and related performance standards. A list of the cases in which I provided testimony under oath in the past four years appears in **Appendix C**.

III. SUMMARY OF OPINIONS

12. The Bank's data shows that from September 13, 2020 through November 21, 2020, the performance of the Bank's Claims call center was so substandard that it subjected cardholders to wait times rarely, if ever, seen in the call center industry. For example, the average speed to answer ("ASA") is an industry-standard metric that reflects the average amount of time a customer is kept waiting on hold before their call is initially answered, a metric that is typically measured in seconds. The average ASA reported in 2020 across 214 call centers surveyed by ContactBabel was **75 seconds** (1.25 minutes), which is consistent with (but on the higher end of) my understanding of the industry standard ASA generally.¹ By contrast, between September 13, 2020 and November 21, 2020, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹ The U.S. Contact Center Decision-Makers' Guide is a report published by ContactBabel annually studying the "performance, operations, technology and HR aspects of US contact center operations;" the 2020 survey included data from 214 U.S.-based call centers, including 29 from the Finance industry and 28 from the Outsourcing/Telemarketing industry. *See The 2021 US Contact Decision-Makers' Guide, 13th Edition*, ContactBabel ("2021 Decision-Makers' Guide") at 13, 46.

[REDACTED]

[REDACTED] the industry average. In their effort to get the Bank's Claims call center to answer their calls, [REDACTED]

[REDACTED]. The performance of the Bank's Claims call center during this ten-week period in the Fall of 2020 is by far the worst I have seen across a two-and-a-half-month period in my 41 years in the industry.²

13. Virtually all EDD debit cardholders who telephoned the Bank between September 13, 2020 and November 21, 2020 and had their calls routed to the Bank's Claims call center

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

14. The very long wait times to which EDD debit cardholders were subjected resulted

[REDACTED]

[REDACTED]. The average abandonment rate in 2020 across call centers surveyed by ContactBabel was 6.1%.³ By contrast, [REDACTED]

[REDACTED]

[REDACTED]. Because wait time before abandonment is not included in the ASA data, ASA

² To date, the only call center I have seen provide similarly inadequate service over two+ months is [REDACTED].

³ See 2021 Decision-Makers' Guide at 46.

significantly understates the actual amount of time spent on the phone by the many EDD debit cardholders who had to call and wait multiple times before connecting with a CSR.

15. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. Although the Customer Service class as defined by plaintiffs includes only those EDD debit cardholders who called the Bank and were routed to the Claims call center between September 13, 2020 and November 21, 2020, the substandard performance level in the Claims call center during this period was not an isolated occurrence for the Bank. Throughout 2020 and 2021, the Bank repeatedly failed to meet industry standards for disaster planning, staffing, and security across its call centers, all of which were factors causing the Bank to provide grossly substandard service levels for sustained periods of time.

17. The Bank's consistent conduct in understaffing its Claims call center and not using standard technology [REDACTED],

while causing significant harm to EDD debit cardholders.

IV. FACTS AND DATA CONSIDERED

18. In preparing this report, I have relied on my general knowledge, training, experience, and other expertise accumulated during my 41 years as an executive and consultant in the call center industry. In addition, during the course of my analysis, I have relied upon documents and information produced in discovery in this case as well as publicly available documents and information. I have relied upon the materials cited in this report and those materials cited in **Appendix D**.

19. My work on this matter is ongoing, and I may review additional materials or conduct further analysis. I reserve the right to update, refine, or revise my opinions as appropriate, including should additional information become available to me.

V. HOURLY RATE

20. I am being compensated for my work on this matter at a rate of \$375 per hour. The compensation for my work in this matter is not contingent upon the nature of my findings or on the outcome of this litigation.

VI. BACKGROUND

A. Bank of America's Prepaid Call Center Operations

21. In the 2020-2021 timeframe covered by this report, the Prepaid call centers at Bank of America served [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁴

22. From April 2020 to June 2021, the Bank's customer service operations for its prepaid debit cardholders [REDACTED]

[REDACTED]

[REDACTED].⁵

23. [REDACTED]

[REDACTED].⁶ [REDACTED]

[REDACTED]

[REDACTED].⁷ [REDACTED]

[REDACTED]

[REDACTED].⁸ [REDACTED]

[REDACTED].⁹ [REDACTED]

[REDACTED]

[REDACTED].¹⁰ [REDACTED]

[REDACTED]

[REDACTED].¹¹

24. [REDACTED]

⁴ BANA_EDD_MDL-00643363 at -643387-88.

⁵ BANA's Responses & Objections to Plaintiffs' Fifth Set of Interrogatories ("5th Rogs"), No. 34.

⁶ Rule 30(b)(6) Depo. of William Golden ("Golden Tr.") 100:2-9.

⁷ Golden Tr. 100:16-21.

⁸ See BANA_EDD_MDL-00002286 at -2453.

⁹ 5th Rogs, No. 34, 14:26-15:4.

¹⁰ See BANA_EDD_MDL-00153666 at -153673-74.

¹¹ Golden Tr. 32:5-21.

[REDACTED]

[REDACTED].¹²

25. [REDACTED]

[REDACTED]

[REDACTED].¹³

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].¹⁴

26. Prior to the June 2021 preliminary injunction obtained by the Plaintiffs,¹⁵ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].¹⁶ [REDACTED]

[REDACTED]

[REDACTED].¹⁷

27. [REDACTED]

¹² 5th Rogs, No. 34, 15:5-14.

¹³ 5th Rogs, No. 34, 15:11-22.

¹⁴ See 5th Rogs, No. 34; BANA_EDD_MDL-00153666 at -153673-74; Rule 30(b)(6) Depo. of Shane Daniels (“Daniels Tr.”) 84:23-86:24.

¹⁵ Preliminary Injunction (ECF 103), *Yick v. Bank of America N.A.*, 3:21-cv-00376-VC (N.D. Cal. June 2, 2021).

¹⁶ See Golden Tr. 32:5-21, 100:2-21, 168:5-17.

¹⁷ See *ibid.*

[REDACTED]

[REDACTED]¹⁸ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]¹⁹

28. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]²⁰ [REDACTED]

[REDACTED]

[REDACTED].

29. After the onset of Covid-19, call volume data reports show that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]²¹

[REDACTED]

¹⁸ 5th Rgs, No. 34, 15:23-16:12.

¹⁹ *Id.*

²⁰ Golden Tr. 57:19-25.

²¹ *Compare* BANA EDD MDL-00859710 [REDACTED]

[REDACTED]

[REDACTED]

30. [REDACTED]

[REDACTED].²² If all callers are routed in the same manner, it logically follows that any substantially large sub-group of these callers will experience the same average wait times. [REDACTED]

[REDACTED] is strong evidence that the majority of calls to the Claims call center were also from EDD debit cardholders. Therefore, during any given period, EDD [REDACTED]

[REDACTED].

31. If there were any variations in service, in my opinion it is likely that EDD cardholders would have received *worse* service than other prepaid cardholders received. In my experience, the only callers who experience meaningfully shorter wait times when contacting a severely understaffed center are those who place their calls as soon as the call center begins operations each day. Because the Bank's Claims call center was open from 8:00 am to 10:00 pm Eastern Time Monday through Friday and 9:30 am to 8:00 pm Eastern Time on Saturday, callers living in the Pacific Time Zone, which would include most California EDD cardholders, would have had to call at 5:00 am Pacific Time to receive the faster early morning service. While EDD

²² Golden Tr. 57:19-58:4. It is possible with modern call center phone equipment to route different groups of cardholders differently; and had the Bank done so, [REDACTED]

[REDACTED]

callers were likely under-represented in these early morning hours, they were likely over-represented at the 7:00 pm Pacific close of the business day. Unfortunately, any callers in queue at the end of the day would have been dropped from the queue when the last CSR signed out, regardless of how long they had waited, adding to those EDD callers' frustration.

32. Further, to the extent that the Bank's call center leaders could influence whether EDD cardholders received better or worse service than other prepaid cardholders, [REDACTED]

[REDACTED]

[REDACTED]²³

B. Call Center Industry Performance Standards

33. Call centers operate in what is referred to in the industry as a "real-time" environment, meaning that phone calls must be answered shortly after being queued for an agent. It is well known in the industry that failure to answer incoming calls shortly after they are queued results in high rates of call abandonment (i.e., where the caller hangs up before the call is answered), resulting in high levels of customer dissatisfaction.

34. Call centers are heavily reliant on data to manage operational performance. Since the emergence of call centers in the 1970s, phone equipment has been developed to track and log nearly every event that occurs during a call center call (e.g., the specific welcome message played, the selection made by the caller on the main menu, the time the call was queued to an agent, etc.). By logging these events, a phone system can generate massive amounts of data related to both group and individual CSR performance, which is reviewed by managers.

35. There are standard call center performance metrics that nearly every call center measures. These include the incoming volume of calls (also referred to as offered calls), the

²³ BANA_EDD_MDL-00118438.

number of calls handled (also referred to as answered calls), the number and percentage of abandoned calls, and the speed with which calls are answered. The Bank collected and tracked this data for its Prepaid call centers.²⁴

36. Two of the most common metrics for evaluating call center performance are average speed of answer (ASA) and abandonment rate.²⁵ The ASA is the arithmetic mean of the number of seconds each answered call remained on hold before the caller was connected to a live CSR, while the abandonment rate is the percentage of callers who hang up or are otherwise disconnected after their call enters the hold queue but before their call is answered.²⁶ These are standard measurements that call center vendors regularly report to their clients, often multiple times per day. [REDACTED]

[REDACTED].²⁷

37. The vast majority of call center vendors operate under contracts that specify performance targets for both ASA and abandonment rate. It is standard practice to reference average performance across call centers to negotiate and set vendor performance targets. [REDACTED]

[REDACTED]
[REDACTED],²⁸ which is a common industry target for abandonment. [REDACTED]

²⁴ See, e.g., BANA_EDD_MDL-00719115; BANA_EDD_MDL-00719116.

²⁵ See Susan Hash, *Metrics Roundup*, CONTACT CENTER PIPELINE (Oct. 2019), <https://www.contactcenterpipeline.com/Article/contact-center-metrics-roundup> (identifying abandonment rate and response time as among the most-used call center performance metrics).

²⁶ *Id.*; see also Golden Tr. 32:22-33:11.

²⁷ See, e.g., BANA_EDD_MDL-00719115; BANA_EDD_MDL-00719116; Golden Tr. 60:24-61:14.

²⁸ See e.g., BANA_EDD_MDL-0090040 at -90046 ([REDACTED]); BANA_EDD_MDL-0013086 at -13092 ([REDACTED]); BANA_EDD_MDL-0012875 at -12882-83 ([REDACTED]); BANA_EDD_MDL-0012792 and BANA_EDD_MDL-0012800).

[REDACTED]

[REDACTED].²⁹ Because ASA and abandonment rate are industry-standard metrics and are among the most frequently reported call answer metrics in the Bank's Prepaid call centers, those metrics are used throughout this report to measure call center performance.

38. In my experience, competent call center leaders adopt similar ASA and abandoned rate standards and deliver similar ASA and abandoned rate results across all lines of business within a company. Doing anything different not only exposes call centers to complaints from certain segments of a business, but also encourages callers to “number shop”—that is, calling different numbers or choosing the wrong options from a menu just to get into a queue that might have a shorter wait. It is therefore not surprising that EDD did not distinguish between Main, Claims, and/or Fraud call centers with respect to the performance benchmarks established in its contract with the Bank.³⁰ [REDACTED]

[REDACTED].³¹

39. Table 2 below shows the average ASA and abandonment rate over a nine-year period for 214 call centers that completed an annual survey conducted by ContactBabel (complete results regarding performance metrics of these centers are provided in **Appendix E**).³²

²⁹ See *ibid*.

³⁰ BANA's Response to State of California Electronic Benefits Payments RFP Vol I & II (July 10, 2015) (“2015 EDD-BANA Contract”) at 187, Req. 226 (“The Contractor shall, limit the average wait time to speak to a live CSR to no more than 30 seconds for 70 percent of the calls, and no more than two (2) minutes for all calls.”).

³¹ See, e.g., BANA EDD MDL-0090040 at -90046 ([REDACTED]); BANA EDD MDL-0013086 at -13092 ([REDACTED]); BANA EDD MDL-0012875 at -12883 (A [REDACTED]).

³² See 2021 Decision-Makers' Guide at 46.

Table 2: Average ASA and Abandonment Rates for US Call Centers, 2012-2022

Metric	2012	2013	2014	2015	2016	2017	2018	2019	2020
Mean average speed to answer (seconds)	31	34	43	46	53	50	60	56	75
Call abandonment rate	5.4%	6.3%	5.3%	7.3%	6.0%	5.9%	5.4%	5.7%	6.1%

40. As shown in Table 2, the average ASA across these 214 call centers in 2020 was **75 seconds** (1.25 minutes).³³ The average abandonment rate in 2020 was **6.1%**. Although this survey reported ASA and abandonment rates as an annual average, the most common interval for reporting ASA and abandonment rate performance is a month. Based on my experience and familiarity with performance standards in the industry, an ASA of 1.25 minutes and an abandonment rate of 6.1% is consistent with industry standards for acceptable average performance levels across a single month, although it is on the higher end of what is considered acceptable.

41. In my experience working across the finance, insurance, healthcare, utility, telecom, and other industries, there are not substantial differences between the ASA or abandonment rate targets set in different industries. In my consulting practice, I have found the most aggressive ASA targets set at 10 seconds and the least aggressive at 300 seconds, while the most aggressive abandoned targets are 2% with the least aggressive at 10%. These targets represent the extremes for individual call centers; industry averages have much less variation between the most and least aggressive call center in a given industry.

³³ ASA breakdowns by industry are available, though no such breakdowns by industry are provided for abandoned rates. See U.S. Contact Center Verticals: Finance, ContactBabel 2024, showing 2020 ASA for 29 Finance call centers of 145 seconds (page 31); see also U.S. Contact Center Verticals: Outsourcing, ContactBabel 2024, showing 2020 ASA for 28 outsourced call centers of 39 seconds (page 32).

42. Callers develop their expectations regarding how long it should take for a call to be answered based on their collective experience with *all* call centers over time, not just call centers in the same industry or providing the same service. For example, when an individual evaluates how quickly Comcast picked up their call, they would not compare Comcast only to Verizon and AT&T. They would also compare it to AllState, Wells Fargo, Aetna, Wayfair, and any other company they may have called recently. Because all call center experiences are used by customers in evaluating performance, it is standard practice for call center leaders to consider cross-industry benchmarks when setting performance targets. Accordingly, multi-industry call center performance data across call center types, like the data contained in the 2021 U.S. Contact Center Decision-Maker's Guide, is the best source for identifying industry-standard performance benchmarks that apply to all call centers, including specialty call centers like the Bank's Claims call center.³⁴

43. Although it is my opinion, for the reasons stated above, that multi-industry call center performance data is the best source for identifying ASA and abandonment rate benchmarks applicable to the Bank's Claims call center, performance data specific to the Finance and Outsourcing industries is available.³⁵ The average ASA reported in 2020 across the 29 Finance call centers surveyed by ContactBabel was 145 seconds (2.42 minutes).³⁶ The average ASA reported in 2020 across the 28 Outsourcers surveyed by ContactBabel was 39 seconds.³⁷

³⁴ See *infra* ¶¶28-35.

³⁵ See 2024 U.S. Contact Center Verticals: Finance, ContactBabel; 2024 U.S. Contact Center Verticals: Outsourcing, ContactBabel.

³⁶ 2024 U.S. Contact Center Verticals: Finance, ContactBabel, at 31.

³⁷ 2024 U.S. Contact Center Verticals: Outsourcing, ContactBabel, at 32.

C. Call Center Industry Operational Standards

44. Call center performance is affected by numerous variables that could drive surges and declines in call volume. Call centers have a variety of standard industry practices available to help forecast changes in call volume and to prepare for and respond to unanticipated events, and to ensure they maintain satisfactory call center performance in the face of changing circumstances.

45. For example, call centers often employ skilled analysts that, with the assistance of forecasting software, predict call volume and staffing requirements from the monthly level down to fifteen-minute time intervals.³⁸ It is not uncommon for call volumes to surge dramatically in response to external events or other changed circumstances.³⁹ Whenever decisions are being considered that could impact incoming call volumes and/or the average time it takes to process a transaction, it is a standard practice to first consult these analysts to determine the likely impact of such a decision on staffing requirements. This advance planning enables the client overseeing the call center to make whatever staffing changes are necessary in advance of the implementation of the decision so customer wait times are not negatively impacted.⁴⁰ If a planned company decision or policy change is expected to drive an increase in call volume, it is industry-standard practice to increase staffing levels as needed to maintain satisfactory call center performance

³⁸ See Lori Bocklund, *Support Technology without an Analyst Is Like a Car without a Driver*, CONTACT CENTER PIPELINE (May 2021), <https://www.contactcenterpipeline.com/Article/support-technology-without-an-analyst-is-like-a-car-without-a-driver> (detailing the role of skilled, trained analysts in using contact center technologies to optimize staffing).

³⁹ *The 2023 US Contact Decision-Makers' Guide, 15th Edition*, ContactBabel, at 31 (“Understanding how the business will change some months in advance – perhaps for seasonal reasons, or with the launch of a new product – will certainly impact on resourcing, and close communication and integration between resource planning and day-to-day WFM is desirable.”).

⁴⁰ See *id.* at 30 (“The modern contact center not only requires the basics (having enough people to answer interactions in a reasonable amount of time), but also more sophisticated functionality such as the ability to forecast and schedule agents in near-real time and handle virtual contact centers, mobile resources and home- working resources.”).

levels, and to implement those staffing changes *before* implementing the company decision that is anticipated to drive up call volume.

46. When call center operations are outsourced, it is standard industry practice for the client and vendor to document the process for establishing and revising staffing levels.

[REDACTED]

[REDACTED]⁴¹ [REDACTED]

[REDACTED]

[REDACTED].

VII. STATEMENT OF OPINIONS AND BASIS FOR OPINIONS

A. The Bank Subjected EDD Debit Cardholders Seeking Assistance with Unauthorized-Transaction Claims to Long Wait Times that Were Unprecedented and Fell Far Below Industry Performance Standards.

47. [REDACTED]

[REDACTED]

[REDACTED]⁴² [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]⁴³

⁴¹ See BANA_EDD_MDL-0090040 at -90040, section 3.4; BANA_EDD_MDL-0013086 at -13086, section 3.4; BANA_EDD_MDL-00013096 at -13097, section 3.5.

⁴² See BANA_EDD_MDL-00172236 at -172242.

⁴³ The Bank's designee testified [REDACTED]

[REDACTED] See Golden Tr. 99:11-100:1. See also BANA_EDD_MDL-00172236 at -172243.

48. During 2020, [REDACTED]

[REDACTED]

[REDACTED]. As depicted in Appendix F, [REDACTED]

[REDACTED]

[REDACTED]. Later in the year, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

49. While these numbers represent averages, at these exceptionally poor levels of performance, almost every caller would have experienced an extremely long wait for service.

According to the Bank's data, [REDACTED]

[REDACTED]

[REDACTED], meaning that long wait times

were universal. Combined with the Banks' data showing that [REDACTED]

[REDACTED], nearly every caller during this time period waited far longer than what is considered acceptable by industry standards.⁴⁴

50. In light of the data provided by the Bank, [REDACTED]

[REDACTED]

[REDACTED]. The Bank's records show that, [REDACTED]

[REDACTED]

⁴⁴ See BANA_EDD_MDL-00719115.

[REDACTED]. Because calls from EDD debit cardholders [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

51. Comparing performance in the Bank's Claims call center to the performance of call centers generally during the 2020 pandemic year demonstrates how poor the Bank's results were, in relative as well as absolute terms. Table 3 and Table 4 below show how the Bank's Claims call center compared to the 214 call centers that participated in the 2021 ContactBabel survey, based on the data from **Appendix F** (Claims Call Center Data 2020-2021). Figure 1 and Figure 2 below show the Bank's Claims call center performance metrics over the entire 2020 year.

52. The average ASA in 2020 among the 214 call centers surveyed by ContactBabel was 75 seconds (1.25 minutes), which the data shows is on the high end of what is typically considered an acceptable ASA and likely reflects the pandemic circumstances in the second quarter of 2020. [REDACTED]

[REDACTED].⁴⁵ This means that cardholders who called the Bank and were able to reach a Claims CSR waited [REDACTED] than did callers to the surveyed call centers. The 2020 performance of the Bank's Claims call center is by far the worst I have seen across a full year in my 41 years in the industry, [REDACTED]

[REDACTED]

⁴⁵ The weighted average [REDACTED] based on data from BANA_EDD_MDL-00719115.

already far outside the industry norm, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

Normal day-to-day or week-to-week variations in performance are inadequate to explain call center performance that was this bad for that long.

Table 3: Average Speed to Answer Comparison, September 13 – November 21, 2020

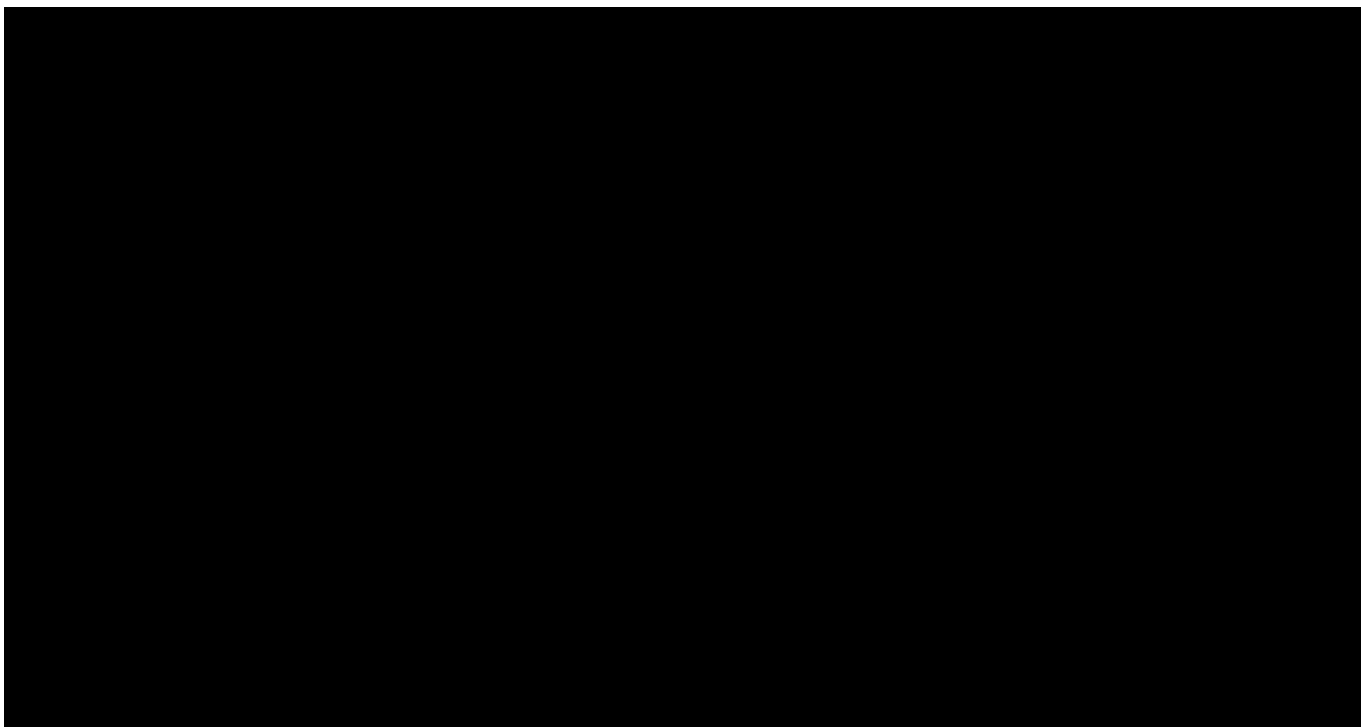


Figure 1:

53.

. Abandonment rate is another commonly reported metric reflecting call center performance. In ,⁴⁶ and in 2020 the average abandonment rate among the 214 surveyed companies was 6.1%. In my experience these figures are consistent with—albeit on the high end of—industry norms.

In short,

than at companies participating in the 2020 ContactBabel survey. While this is already far outside the industry norm,

⁴⁶ See BANA_EDD_MDL-0090040 at -90046.

[REDACTED]

[REDACTED]

[REDACTED]. These are extraordinarily high levels of abandonment that any competent call center operator would be expected to undertake enormous efforts to avoid.

54. Another performance metric, related to abandonment rate, is average abandon time (also known as “abandon delay”). This metric measures how long on average a caller who ultimately abandons the call waited on hold before hanging up. [REDACTED]

[REDACTED].⁴⁷ [REDACTED]

[REDACTED]

[REDACTED].⁴⁸

55. [REDACTED]

[REDACTED]

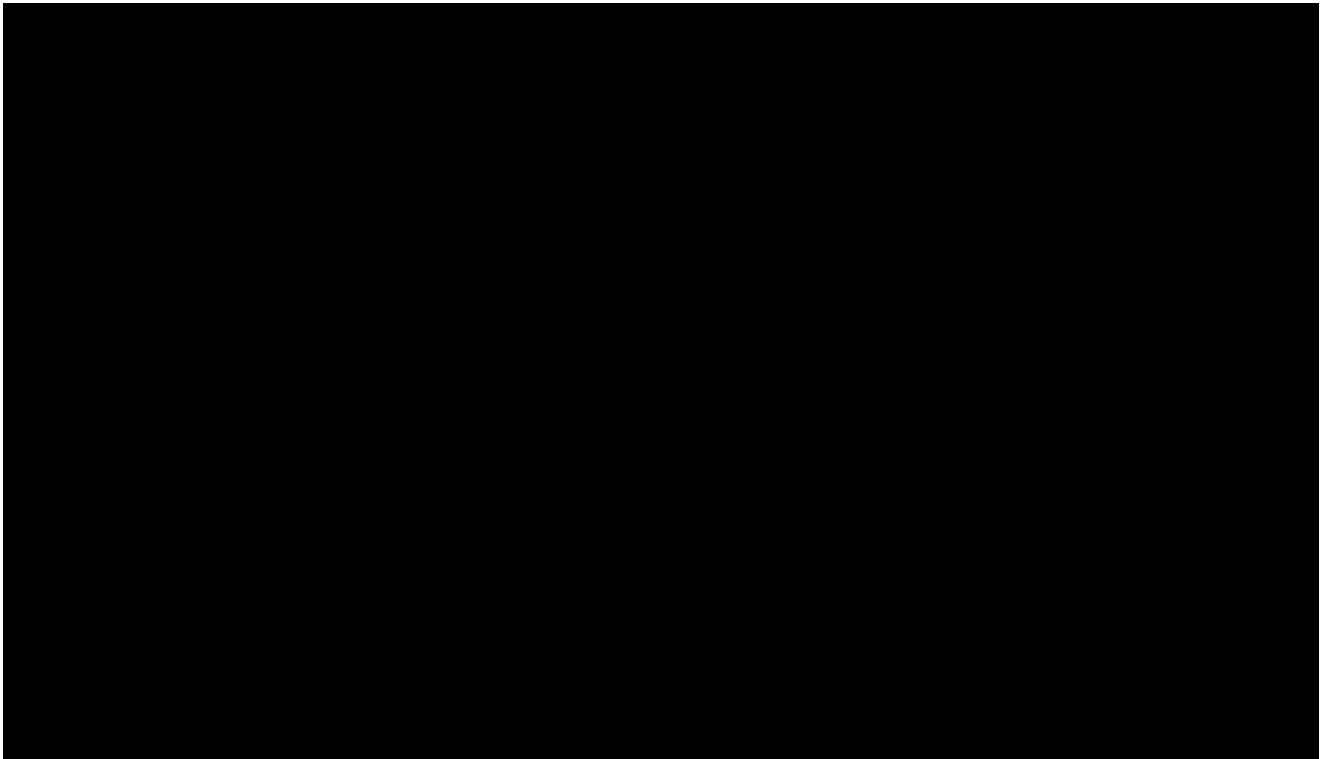
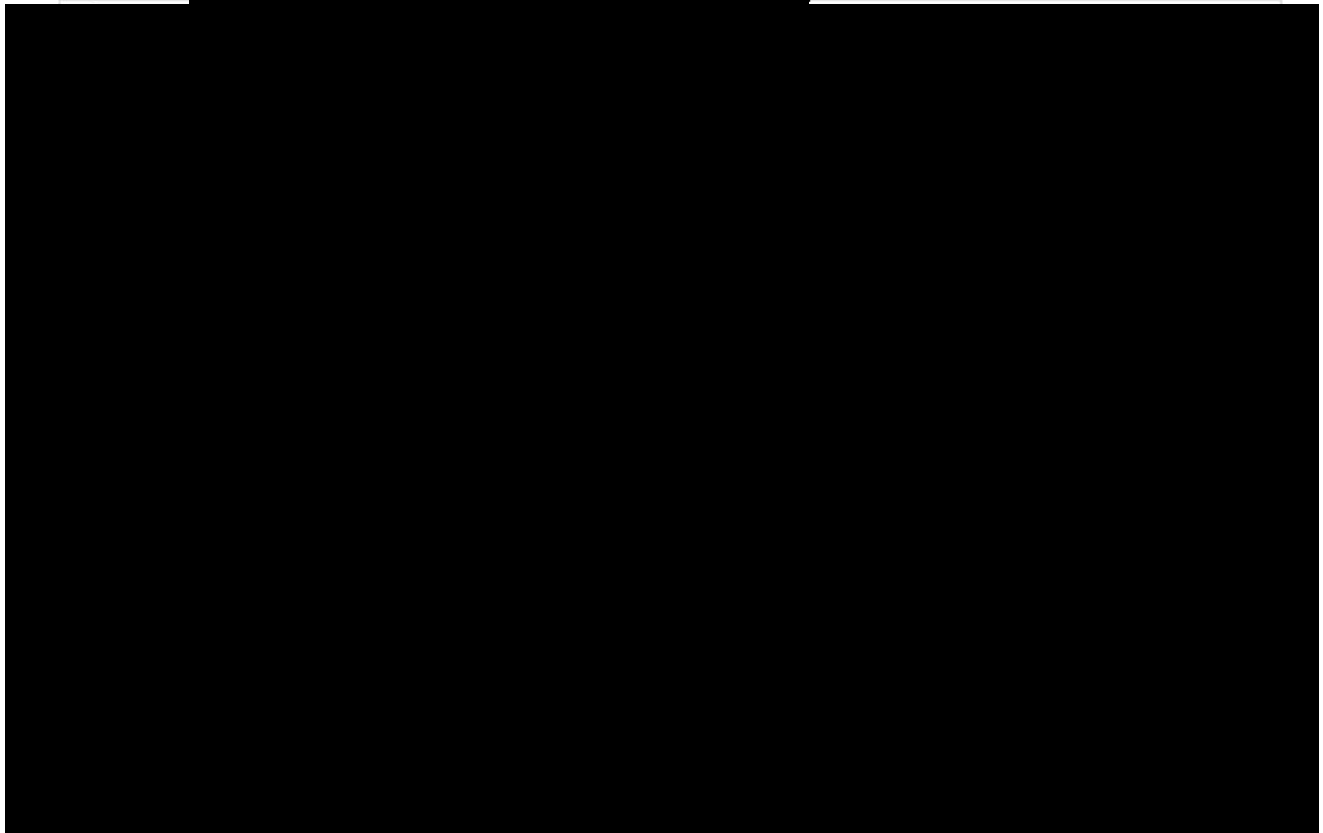
[REDACTED]

[REDACTED]. ASA data only accounts for the time spent waiting on a call that ultimately connects and does not include this time that callers wait before abandoned or disconnected calls. As such, ASA understates the total wait time [REDACTED]

[REDACTED].

⁴⁷ Because call centers strive to keep abandonment rate as low as possible and generally under 5%, average abandon time is a less frequently reported metric because, in most call centers, it reflects the experience of a very small number of callers. As such, the ContactBabel survey did not include this metric.

⁴⁸ Average abandon time weighted on abandoned calls as provided in BANA_EDD_MDL-00719115.

Table 4:**Figure 2:**

56. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

57. To summarize, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] at surveyed companies. With no service options available

other than the Claims call center, these callers had no recourse other than calling and waiting.

B. The Bank's Practice of Understaffing Its Claims Call Center in the Face of Foreseeable Call Volume Surges Was Inconsistent with Industry Standard Practices.

58. Understaffing was the root cause of the poor service in the Claims call center from April 26, 2020 to June 13, 2020 and again from September 13, 2020 to November 21, 2020, and the Bank's documents and testimony [REDACTED]

[REDACTED]. Long wait times and high abandonment rates are entirely avoidable, even in the face of call volume surges, if a call center properly forecasts call volume and staffs its call centers accordingly.

59. While the COVID-19 pandemic clearly caused a surge in call volume for the Bank, the impact in the Spring of 2020 would have been minimal had staffing action commenced as soon as forecasts were updated. Despite this delayed reaction, staffing finally

caught up with call demand in July of 2020, making the pandemic irrelevant to the Bank's poor performance in Fall 2020. The 2020 ContactBabel survey and my experience with clients grappling with similar pandemic-related issues show that many call centers were able to provide adequate services to their customers within weeks of the onset of the pandemic.

60. Wait times are a function of call volume, average handle time (the time required to complete a call, including post-call documentation), and call center staffing. When call volume increases are projected, call center staffing needs to be correspondingly increased in order to maintain adequate levels of service. [REDACTED]

[REDACTED]
[REDACTED].⁴⁹

Such a practice is well outside of industry-standard operating procedures, certain to result in sub-standard performance, and not adopted by competent call center operators.

61. [REDACTED]
[REDACTED]
[REDACTED].⁵⁰ [REDACTED]
[REDACTED]
[REDACTED].⁵¹ [REDACTED]
[REDACTED]
[REDACTED].

62. The Bank's designated witnesses have testified that the Bank's standard practice was to [REDACTED]

⁴⁹ See Golden Tr. 66:8-68:6.

⁵⁰ See Golden Tr. 69:5-20.

⁵¹ *Id.*

[REDACTED].⁵² [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

63. The Bank's admitted practice of [REDACTED] [REDACTED] is well outside of standard operating procedures, because staffing lags of weeks at a time are known to be the cause of performance results that are widely viewed in the industry as unacceptable. There is, in fact, an entire field of specialization within the call center industry known as Workforce Management (WFM) dedicated to forecasting volumes and calculating staffing needs in advance.⁵³ WFM teams employ skilled analysts using forecasting and scheduling software for the purpose of being appropriately staffed at all times.⁵⁴ Documents produced by the Bank in this litigation show [REDACTED]

[REDACTED]

⁵² Golden Tr. 66:8-68:6.

⁵³ See 2021 Decision-Makers' Guide at 47-49 (describing the importance of forecasting to call center operations and the many inputs that can contribute to more accurate staffing forecasts).

⁵⁴ Of the call centers surveyed by ContactBabel, 90 percent of large call centers (more than 200 agents) and 67 percent of Finance call centers used specialized workforce management forecasting and scheduling software. See 2021 Decision-Makers' Guide at 54-55. As virtually all call centers at this size engage in forecasting, other call centers are likely using Excel or other in-house tools.

[REDACTED]

[REDACTED].

64. As early as April 2020, [REDACTED]

[REDACTED]

[REDACTED].⁵⁵ [REDACTED]

[REDACTED]

[REDACTED].⁵⁶ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

65. The method used by the Bank's [REDACTED]

[REDACTED]. Most call centers depend on a multitude of factors (e.g., business growth rate, seasonality factors, event timing, etc.) to project future volume. This process is not only complex, but it requires that all of these factors align with expectations to produce a reliable forecast. Here, by contrast, the Bank was able [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁵⁷ The R squared value is a measure of how well one data set ([REDACTED]) explains variance in another ([REDACTED]).

The R squared value can be used to compare any two sets of data, with readings ranging from a

⁵⁵ See, e.g., BANA EDD MDL-0060339, tab labeled "[REDACTED]", labeled "[REDACTED]".

⁵⁶ See, e.g., BANA EDD MDL-0060339, tab labeled "[REDACTED]".

⁵⁷ See, e.g., BANA EDD MDL-0060339, tab labeled "[REDACTED]".

minimum of 0 (meaning no correlation) to a maximum of 1.0 (perfectly correlated). Over my career, I have run these types of calculations for dozens of call centers, and I have never encountered this high of a correlation from a single factor. For call center forecasting, an R^2 of .7 will deliver monthly forecasts with error rates typically below 10%, meeting the target accuracy rate used most often in the industry. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

66. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁵⁸ To ignore a forecast with proven reliability is completely outside of normal operating procedure for a call center.

67. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁵⁹ [REDACTED]

⁵⁸ See supra ¶¶61-63.

⁵⁹ A Full Time Equivalent (FTE) represents 40 hours of CSR logged in time for the week. For example, two CSRs that each log 20 hours would be considered one FTE.

68. As displayed in Table 5 and Figure 3 below,

[illegible]

69.

[illegible]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

70. Call center industry CSR turnover actually *dropped* in 2020 compared to the previous year,⁶⁰ making it even more clear that neither normal nor pandemic-related turnover can explain what happened from July to September 2020 in the Claims call center. As shown in Table 5 below, at a time when the call center industry was experiencing a staffing attrition rate of 30% over 52 weeks (0.58% per week, on average),⁶¹ the Bank [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. The huge gap between the Bank's reduction in staff over this time period compared to typical call center attrition rates makes it clear that the reduction was not due to typical attrition.

⁶⁰ See 2021 Decision-Makers' Guide, figure 190 at page 390.

⁶¹ *Id.*

Table 5:

71.

. ⁶². ⁶³

72.

⁶² See Golden Tr. 60:14-61:14 ([REDACTED] ”).

⁶³ *Id.*; see also BANA EDD MDL-0090040 at -90046 [REDACTED] ; BANA_EDD_MDL-0012875 at -12883 ([REDACTED]).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁶⁴

73. The Bank's implementation of the [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

74. In other words, a [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁶⁴ Golden Tr. 75:14-76:2; 124:11-125:1.

[REDACTED].”⁶⁵ The Bank’s witness acknowledged [REDACTED]

[REDACTED].⁶⁶

75. Deliberately subjecting customers to intentionally prolonged wait times is unheard of in the call center industry. In my 41 years in the industry, I have never heard of a call center deliberately taking such actions to increase wait times and impede the provision of customer service. This is especially true where the affected customer population is seeking a critical service, such as (in this case) public benefits recipients seeking customer service to help them recover money that has been stolen from their account.

76. I have consulted for approximately a dozen clients that answer calls that I would consider to be of a similar level of importance to the calls directed to the Bank’s Claims call center, ranging from suicide hotlines (at the highest level of importance) to other critical customer service roles such as physical/mental health care advisors and utility companies. In my experience, such companies and service providers recognize they have particularly vulnerable customers and take care to balance their legitimate business concerns against the significant harms that could result from inadequate customer service. During my career, I have never heard—and cannot imagine hearing—of any supervisor or executive in one of those call centers suggesting that [REDACTED]

[REDACTED].

⁶⁵ See, e.g., BANA EDD MDL-00118438 at -118438 ([REDACTED]
[REDACTED]; BANA EDD MDL-00106092 at -106093-94 [REDACTED]
[REDACTED]).

⁶⁶ Golden Tr. 85:25-87:2.

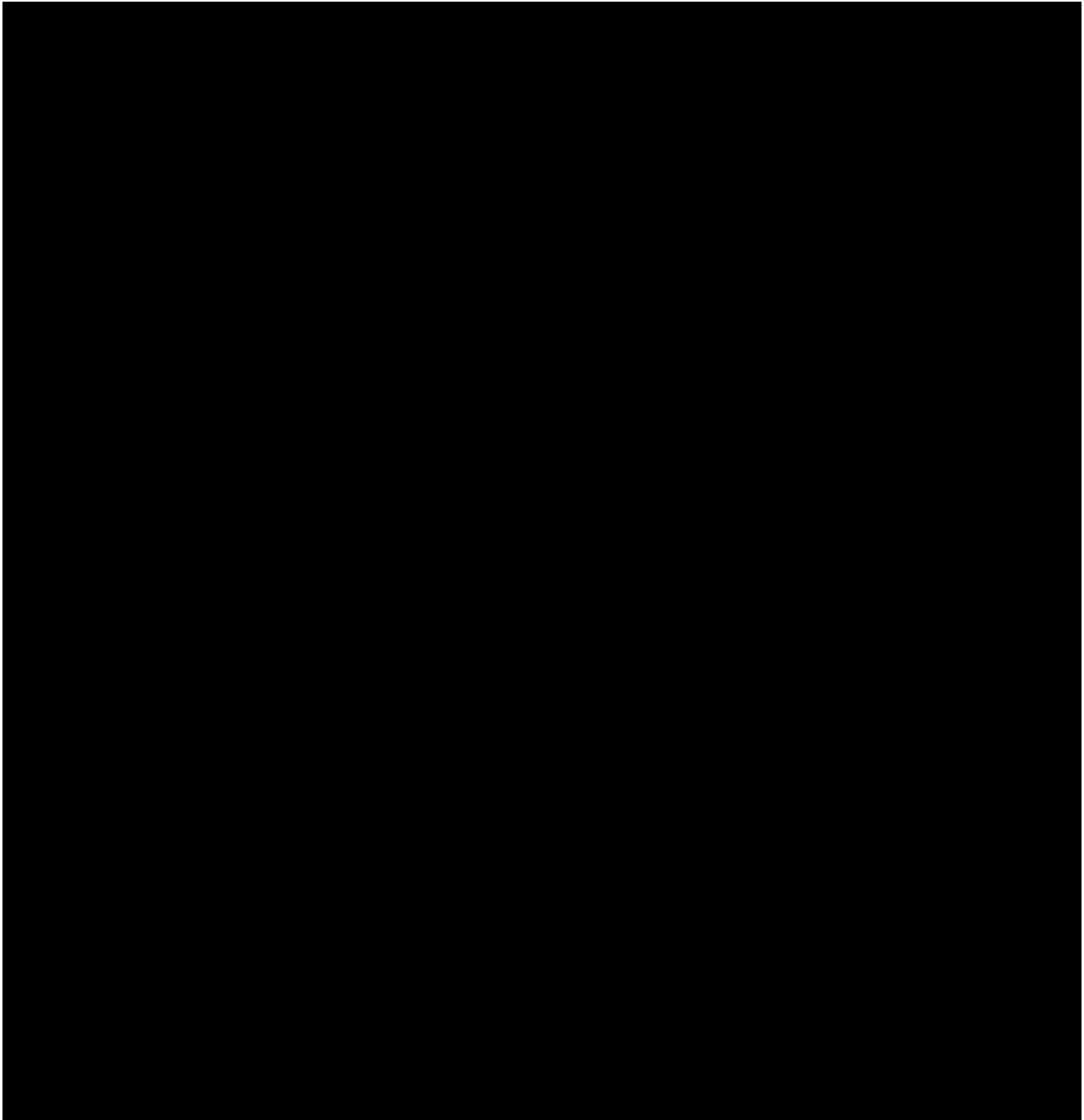
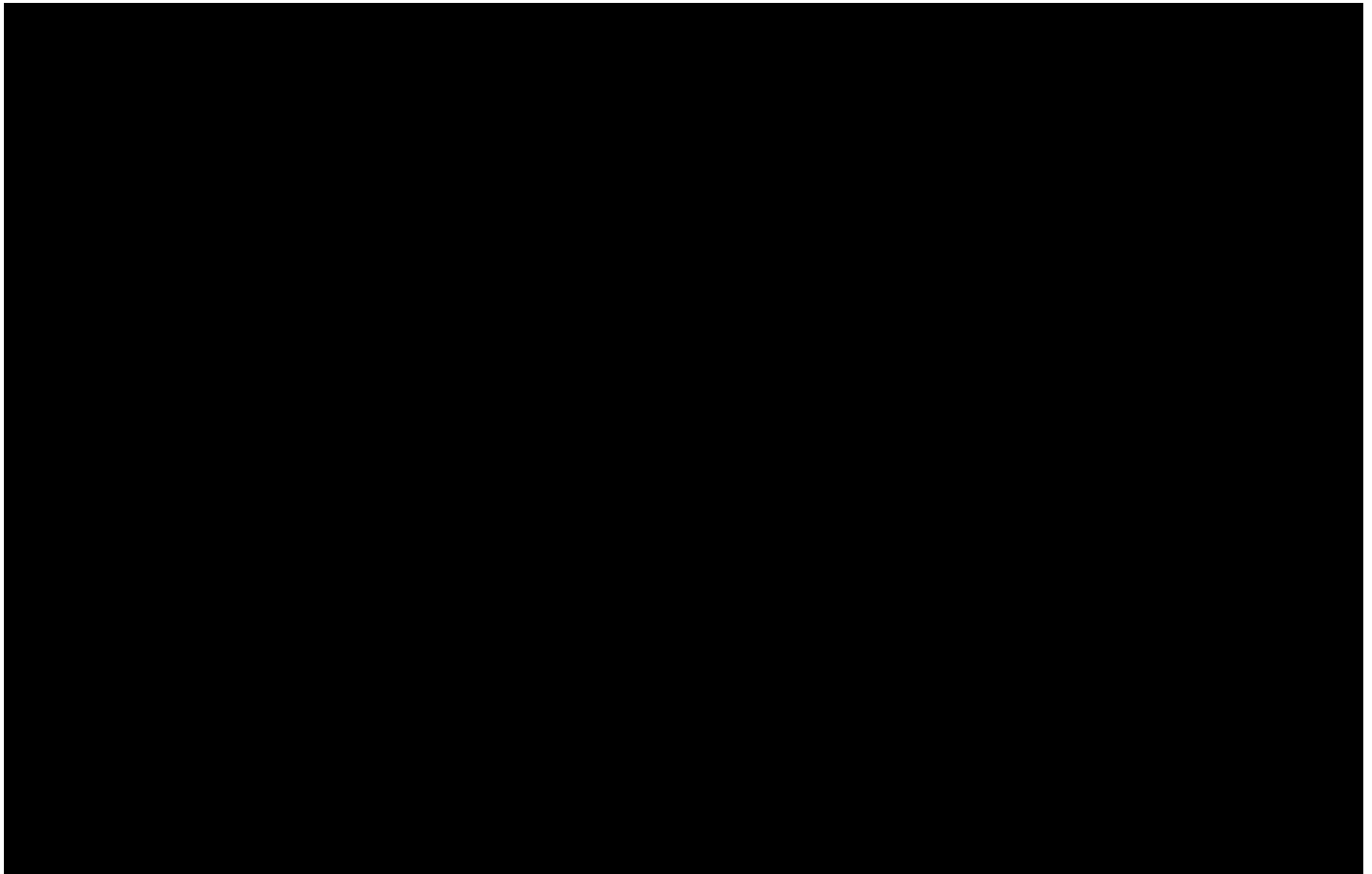
Table 6: [REDACTED]:

Figure 3: [REDACTED]:



77. As Table 6 and Figure 3 demonstrate, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

78. Not only did the Bank cause these exceptionally long wait times due to its deliberate failure to maintain proper staffing levels, but the Bank also failed to deploy commonly available technologies that would have at least mitigated some of the harm to cardholders by not forcing them to waste their time waiting on hold indefinitely with no assurance of when, if ever, their calls would be answered.

79. For decades, telephone systems ([REDACTED]) have offered an Estimated Wait Time (EWT) application that would provide callers in queue an estimate of how long before their call would be answered. This application allows callers to make better decisions concerning whether to wait on hold, and if they choose to wait, they might at least be able to get some tasks done before the time the call should be answered. Despite the availability of EWT technology, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

80. In addition, for several decades, many phone systems have also offered virtual queuing. This application provides each caller the EWT, and then offers to hold a caller's place in queue and to call back when it is the caller's turn, thereby allowing the caller to attend to other matters until the system initiates the scheduled callback.⁶⁷ This feature is now native to many phone systems, but even those systems without it can add it on from a third-party vendor, making

⁶⁷ See Jason Barro, Rahul Sethi, Alison Leibovitz, and Blair Markell, *"Please Don't Hold": A Better Banking Call Center Experience*, BAIN & CO.: INSIGHTS (Feb. 16, 2023), <https://www.bain.com/insights/please-dont-hold-better-banking-call-center-experience-snap-chart/> ("[B]anks can boost satisfaction during disputes by giving customers the option to receive a callback rather than holding. Customers who chose a call back gave a Net Promoter Score of 28 points, compared with a Net Promoter Score of -3 from those who didn't have a choice.").

the feature available to any call center willing to purchase it. [REDACTED]

[REDACTED]

[REDACTED]

.⁶⁸

81. It is difficult to overstate just how poor the Bank's Claims call center performance was in 2020 compared to typical call center performance, even after factoring in the pandemic. With no other service channel available to address Claims calls, and no other option but to remain on hold waiting for a CSR with no idea how long the remaining wait time would be, callers seeking assistance with their unauthorized-transaction claims were forced to endure the exceptionally long waits experienced in 2020. Despite speed-to-answer metrics being cited as one of the three most important metrics by 36% of call centers,⁶⁹ the Bank took the opposite approach and imposed long wait times on its EDD debit cardholders, [REDACTED]

[REDACTED]

[REDACTED]⁷⁰ The Bank's documents reflect that a [REDACTED]

[REDACTED]

[REDACTED].⁷¹ In my 41 years of experience in the industry, I have never seen a call center managed with such total disregard for the customer's experience and need for service.

⁶⁸ See Golden 97:5-98:19.

⁶⁹ See 2021 Decision-Makers' Guide at 45.

⁷⁰ See BANA EDD MDL-00118438 at -118438 [REDACTED]

[REDACTED]

⁷¹ See BANA EDD MDL-00106092 at -106094. To the extent that the Bank's primary purpose in understaffing the Claims call center was to deter *fraudulent* claims, it is not clear from the Bank's documents or testimony [REDACTED]

[REDACTED]

C. The Substandard Performance Levels in the Bank's Claims Call Center from September 13, 2020 through November 21, 2020 Reflected the Bank's Broader Systemic Failure to Operate Its Prepaid Call Centers Consistent with Industry Standards.

82. Although the Customer Service Class is limited to EDD debit cardholders who called the Bank and were routed through the Main call center to the Claims call center between September 13, 2020 and November 21, 2020, the substandard performance level in the Claims call center during this period was not an isolated occurrence for the Bank. Rather, it is representative of systemic failures by the Bank to provide call-center customer service to its EDD debit cardholders that was consistent with industry standards. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. In my

experience, the hold times to which the Bank subjected EDD debit cardholders are virtually unprecedented in the call center industry. The Bank also engaged in a variety of other reckless and irresponsible call center practices that are far outside the norms of industry standard practices.

Failure to Plan for Disasters Leading to Excessive Disconnected Calls

83. The Bank failed to engage in reasonable planning for its Prepaid call centers for potential staffing-intensive events like the pandemic. As a result of those failures, during the early months of the pandemic, callers to the Bank's Prepaid call centers were more likely to be disconnected or dropped than to actually get through to a CSR in the Main call center (which, as previously discussed, was a necessary step before a caller could speak with a CSR in the Bank's Claims or Fraud call centers).

84. The Bank was [REDACTED]

[REDACTED].⁷² That provisioning involved determining how many phone lines are needed and then obtaining them from the phone company. Calculating the correct number of these lines requires, among other factors, a forecast of the busiest phone hour expected in the future. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. By mid-April, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁷³ Another report from the Bank showed that [REDACTED]

[REDACTED]

[REDACTED].⁷⁴ It is not clear how long the Bank continued to generate [REDACTED]

[REDACTED], but this significant gap [REDACTED]

[REDACTED] generated disastrously high levels of disconnects.

85. In late March/early April 2020, [REDACTED]

[REDACTED].⁷⁵ [REDACTED], though, even in non- pandemic circumstances, which may be why the [REDACTED]

[REDACTED].⁷⁶ The Bank's [REDACTED]

⁷² See e.g., BANA_EDD_MDL-00382181 at -382184, sections 5.5.1 to 5.5.4.

⁷³ See BANA_EDD_MDL-00352985 at -352986.

⁷⁴ See BANA_EDD_MDL-00288637 at -288640.

⁷⁵ See BANA_EDD_MDL-00288637 at -288641, item 3.

⁷⁶ *Ibid.*

[REDACTED]

[REDACTED].

86. Facing a significant number of disconnects and an unknown timeframe to provision additional phone lines, [REDACTED]

[REDACTED].⁷⁷ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁷⁸ A [REDACTED]

[REDACTED].⁷⁹ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁸⁰ Eventually, [REDACTED]

[REDACTED]

[REDACTED].⁸¹

⁷⁷ *Ibid* at -288640, item 1.

⁷⁸ See BANA_EDD_MDL-00103075 at -103078. A “[REDACTED]” [REDACTED]

⁷⁹ *Ibid.*

⁸⁰ See BANA_EDD_MDL-00288637 at -288637.

⁸¹ See BANA_EDD_MDL-00103075.

87. In place of the [REDACTED]

[REDACTED]⁸² which in the industry is more commonly referred to as call diverting or call blocking, and which many callers perceive as being hung up on. [REDACTED],⁸³

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

88. By mid-April 2020, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

While no call center wants to invoke a disconnect message, prudent disaster recovery planning measures include the potential use of such a message. Knowing this, AT&T has for decades provided call center operators an option to set up such a message in advance, in the AT&T network cloud, to be deployed immediately and with minimal effort through an online portal or a call to AT&T. This capability is well known to industry professionals and is utilized by many call center operators using the AT&T network. In fact, [REDACTED]

[REDACTED]⁸⁴ [REDACTED]

⁸² See *ibid* at -103076.

⁸³ See BANA_EDD_MDL-00424944 at -424944.

⁸⁴ See, e.g., BANA_EDD_MDL-00718992 at -718999.

[REDACTED]

[REDACTED].⁸⁵

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁸⁶

89. [REDACTED] despite the Bank's contractual promise, made when securing the EDD's business, that "no call" would be "transferred to voicemail or automatically disconnected from the queue."⁸⁷ A genuine commitment to an objective of "no disconnects" would have required the Bank to analyze potential volume surge scenarios, to invest in enough phone lines to handle the increased traffic projected in these scenarios, and to have back-up plans ready to implement quickly if call volume were to expand beyond what was projected. [REDACTED]

[REDACTED].

90. This lack of [REDACTED]

[REDACTED]

[REDACTED]

⁸⁵ See, e.g., BANA_EDD_MDL-00021102 at -21114 and BANA_EDD_MDL-00718992 at -718999.

⁸⁶ See BANA_EDD_MDL-00424944 at -424947.

⁸⁷ See 2015 EDD-BANA Contract at 185, requirement 203.

█⁸⁸ suggests a lack of concern for those the Bank was contracted to serve. This lack of attention to disaster planning resulted in a slow response to the surge caused by the pandemic, and EDD cardholders paid the price.

Understaffing Leading to Excessive Wait Times in the Fraud Call Center

91. Although the Customer Service Class is limited to EDD debit cardholders who called the Bank and were routed to the Claims call center between September 13, 2020 and November 21, 2020, that is not the only call center and not the only time period when the Bank's Prepaid debit cardholders were subjected to wait times that far exceeded industry norms.

92. The Bank's other specialty call center for Prepaid cards, the Fraud call center, similarly performed at substandard levels rarely seen in the call center industry.

93. █
█
█
█
█
█
█
█
█
█.

94. █
█
█

⁸⁸ See Golden Tr. 334:22-335:23.

[REDACTED]

[REDACTED]

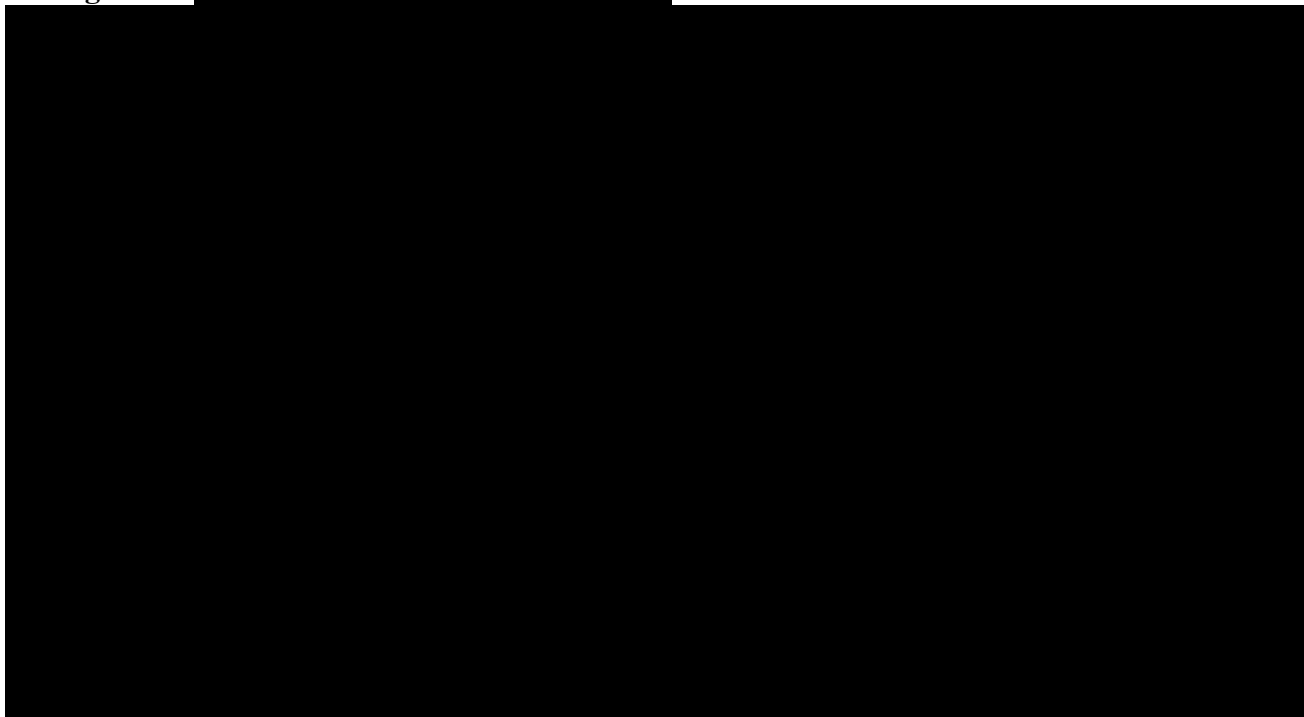
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Figure 4:



95.

[REDACTED]

[REDACTED]

[REDACTED]

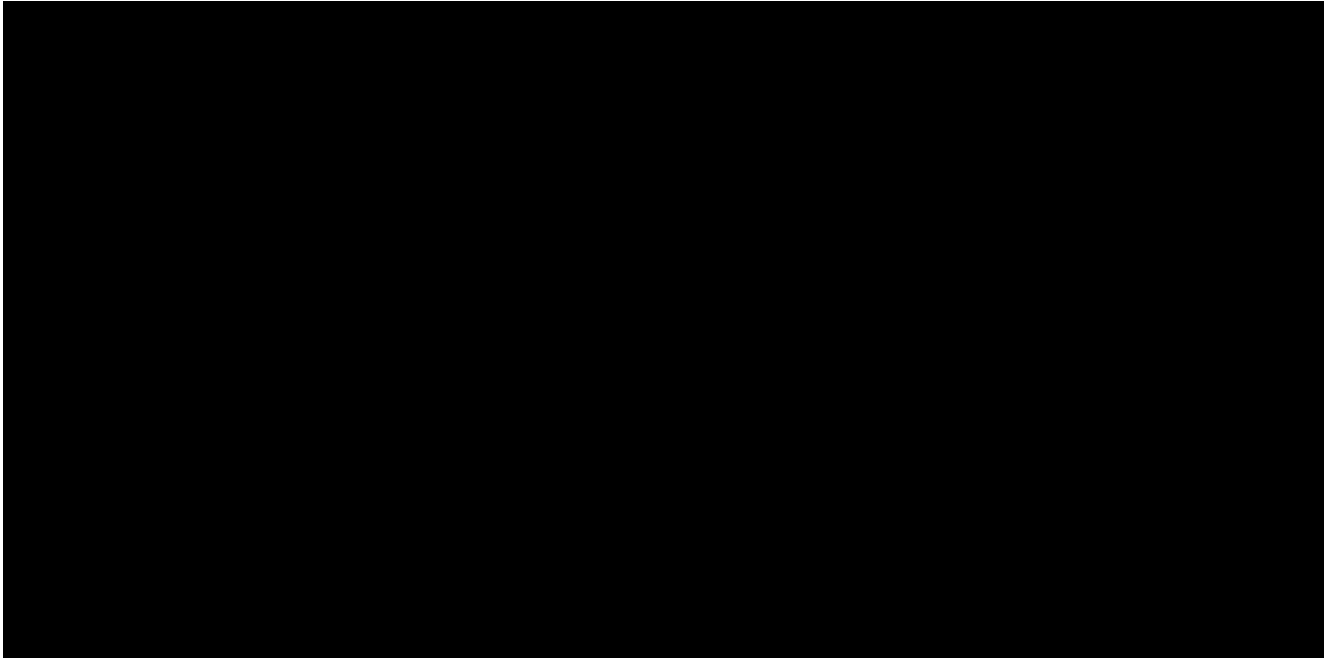
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Figure 5:



96. The principal cause of the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

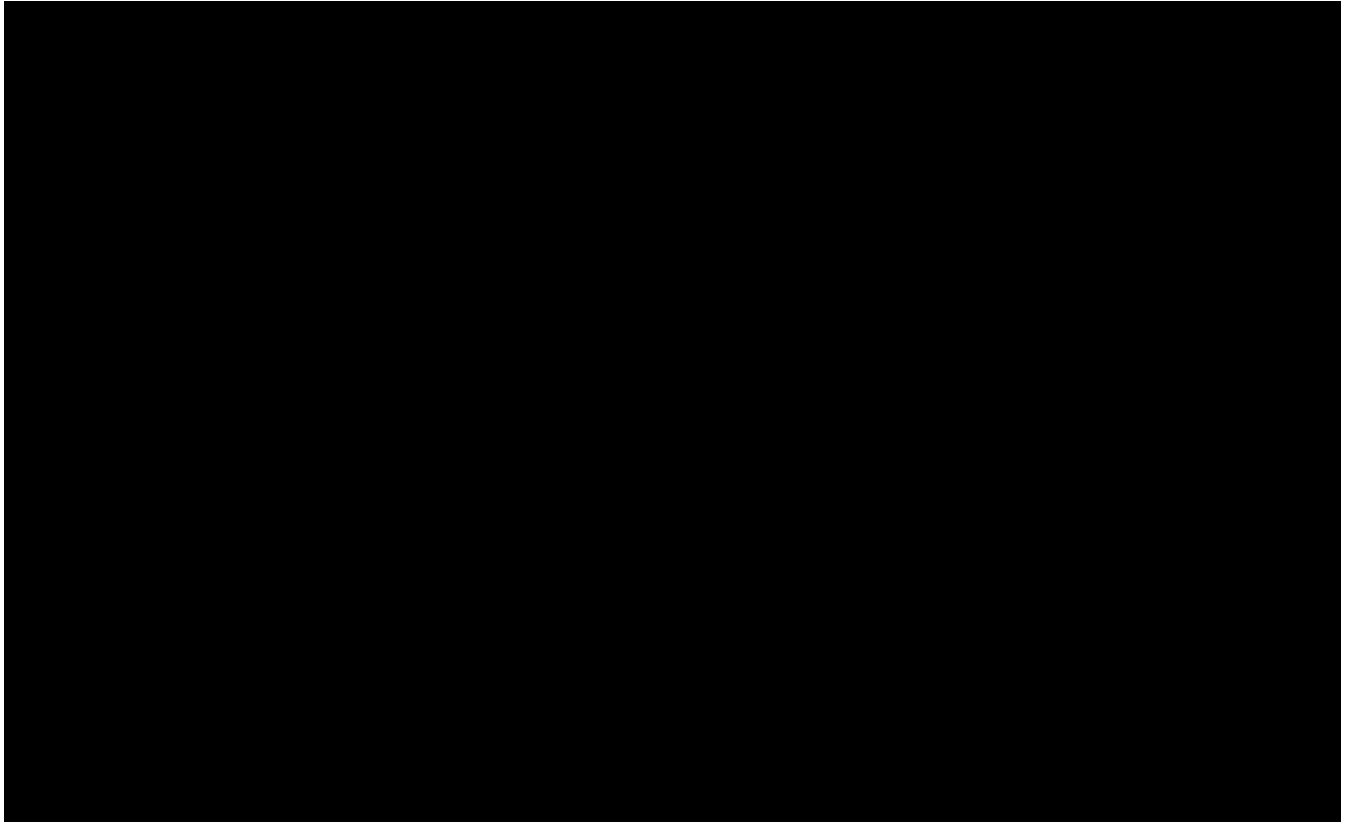
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

Figure 6: [REDACTED]:



97. Just as in the Claims call center, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

98. [REDACTED]

[REDACTED]

[REDACTED],⁸⁹ [REDACTED]

[REDACTED]⁹⁰ [REDACTED].

99. Comparing 2020 performance in the [REDACTED] call centers to the performance of other call centers during this pandemic year helps quantify how truly poor the Bank's results were. Callers to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] is by far the worst I have seen across a full year in my 41 years in the industry.

Lax Security Protocols in the Transition to Work-from-Home

100. Call centers often have access to and utilize personal and confidential customer information to complete transactions. Phone representatives see this information on screen and hear it in discussions with callers. Call center systems use this information across various applications, such as customer databases, IVR systems, and call recording equipment. Maintaining security over this information is vitally important, and many industries have documented standards to be followed by call centers to provide the appropriate level of security. In the financial services industry, the Payment Card Industry Data Security Standard (PCI DSS)

⁸⁹ See Appendix G, sum of abandoned calls for the time period divided by offered calls.

⁹⁰ See Appendix G, calculated from data in column labeled ASA, weighted by calls handled.

defines security controls to protect payment card data throughout the transaction lifecycle,⁹¹ and the Bank was required by contract with the CA EDD to “be certified as PCI DSS compliant.”⁹²

Version 3.2.1 of the PCI DSS, updated in May of 2018, was the version in place when the pandemic began in March 2020.⁹³ Section 12.7 of the standards requires the screening of personnel, and lists examples of the types of screening, including employment history, credit history and reference checks. Contrary to the PCI DSS, [REDACTED]

[REDACTED].

101. With the onset of the pandemic, [REDACTED]

[REDACTED]

[REDACTED].⁹⁴ Given

the increased risk of security breaches, it should have been all the more important for the Bank to perform other checks that remained available, such as employment and credit checks. But the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

102. [REDACTED]

[REDACTED].⁹⁵ The

⁹¹ See *Information Supplement: Protecting Telephone Based Payment Card Data, Version 3.0*, Protecting Telephone Based Payments Special Interest Group of the PCI Security Standards Council at 1, https://listings.pcisecuritystandards.org/documents/Protecting_Telephone_Based_Payment_Card_Data_v3-0_nov_2018.pdf.

⁹² See 2015 EDD-BANA Contract at 250, requirement 394.

⁹³ Available at www.pcisecuritystandards.org.

⁹⁴ See BANA_EDD_MDL-00517105 at -517115.

⁹⁵ See *id.*

Bank [REDACTED]

[REDACTED]

[REDACTED],⁹⁶ [REDACTED]

[REDACTED].

103. At the same time the Bank [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

104. Those call centers already using or testing WFH were able to identify concerns with maintaining the confidentiality of information. As a result, most call centers utilizing WFH instituted rules such as i) requiring that calls be handled from a hard walled office with a door that could be closed for privacy, ii) restricting cameras from the WFH work space, and iii) ensuring staff followed a “clean desk” work policy where no paper or writing instruments were allowed in the work area. Policies such as these have become standard WFH requirements in the call center industry and are routinely documented in vendor contracts.

105. The Bank [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹⁶ See Golden Tr. 289:10-290:7.

[REDACTED]⁹⁷ [REDACTED]

[REDACTED]

[REDACTED]⁹⁸ Keeping other [REDACTED]

[REDACTED]⁹⁹ Despite claims that [REDACTED]

[REDACTED]

[REDACTED]¹⁰⁰ In my experience, based on reviewing well over 50 call center SOWs, policies such as these are routinely included in vendor contracts. In my opinion, it is irresponsible for a company handling sensitive customer information to rely on call center vendors to follow critical security policies without contractually defining or regularly auditing the requirements.

D. The Bank's Understaffing Choice Harmed Cardholders While Saving the Bank Money.

106. The Bank's EDD debit cardholders paid the price of the excessive wait times caused by the Bank's severe understaffing in the Claims call center from September 13, 2020 through November 21, 2020. The cardholders calling the Claims call center who are members of Plaintiffs' Customer Service class and assert an injury from the Bank's conduct [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹⁷ See e.g., BANA_EDD_MDL-00013111; BANA_EDD_MDL-00012816; BANA_EDD_MDL-0090040; BANA_EDD_MDL-00382181.

⁹⁸ See Golden Tr. 286:19-287:19.

⁹⁹ See Golden Tr. 285:3-289:2.

¹⁰⁰ See Golden Tr. 285:3-289:9.

[REDACTED] .¹⁰¹ [REDACTED]

[REDACTED],¹⁰² [REDACTED]

[REDACTED]

[REDACTED] .

107. Given no [REDACTED]

[REDACTED]

[REDACTED] . As explained above, callers that managed to reach a Claims CSR during the applicable class period waited, on average, [REDACTED] longer per call than they would have had the Bank provided industry standard wait times. The total number of excess hours that Customer Service class members waited on hold for the Bank's Claims call center can thus be calculated from data in the Bank's records by multiplying [REDACTED] times the total number of calls from Customer Service class members to the Bank's Claims call center during the applicable time period. This figure can then be multiplied by the value of class members' time, which I understand is a topic on which Plaintiffs' labor economist expert David Levine will offer testimony.

108. The Bank's poor call center performance also allowed the Bank to pay far less for call center charges than it would have had it provided industry-standard service. [REDACTED]

[REDACTED].¹⁰³ Under this

¹⁰¹ See, e.g., BANA_EDD_MDL-00205620 at -205620 ([REDACTED])

[REDACTED]).

¹⁰² See, e.g., BANA_EDD_MDL-00012816 at -12841-42, sections 21.2 and 21.7, and BANA_EDD_MDL-00013111 at -13135-36, sections 21.2 and 21.7.

¹⁰³ See e.g., BANA_EDD_MDL-00090040 at -90043 and BANA_EDD_MDL-00013086 at -13090 defining a Paid Production Hour as [REDACTED]

structure, the largest block of payable time is workload (the time agents spend processing calls). The second largest block of payable time, for call centers providing industry-standard service, is agent idle time (time CSRs are available and waiting for the next call to arrive). The unprecedently poor performance by the Claims call center from September 13, 2020 to November 21, 2020 allowed the Bank to avoid paying for a significant amount of both workload and agent idle time.

109. Calculating the total cost the Bank avoided requires first estimating the amount of distinct caller demand in the Claims call center from September 13, 2020 until November 21, 2020. Distinct caller demand calculations are done to account for the fact that some percent of abandoned callers will call back later in another attempt to get service, and thus one distinct caller shows up in the data as two offered calls.¹⁰⁴ Normally, when a call center is providing service at or close to industry standard, the number of abandoned calls are small enough that attempting to isolate and account for these callbacks is deemed unnecessary because the added effort will have little impact on outcomes (i.e., distinct caller demand will be within a few percentage points of offered call totals). With the exceptional levels of abandonment seen at the Claims call center, though, an estimate of distinct caller demand will generate a more accurate assessment of the productive hour charges avoided by the Bank.

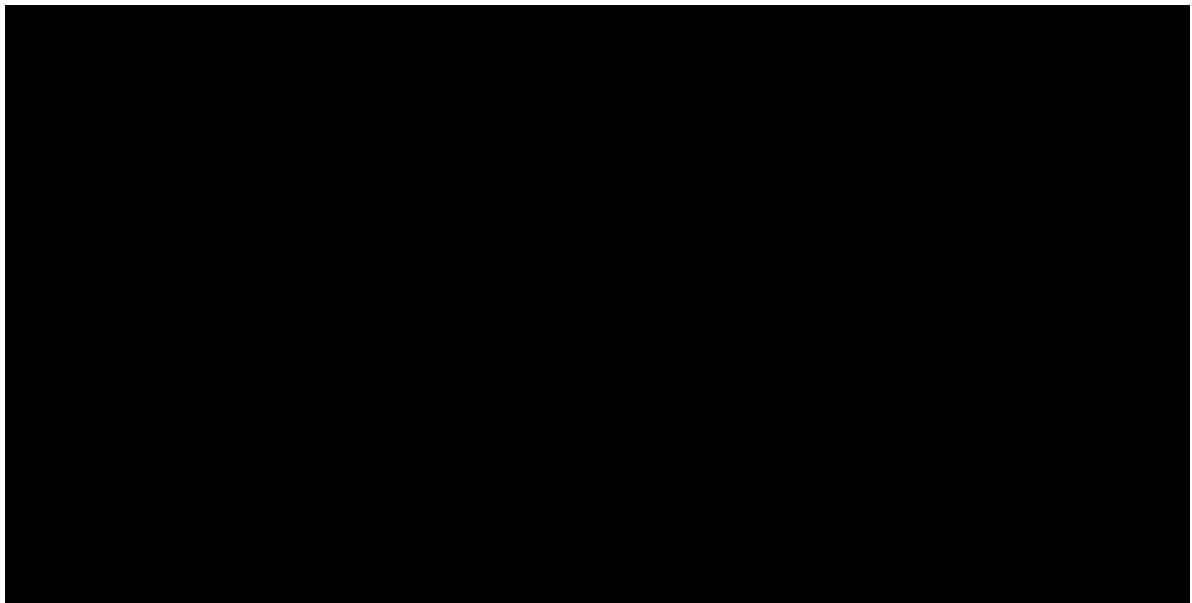
110. Distinct caller demand is calculated by adding the percentage of abandoned calls that did not call back to the total number of answered calls. The portion of abandoned calls that represent distinct callers, rather than redials by callers that were ultimately

¹⁰⁴ For some call center calculations, like the excess wait time calculations detailed in the prior paragraphs, there is no need to determine distinct caller demand (an hour of excess wait is one hour of wasted time whether spread among one or two distinct callers). Other calculations, such as comparison of payable hours charges at low abandonment vs. high abandonment, will be more accurate using distinct caller demand estimates rather than using offered or answered calls.

handled, can be calculated most accurately on a classwide basis by using the Bank's own call record data during the time period in question to isolate individual ANI phone numbers that called once, abandoned the call, and then never called back (i.e. the full call record for the time period shows only one record for a given ANI, and that record shows the call abandoned).

Unfortunately, the Bank [REDACTED], so it is not possible to determine distinct caller numbers from Bank data. In lieu of this, Table 9 below [REDACTED] [REDACTED] using call record data supplied by consulting clients of my firm, Service Agility. **Appendix H** shows how this data was utilized to determine the recall rates in Table 9.

Table 9: [REDACTED]

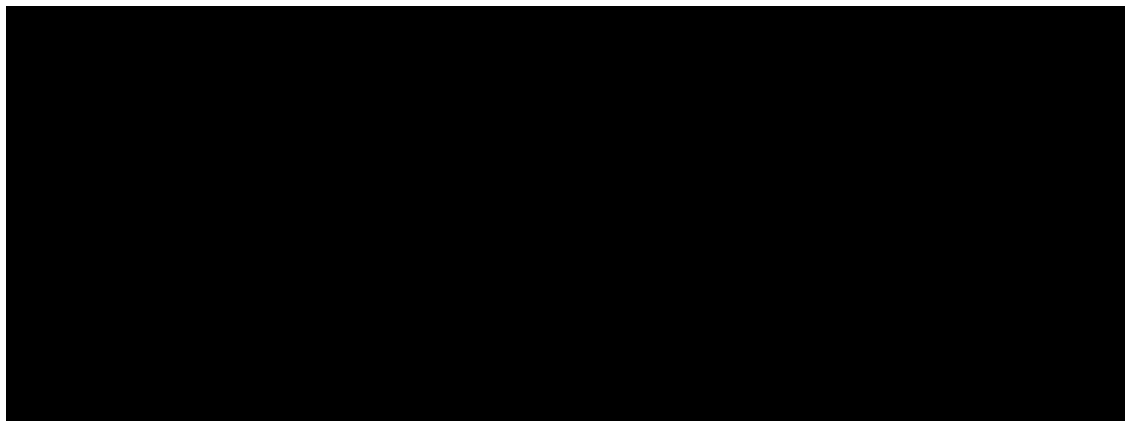


Notes:	
1 - Data Source:	BANA EDD MDL-00719115
2 -	[REDACTED]

111. Multiplying true caller demand by average handle time provides the total workload hours that would have been charged to service these callers with industry-standard performance levels. As shown in Table 10 below, those hours are multiplied by the hourly rate

paid to call center vendors to obtain a figure showing the Bank's savings from callers who abandoned their calls and never succeeded in reaching a CSR.

Table 10: Avoidance of Paid Workload Hours



Notes:	

112. Second, cumulative with the avoidance of cost associated with workload hours, the Bank also avoided cost associated with agent idle time. This avoided cost can be calculated on a class-wide basis, using the industry standard measure of the Erlang-C formula. The Erlang-C formula is used in a variety of circumstances where demand or traffic varies over time (for example, restrooms in a stadium), but is most commonly employed by call centers to estimate staffing needs. The necessary inputs for performing this calculation are [REDACTED].¹⁰⁵ The requirement to build in (and ultimately pay for) agent idle time in order to achieve contracted-for and industry-standard ASA is a mathematical fact in call centers. Nonetheless, performance in the [REDACTED]

¹⁰⁵ See Rahul Awati, *Erlang C*, TechTarget (accessed Aug. 22, 2024), <https://www.techtarget.com/searchunifiedcommunications/definition/Erlang-C> (“Erlang C is a traffic modeling formula, primarily used in call center scheduling to calculate delays and to predict waiting times for callers. . . . It is widely considered a standard calculation for managing call centers.”).

[REDACTED]

[REDACTED]

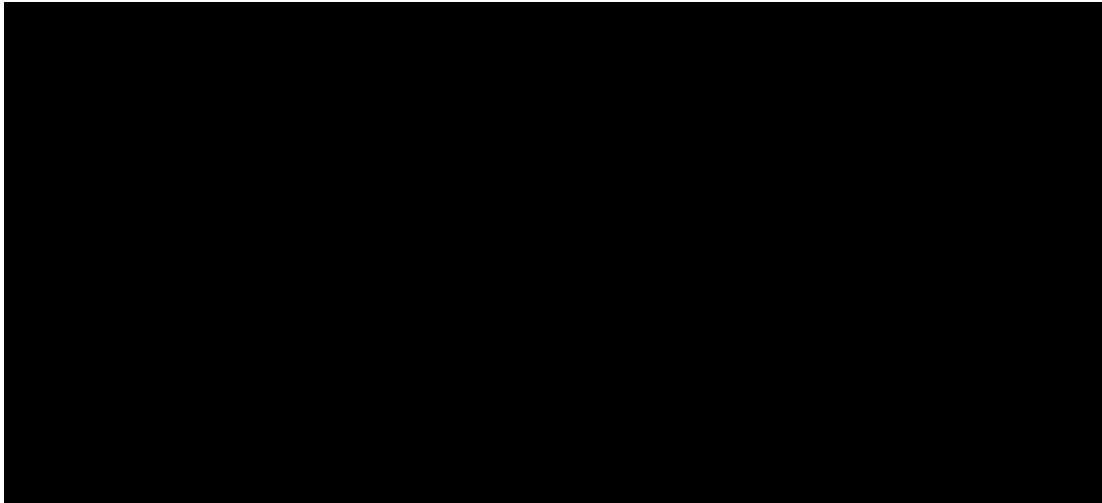
[REDACTED].¹⁰⁶ This lack of idle time is highly unusual and directly caused by the understaffing that generated such poor performance.

113. The amount of necessary idle time can be calculated by applying the industry-standard Erlang-C formula to half-hourly distinct call volume and handle time distributions (together, call intensity) for an average day for each week. Based on call intensity, the Erlang-C formula can be used to calculate the number of staff required to deliver an industry-standard ASA for the interval. The difference between the total staffed hours and the workload (again, the time agents spend processing calls) is the agent idle time. **Appendix I** provides an example of this methodology for the week of September 13, 2020, while Table 11 below provides the calculations showing the week-to-week hours and charges the Bank avoided paying by keeping their Claims call center severely understaffed.

Table 11: Avoidance of Paid CSR Idle Time Hours

¹⁰⁶ See BANA EDD MDL-00719115 ([REDACTED])

[REDACTED]



Notes:
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

VIII. CONCLUSION

114. The Bank's decision to allow staffing levels far below what was required in its Claims call center, while implementing its Claim Fraud Filter policy that foreseeably led to a surge in calls to its Claims call center, was inconsistent with industry standards and caused substandard performance in its Claims call center. The performance of the Bank's Claims call center from September 13, 2020 through November 21, 2020 was so substandard that it subjected cardholders to wait times rarely, if ever, seen in the call center industry.

Executed on March 4, 2025, at Harleysville, Pennsylvania.

A handwritten signature in black ink, appearing to read "Jay Minnucci", written over a horizontal line.

Jay Minnucci

Appendix A: Curriculum Vitae**Jay Minnucci**

President, Service Agility, jaym@serviceagility.com
(267) 733-8778

Summary

Jay Minnucci is the President and Founder of Service Agility, a consulting and training company dedicated to improving customer service and contact center operations. In this role, he provides strategic and tactical guidance across all industries for enterprises that seek to optimize customer interactions. His client list ranges from small start-up operations to large Fortune 500 corporations. He is well-known throughout the industry as an accomplished consultant, trainer, speaker and author on all subjects relevant to contact center best practices.

Experience

April 2008 – Present: Owner of Service Agility, Inc.

March 2000 – April 2008: Vice President of Consulting, International Customer Management Institute (ICMI). Built the consulting division from the ground up, leading a staff of 12. Furthered the ICMI brand through various speaking, training and writing engagements.

October 1983 – March 2000: Various management and executive positions in the contact center supporting the AARP Group Health Insurance Program. This operation was run by Prudential Insurance from 1983 to 1996, when The Hartford took over.

Education

BBA from Temple University, May 1984, graduated Magna Cum Laude

Consulting Experience

Jay leads up to 20 consulting/training assignments a year in the United States and abroad, including past projects in China, Australia, England, Canada, The Czech Republic, Portugal, Malaysia, Singapore and Dubai. Some of the clients that Jay has worked with include:

Federal Reserve Bank
Hyatt
BMW
Michigan BCBS
Government of Australia
Vodafone
Speaking Engagements

Gartner Group
Discover Financial
Charles Schwab
Wells Fargo
Allstate
Thrift Savings Plan

Duke Energy
Kaiser Permanente
Canon
American Diabetes Assoc
UBS
United Healthcare

Past speaking engagements include the following:

- Annual Call Center Exhibit (ACCE) 2003 – 2008
- China Call Center Conference 2007
- Middle East Contact Center Forum 2013
- Help Desk Institute 2007, 2009, and 2011
- Contact Center Association Conference 2011 – 2013
- Contact Centre Association of Singapore Symposium – 2013
- J.D. Power Customer Service Conference 2013 and 2015
- NM Credit Union Association 2015, 2018, 2019 and 2022
- Avail Technologies Customer-Centric Services Summit, 2024

Training

Jay has provided training in both public and private venues on topics that include the following:

- Crafting a Contact Center Strategy
- Contact Center Management Principles
- Enhancing Efficiency
- Workforce Management Principles
- Metrics and Objectives
- Managing a Small Contact Center

Writing

Jay is a member of the editorial board for the industry journal *Contact Center Pipeline*. From 2010 to 2018, he wrote a popular monthly column for the Pipeline. He has been published in many other journals as well, including Call Center Magazine, Customer Management Insight, Foresight, Contact center Management Review, Business Communications Review, and the International Journal of Contact centers. He has written numerous articles for Service Agility's and ICMI's websites, and was a contributor to the latest edition of *Contact Center Management on Fast Forward*, by Brad Cleveland.

Appendix B: Prior Publications (March 2014 to Present)

All of the articles listed below were published in *Contact Center Pipeline*, an industry publication:

“A Second Chance”, March 2024
“Revisiting Schedule Adherence,” July 2019
“Taking a Deep Dive into FCR,” November 2018
“Survey Erosion,” July 2018
“Re-Gifting for 2018,” December 2017
“Consultative WFM,” November 2017
“What the Frontline Supervisor Survey Says,” October 2017
“The SBR Balancing Act,” September 2017
“Technology Worth Following,” August 2017
“Cost Efficient 2018,” July 2017
“Selling and Promoting the Contact Center,” June 2017
“Nailing Priorities,” May 2017
“Optimizing the Exceptions,” April 2017
“Valuing the Agent,” March 2017
“Balancing the Contact Center Brain,” February 2017
“Looking Ahead to 2020,” January 2017
“Re-Gifting for 2017,” December 2016
“A Culture of Trust,” November 2016
“The Moment of Truth,” October 2016
“First Step: Showing Up,” September 2016
“Getting Closer to the Customer,” August 2016
“The Work Environment 2016,” July 2016
“Five Ways to Improve Engagement,” June 2016
“When Dysfunction Strikes,” May 2016
“Conversing or Transacting?,” April 2016
“The Profession of Contact Center Management,” March 2016
“The Phone System App,” February 2016
“Accountability in the Center,” January 2016
“Re-Gifting for 2016,” December 2015

“Welcome To Our Contact Center!,” November 2015
“Coaching: The Radical Next Steps,” October 2015
“Speech Rec...or...Speech Wreck?,” September 2015
“Four Ways to Expand the Value of Quality Monitoring,” August 2015
“Outbound Calling in Today's Contact Center,” July 2015
“Prepping for Next Year's Budget,” June 2015
“Setting Service Level Objectives,” May 2015
“Top Performer Modeling,” April 2015
“Some Love for ANI,” March 2015
“To NPS or Not NPS,” February 2015
“The (Near) Death of Workforce Management,” January 2015
“Re-Gifting for 2015,” December 2014
“Organizational Structure: Survey Highlights,” November 2014
“The Here and Now,” October 2014
“Agent Attrition: Time for a Change,” September 2014
“Long Term Cost Management,” August 2014
“Video in the Contact Center,” July 2014
“The Outsourcing Decision,” June 2014
“Speech Analytics and Quality Monitoring,” May 2014
“Proactive Do's and Don'ts,” April 2014
“Training Frontline Leaders,” March 2014

Appendix C: Prior Testimony (January 2020 to Present)

Alorica v. Sam's Club, JAMS, JAMS Reference No. 1200056432

- Deposed, May 7, 2021.
- Testified, September 7, 2021.

RDI v. Dentalplans.com, 17th Judicial Circuit of the County of Broward, Florida, Case No. CACE 18-29136

- Deposed, October 21, 2021.

Genesys v. Talkdesk, United States District Court for the Southern District of Indiana, Case No. 1:19-cv-00695-TWP-DML

- Deposed, June 3, 2021.
- Testified February 28, 2023

Skyview Capital and Continuum Global Services v. Conduent, Supreme Court of the State of New York, County of New York, Case No. 650761/2020

- Deposed, May 25, 2023

Appendix D: Materials List

In addition to sources cited in the Report and accompanying Exhibits, I considered the following in developing my opinions:

Declarations and Deposition Transcripts and Accompanying Exhibits

Declaration of William Golden, April 20, 2021

Deposition of William Golden, February 22, 2024

Deposition of Shane Daniels, February 6, 2024

Declaration of Stephen Hindle, October 24, 2024

Declaration of Kelley Lorenzen, October 24, 2024

Call Center Industry Documents and Other External Sources

Avaya Call Management System Database Items and Calculations, Release 18, July 2016

The 2021 U.S. Contact Center Decision-Makers Guide, ContactBabel, 13th Edition, 2021

The 2023 U.S. Contact Center Decision-Makers Guide, ContactBabel, 15th Edition, 2023

U.S. Contact Center Verticals: Finance, ContactBabel, 2024

U.S. Contact Center Verticals: Outsourcing, ContactBabel, 2024

<https://slate.com/business/2020/06/delta-airlines-customer-service.html>

<https://www.royalcaribbeanblog.com/2020/05/27/royal-caribbean-hires-back-over-100-laid-workers-help-long-phone-hold-times>

<https://www.talkdesk.com/resources/infographics/tips-for-getting-better-customer-service/>

<https://thepointsguy.com/news/how-to-reach-delta>

Payment Card Industry Data Security Standard, Requirements and Security Assessment Procedures, Version 3.2.1, May 2018

Protecting Telephone-Based Payment Card Data, PCI Security Standards Council, Version 3.0, November 2018

<https://investor.bankofamerica.com/profile> as of February 26 2024

<https://www.bankofamerica.com/deposits/rebate-cards/commercial-prepaid-card/> as of February 26 2024

Support Technology without an Analyst Is Like a Car without a Driver, Lori Bocklund, CONTACT

CENTER PIPELINE (May 2021)

Metrics Roundup, Susan Hash, CONTACT CENTER PIPELINE (Oct. 2019)

cc-Modeler Lite, Erlang-C calculator by KoolToolz

Pleadings and Other Case Documents

First Amended Master Consolidated Complaint, June 13, 2023

Consent Order in the Matter of: Bank of America, N.A., Consumer Financial Protection Bureau, File No. 2022-CFPB-0004, July 14, 2022

Bank of America's Responses and Objections to Plaintiff Yick's Fifth Set of Interrogatories, February 2, 2024

Defendant's Memorandum of Points and Authorities in Opposition to Plaintiffs' Motion for Class Certification, *In re: Bank of America California Unemployment Benefits Litig.*, No. 3:21-md-02992-GPC-MSB, United States District Court for the Southern District of California, October 24, 2024

February 9, 2024 Letter from Bank Counsel to Plaintiffs Counsel re: Call Center Data

Documents Produced by Defendant (1 of 3)

BANA_EDD_MDL-00001502	BANA_EDD_MDL-00001935	BANA_EDD_MDL-00002018
BANA_EDD_MDL-00012792	BANA_EDD_MDL-00012793	BANA_EDD_MDL-00012797
BANA_EDD_MDL-00012800	BANA_EDD_MDL-00012803	BANA_EDD_MDL-00012816
BANA_EDD_MDL-00012875	BANA_EDD_MDL-00013074	BANA_EDD_MDL-00013082
BANA_EDD_MDL-00013086	BANA_EDD_MDL-00013096	BANA_EDD_MDL-00013110
BANA_EDD_MDL-00013111	BANA_EDD_MDL-00013174	BANA_EDD_MDL-00019264
BANA_EDD_MDL-00019266	BANA_EDD_MDL-00019362	BANA_EDD_MDL-00019373
BANA_EDD_MDL-00019476	BANA_EDD_MDL-00019555	BANA_EDD_MDL-00021102
BANA_EDD_MDL-00025811	BANA_EDD_MDL-00027536	BANA_EDD_MDL-00028134
BANA_EDD_MDL-00038694	BANA_EDD_MDL-00056667	BANA_EDD_MDL-00056832
BANA_EDD_MDL-00057091	BANA_EDD_MDL-00060229	BANA_EDD_MDL-00060339
BANA_EDD_MDL-00060417	BANA_EDD_MDL-00061383	BANA_EDD_MDL-00061582
BANA_EDD_MDL-00062838	BANA_EDD_MDL-00065924	BANA_EDD_MDL-00065985
BANA_EDD_MDL-00066408	BANA_EDD_MDL-00067169	BANA_EDD_MDL-00067224
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BANA_EDD_MDL-00127367	BANA_EDD_MDL-00127457	BANA_EDD_MDL-00127480
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Documents Produced by Defendant (2 of 3)

BANA_EDD_MDL-00140419	BANA_EDD_MDL-00140627	BANA_EDD_MDL-00140691
BANA_EDD_MDL-00141482	BANA_EDD_MDL-00141458	BANA_EDD_MDL-00141618
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BANA_EDD_MDL-00142764	BANA_EDD_MDL-00143155	BANA_EDD_MDL-00145888
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Documents Produced by Defendant (3 of 3)

BANA_EDD_MDL-00482670	BANA_EDD_MDL-00491397	BANA_EDD_MDL-00491410
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BANA_EDD_MDL-00517105	BANA_EDD_MDL-00522406	BANA_EDD_MDL-00548592
BANA_EDD_MDL-00549619	BANA_EDD_MDL-00589505	BANA_EDD_MDL-00616368
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BANA_EDD_MDL-00694835	BANA_EDD_MDL-00694845	BANA_EDD_MDL-00694847
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BANA_EDD_MDL-00719114	BANA_EDD_MDL-00719115	BANA_EDD_MDL-00719116
BANA_EDD_MDL-00643363	BANA_EDD_MDL-00002286	BANA_EDD_MDL-00153667
BANA_EDD_MDL-00061799	BANA_EDD_MDL-00107356	BANA_EDD_MDL-00205620
BANA_EDD_MDL-00859710	BANA_EDD_MDL-00001044	BANA_EDD_MDL-00001361
BANA_EDD_MDL-00056916	BANA_EDD_MDL-00190443	BANA_EDD_MDL-00291083
BANA_EDD_MDL-00809945	BANA_EDD_MDL-00812294	

Also, the excel file titled “TTEC Servicing and Fraud Call Metrics 2020-2021” (no Bates No.)

Appendix E: Survey Results, The 2021 US Contact Center Decision Makers' Guide, Page 46

Metric	2012	2013	2014	2015	2016	2017	2018	2019	2020
Mean average speed to answer (seconds)	31	34	43	46	53	50	60	56	75
Call abandonment rate	5.4%	6.3%	5.3%	7.3%	6.0%	5.9%	5.4%	5.7%	6.1%
First-call resolution rate	73%	71%	74%	64%	72%	74%	75%	75%	74%
Call duration (service) - seconds	306	347	381	367	360	384	370	372	410
Call duration (sales) – seconds	346	456	408	467	507	576	520	514	463
Call transfer rate (excl. receptionists)	8.2%	8.0%	8.5%	8.7%	9.2%	10.4%	10.3%	9.8%	9.0%
Cost of inbound call	\$7.50	\$7.76	\$5.84	\$6.69	\$5.52	\$5.25	\$7.18	\$7.06	\$7.46
Cost of outbound call	\$7.96	\$6.20	\$6.34	\$4.37	\$6.47	\$5.92	\$7.68	\$9.23	\$8.41

Appendix F:

[REDACTED]

[REDACTED]

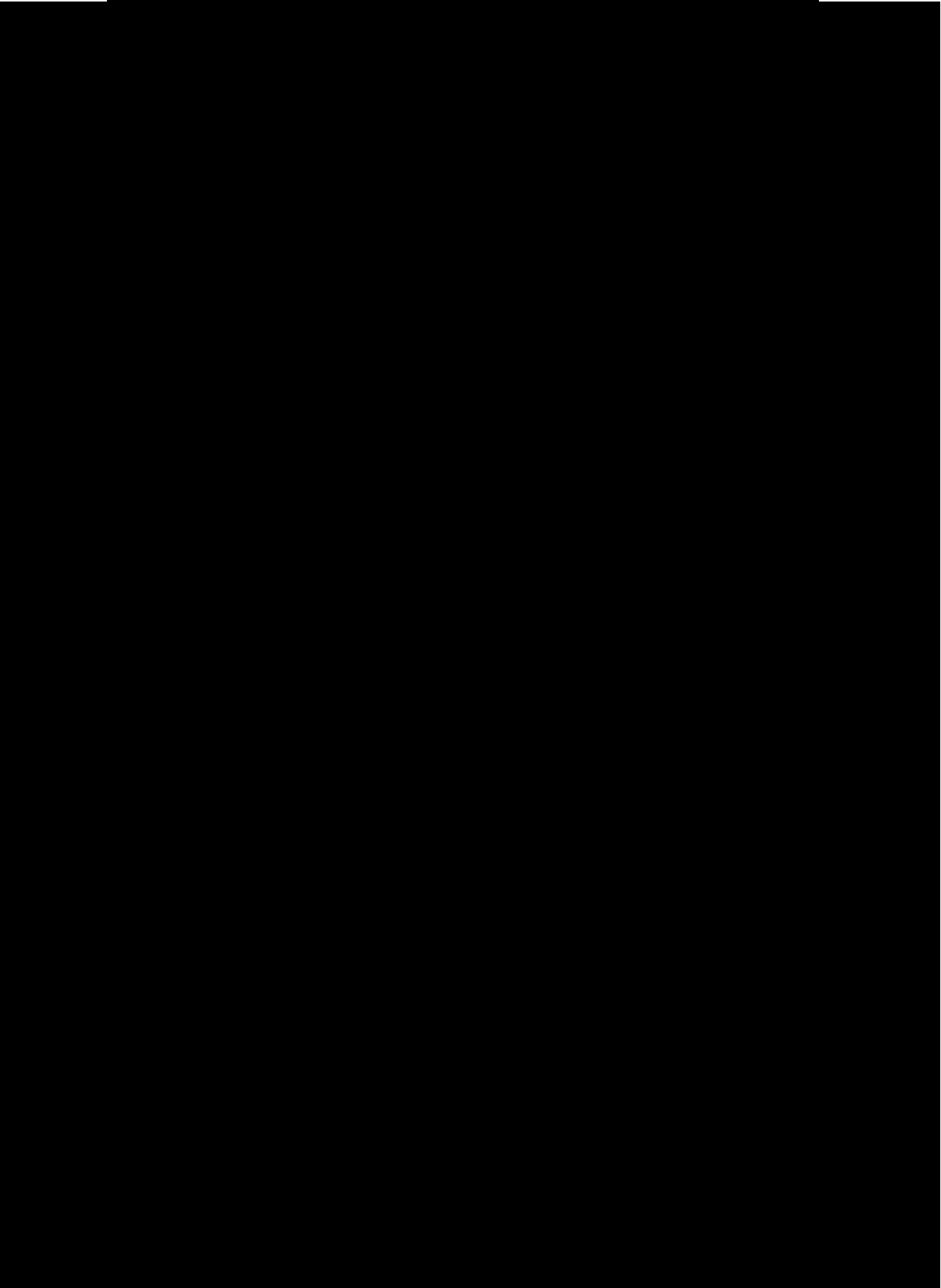
Appendix F:

Source: BANA_EDD_MDL-00719115

1 - Abandoned percent is derived by dividing the number of calls abandoned into the number of calls offered.

Appendix G:

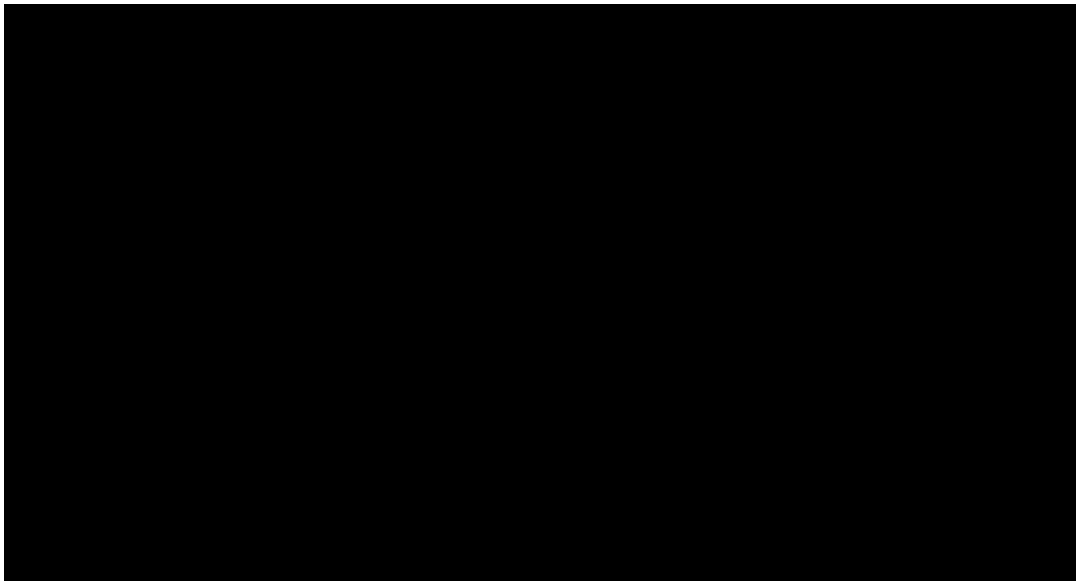
Appendix G:



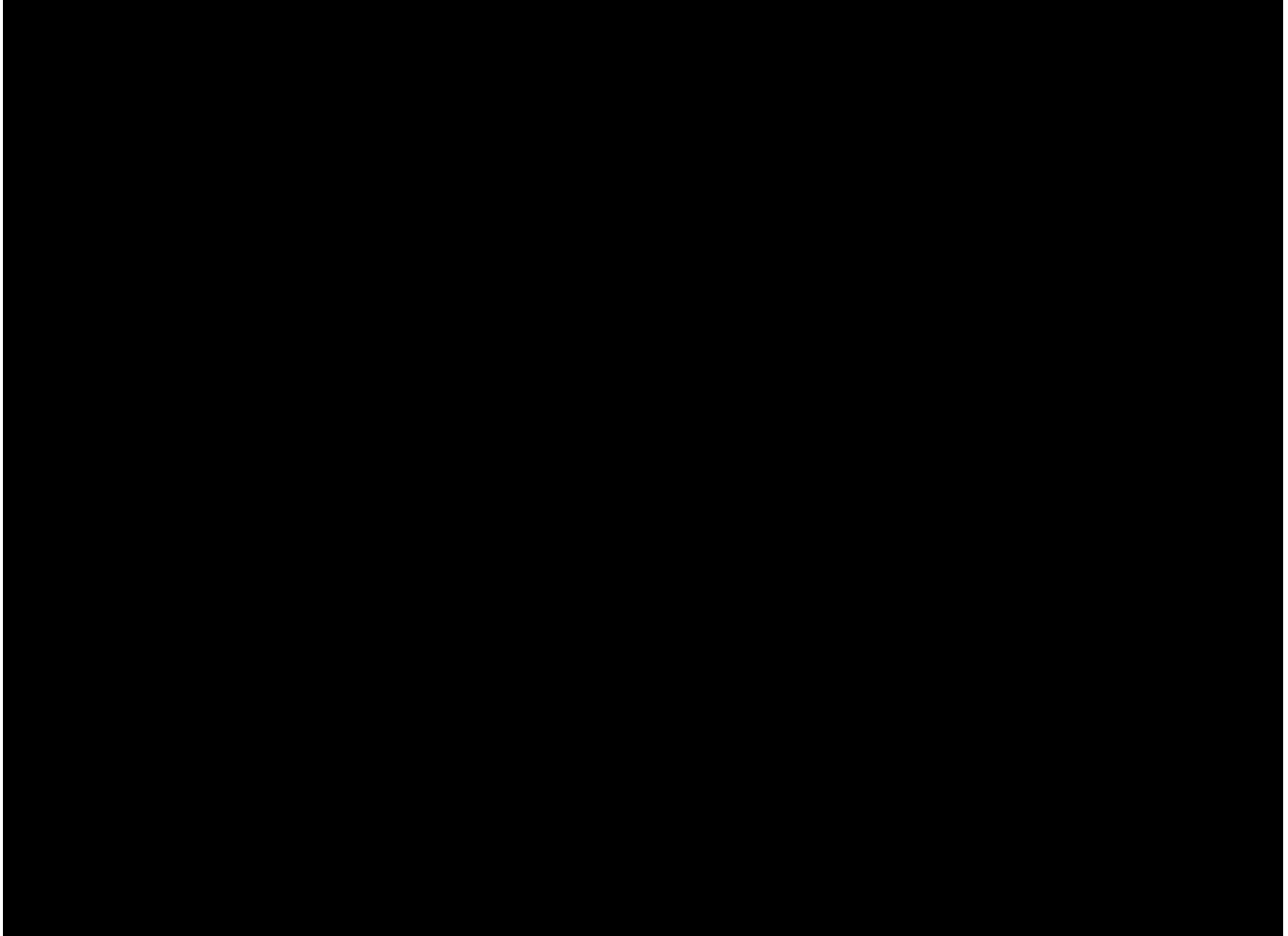
Appendix H: Calculating Distinct Demand

Notes:
[Redacted]
[Redacted]

[Redacted]	[Redacted]
[Redacted]	[Redacted]



Appendix I –



Notes:
