

PX 13

1 THE UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF CALIFORNIA
3 IN RE BANK OF AMERICA)
4 CALIFORNIA UNEMPLOYMENT) Case No.:
5 BENEFITS LITIGATION) 3:21-md-02992-LAB-MSB
6 -----)

7
8
9
10 *****

11 VIDEOTAPED ORAL DEPOSITION OF
12 BANK OF AMERICA, N.A.

13 BY AND THROUGH ITS DESIGNATED REPRESENTATIVE

14 ROBERT A. CHESTNUT

15 FEBRUARY 8, 2024

16 *****

17
18 On the 8th day of February, 2024, at 9:09 a.m.,
19 the videotaped oral deposition of the above-named
20 witness was taken at the instance of the Class
21 Plaintiffs, before Michelle L. Munroe, Certified
22 Shorthand Reporter in and for the State of Texas, at
23 Jones Day, 2727 N. Harwood Street, Suite 500, Dallas,
24 Texas, pursuant to Notice and the agreement
25 hereinafter set forth.

Page 1

A P P E A R A N C E S

FOR THE PLAINTIFFS AND THE PROPOSED CLASS:

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A P P E A R A N C E S (continued)

ALSO PRESENT:

Phil Hall, Video Technician

Daniel Shay (via Zoom)

Page 3

1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: Today is Thursday, 09:09:32

3 February 8, 2024. The time is 9:09 a.m. We are on 09:09:32

4 the record. Our court reporter is Michelle Munroe. 09:09:37

5 Ms. Munroe, would you please swear in 09:09:41

6 the witness. 09:09:41

7 ROBERT A. CHESTNUT, 09:09:41

8 having been first duly sworn, testified as follows: 09:09:41

9 EXAMINATION 09:09:41

10 BY MR. KIRTLEY: 09:09:41

11 Q. Good morning, Mr. Chestnut. 09:09:54

12 A. Good morning. 09:09:56

13 Q. Morning. My name is Andrew Kirtley, and I 09:09:57

14 represent the class plaintiffs in this case, and 09:10:00

15 I'll be obviously the one taking your deposition 09:10:06

16 today. 09:10:09

17 Could you state your full name for the 09:10:15

18 record? 09:10:19

19 A. Robert A. Chestnut. 09:10:19

20 Q. Okay. So have you ever had your 09:10:24

21 deposition taken before? 09:10:30

22 A. No, I have not. 09:10:33

23 Q. Okay. Well, the way this is -- the way 09:10:34

24 they usually begin and the way this one is going to 09:10:37

25 begin is I'm going to go through some ground rules 09:10:40

Page 6

1 and sort of explain how it's going to work so that 09:10:44
2 we're sort of on the same page about ground rules 09:10:48
3 and expectations. 09:10:51
4 So the first thing is that you understand 09:10:54
5 that you have just been sworn in, which means that 09:10:56
6 you're testifying under oath? 09:10:59
7 A. I do. 09:11:00
8 Q. Okay. And that that would be the same as 09:11:01
9 if you were in a court? 09:11:05
10 A. Understood. 09:11:07
11 Q. Okay. And obviously that means that 09:11:08
12 you're legally required to tell the truth in 09:11:12
13 everything that you say today. 09:11:15
14 Do you understand that? 09:11:16
15 A. I do. 09:11:17
16 Q. Okay. Is there any reason why you can't 09:11:18
17 be fully present or testify truthfully today? 09:11:22
18 A. No. 09:11:28
19 Q. Are you sick? 09:11:31
20 A. I have -- I'm recovering from COVID but 09:11:33
21 I'm fine. 09:11:35
22 Q. Okay. Is your recovery from COVID 09:11:36
23 affecting your ability to -- your cognitive ability 09:11:39
24 to think and to hear me and to understand what I'm 09:11:43
25 saying? 09:11:45

Page 7

1 A. It is not. 09:11:46

2 Q. Okay. Is it affecting your memory? 09:11:50

3 A. It is not. 09:11:54

4 Q. Okay. Is there anything that it is 09:11:54

5 affecting that I should know about? 09:11:56

6 A. No. Other than an occasional cough, I'm 09:11:58

7 fine. 09:12:00

8 Q. Okay. Have you tested negative? 09:12:01

9 A. I have. 09:12:04

10 Q. That's good. 09:12:05

11 A. Yes, I will not be infecting anybody. 09:12:06

12 Q. Are you on any -- are you on any 09:12:11

13 medication or drugs that would affect your cognitive 09:12:13

14 ability? 09:12:18

15 A. I am not. 09:12:18

16 Q. Okay. And you similarly don't have any 09:12:20

17 medical condition that would affect your cognitive 09:12:22

18 ability? 09:12:25

19 A. No, I do not. 09:12:26

20 Q. Okay. So you never testified in a 09:12:27

21 deposition before. 09:12:37

22 Have you ever testified in court? 09:12:38

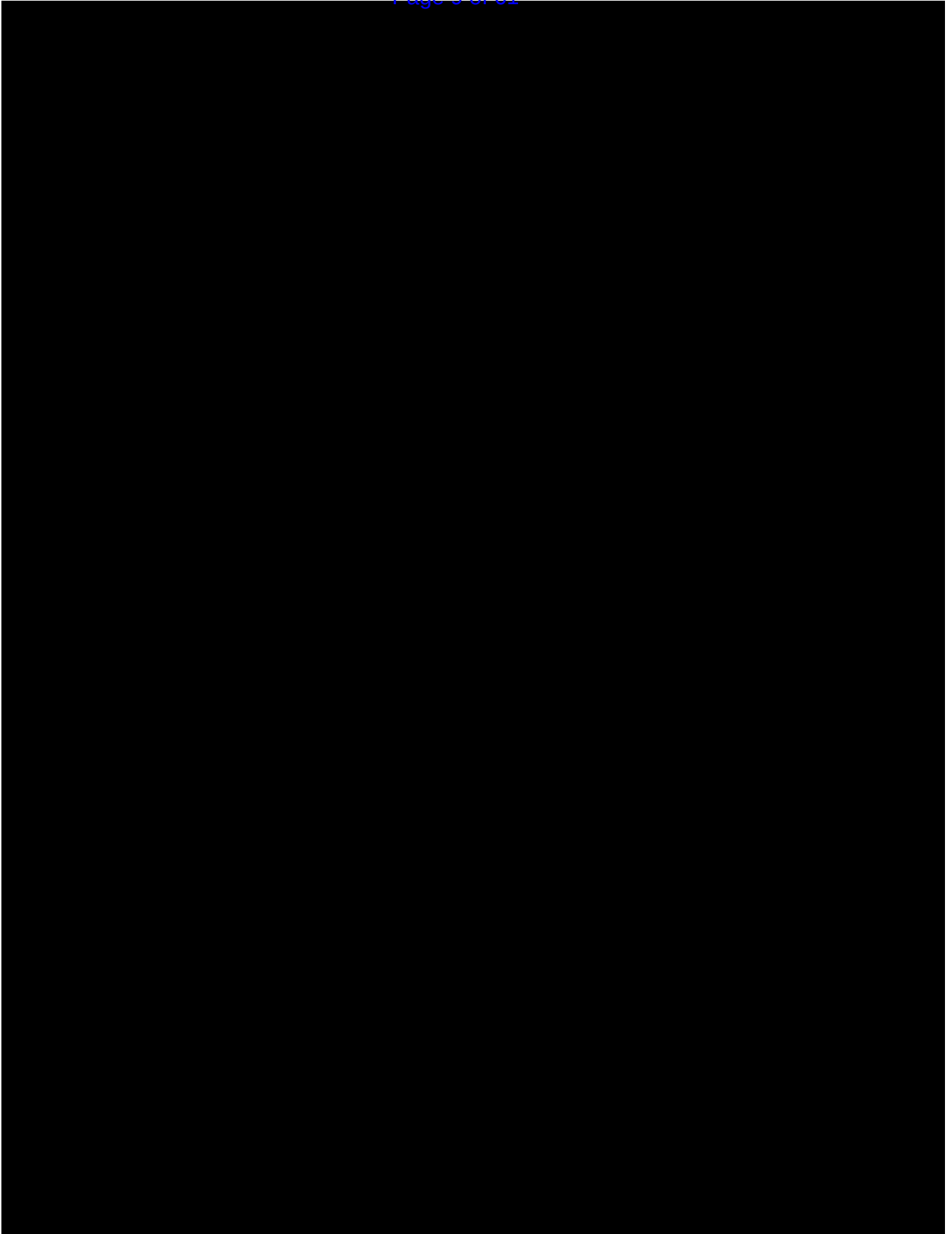
23 A. No. 09:12:40

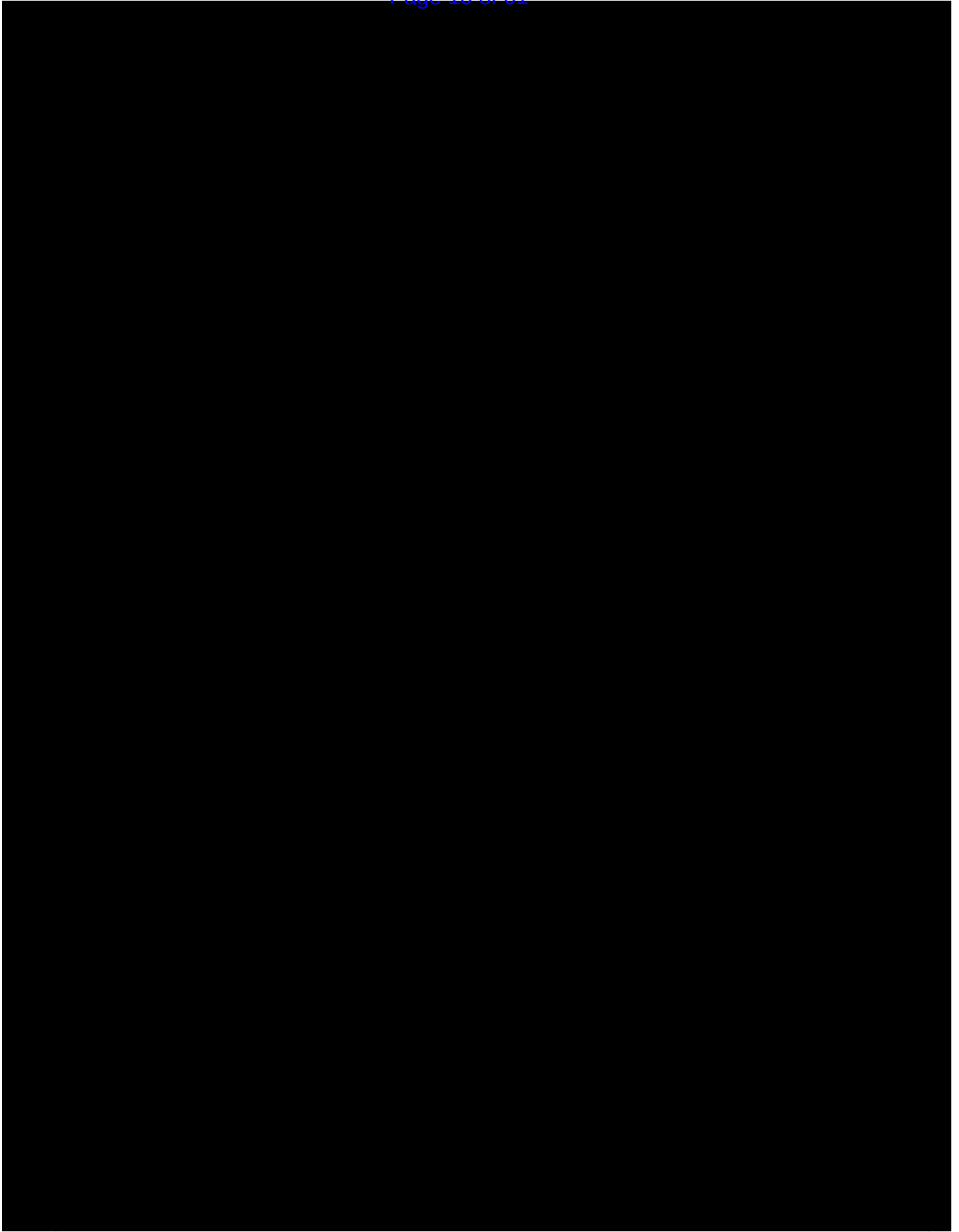
24 Q. Okay. Have you ever been -- have you ever 09:12:41

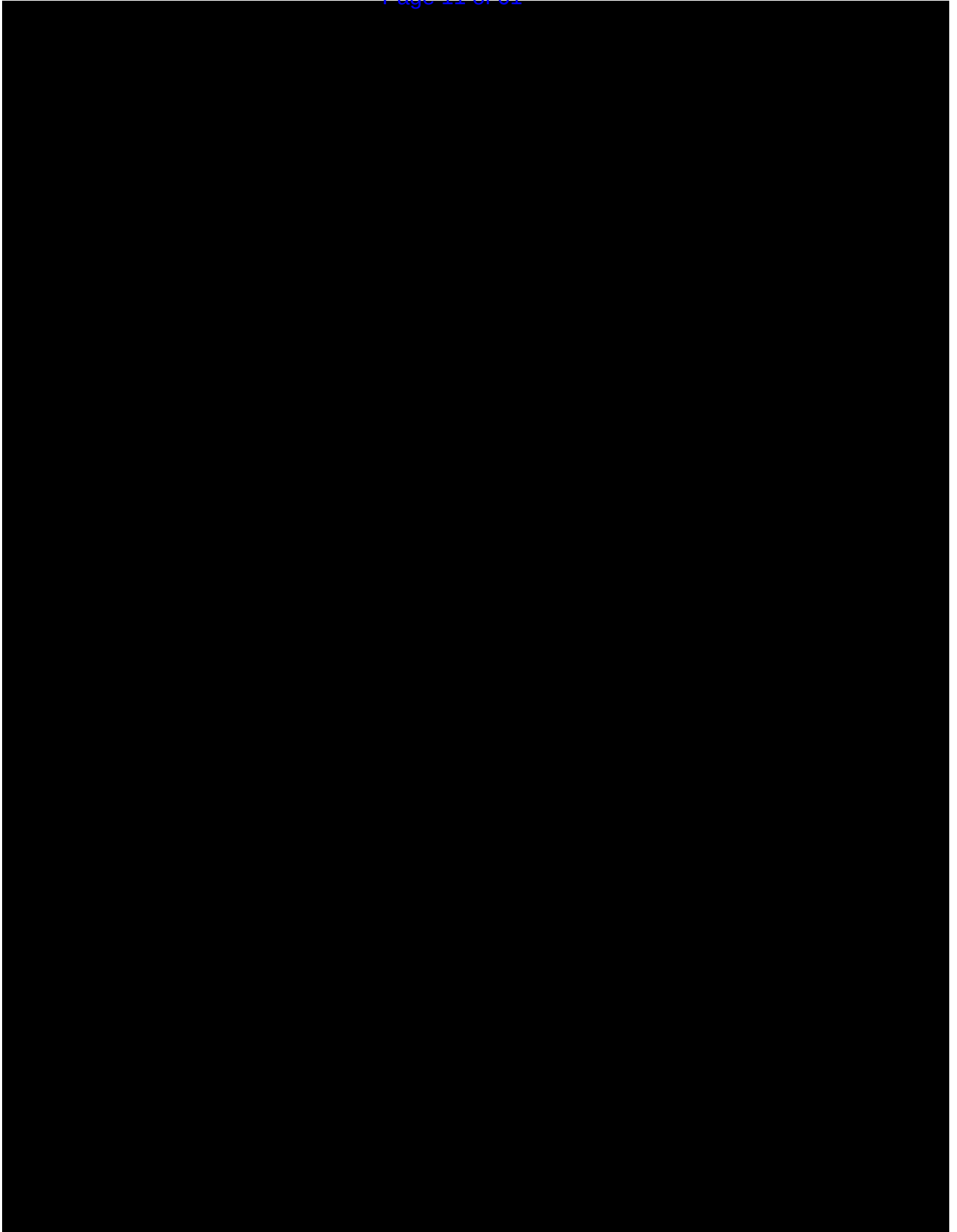
25 been convicted of a crime? 09:12:47

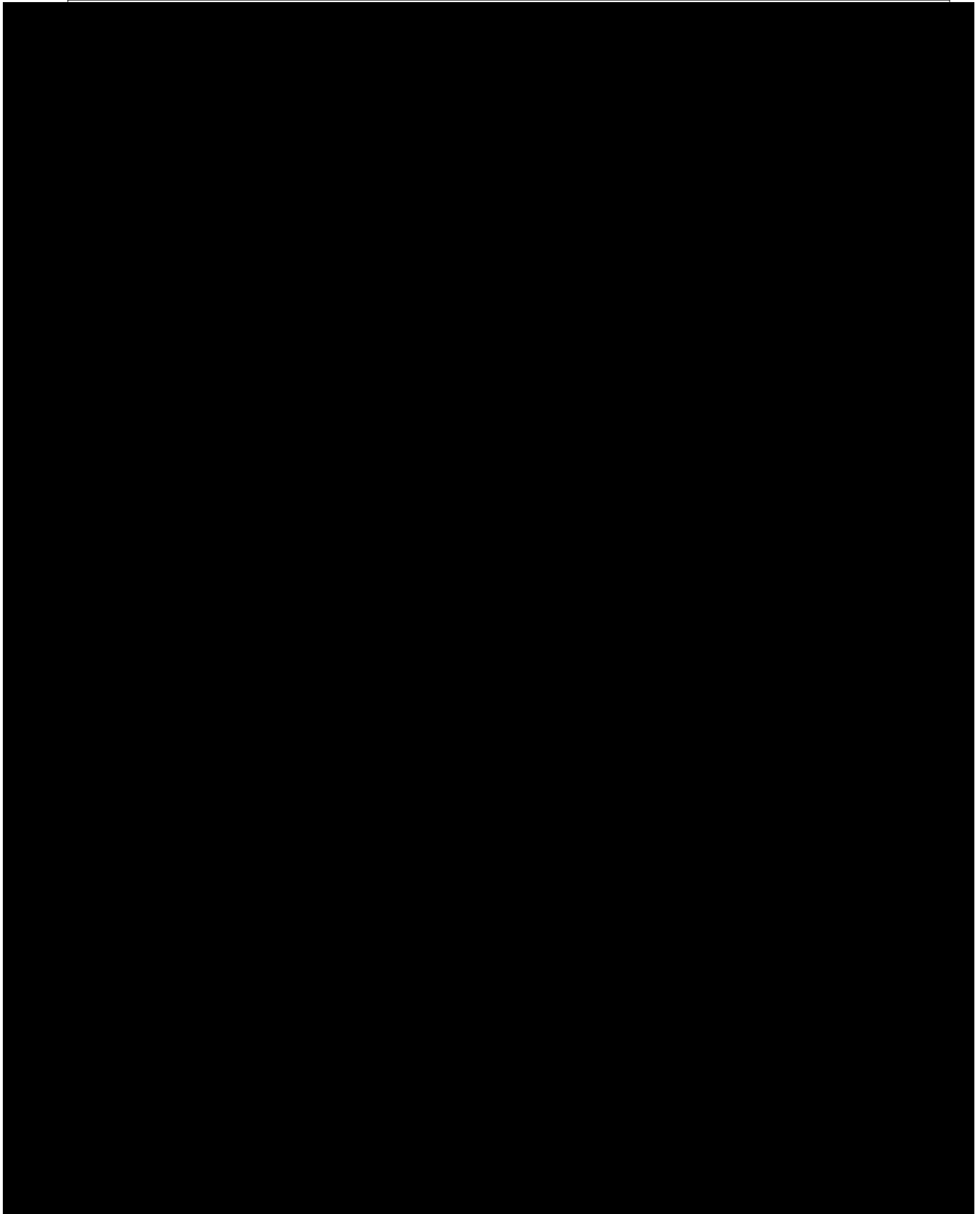
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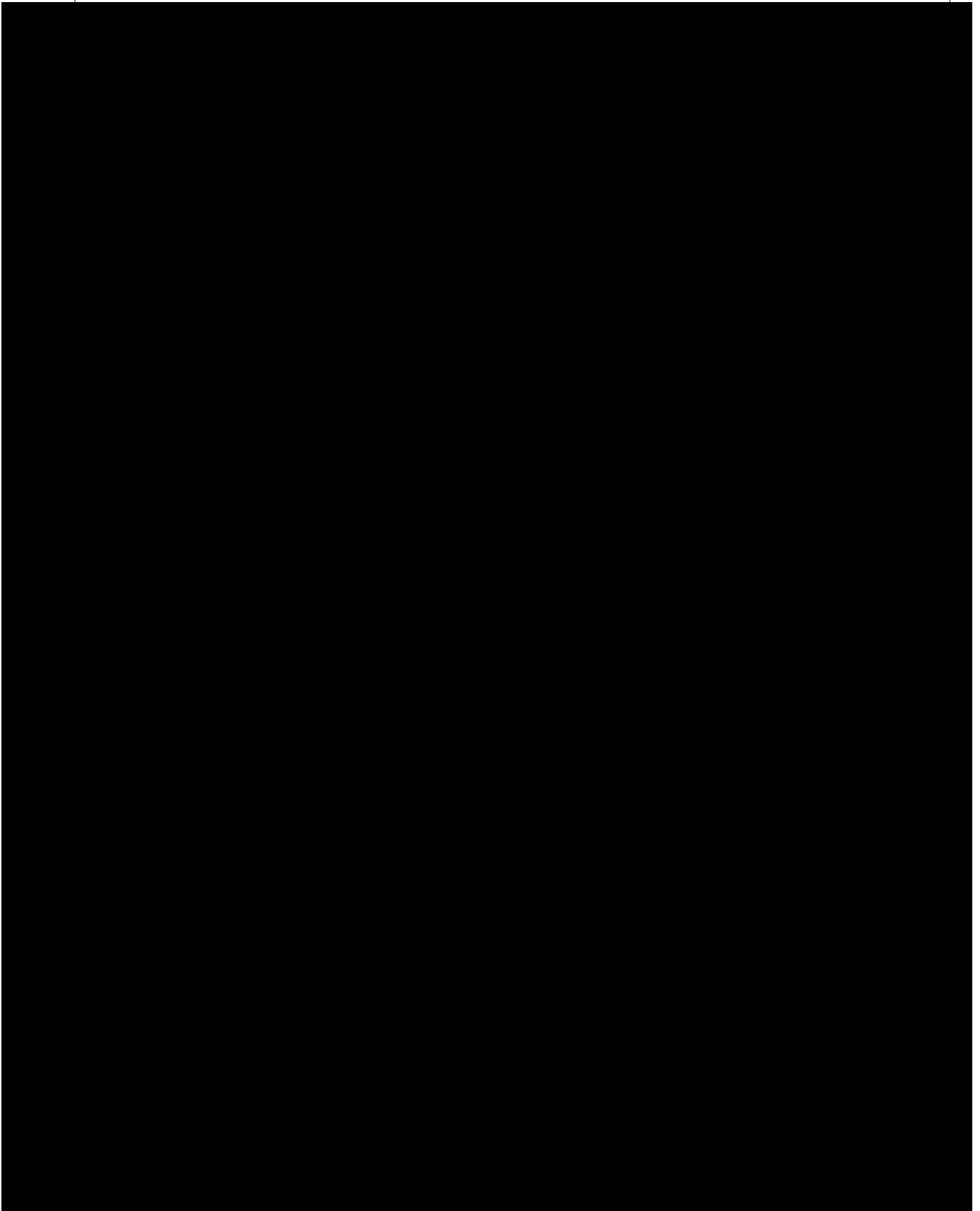
1	A. I have not.	09:12:49
2	Q. So here are -- I'll try to explain some of	09:12:51
3	the ground rules. If you have any questions, let me	09:12:57
4	know. It's pretty simple.	09:12:59
5	So Michelle, here, is a court reporter,	09:13:01
6	and you understand that she's writing down	09:13:05
7	everything that we say?	09:13:06
8	A. Yes.	09:13:07
9	Q. Okay. And at the end of this, there will	09:13:09
10	be a printed transcript that we can all read	09:13:10
11	through.	09:13:12
12	Do you understand that?	09:13:12
13	A. I do.	09:13:13
14	Q. Okay. So part of the deal there is it's	09:13:13
15	not like a normal conversation in the sense that	09:13:18
16	only one person can talk at a time.	09:13:20
17	Do you understand that?	09:13:23
18	A. I do.	09:13:24
19	Q. Otherwise her job is impossible.	09:13:25
20	So can we agree that we'll try not to	09:13:28
21	interrupt each other?	09:13:33
22	A. Yes.	09:13:34
23	Q. And that we'll try not to talk over each	09:13:34
24	other?	09:13:38
25	A. Agreed.	09:13:38

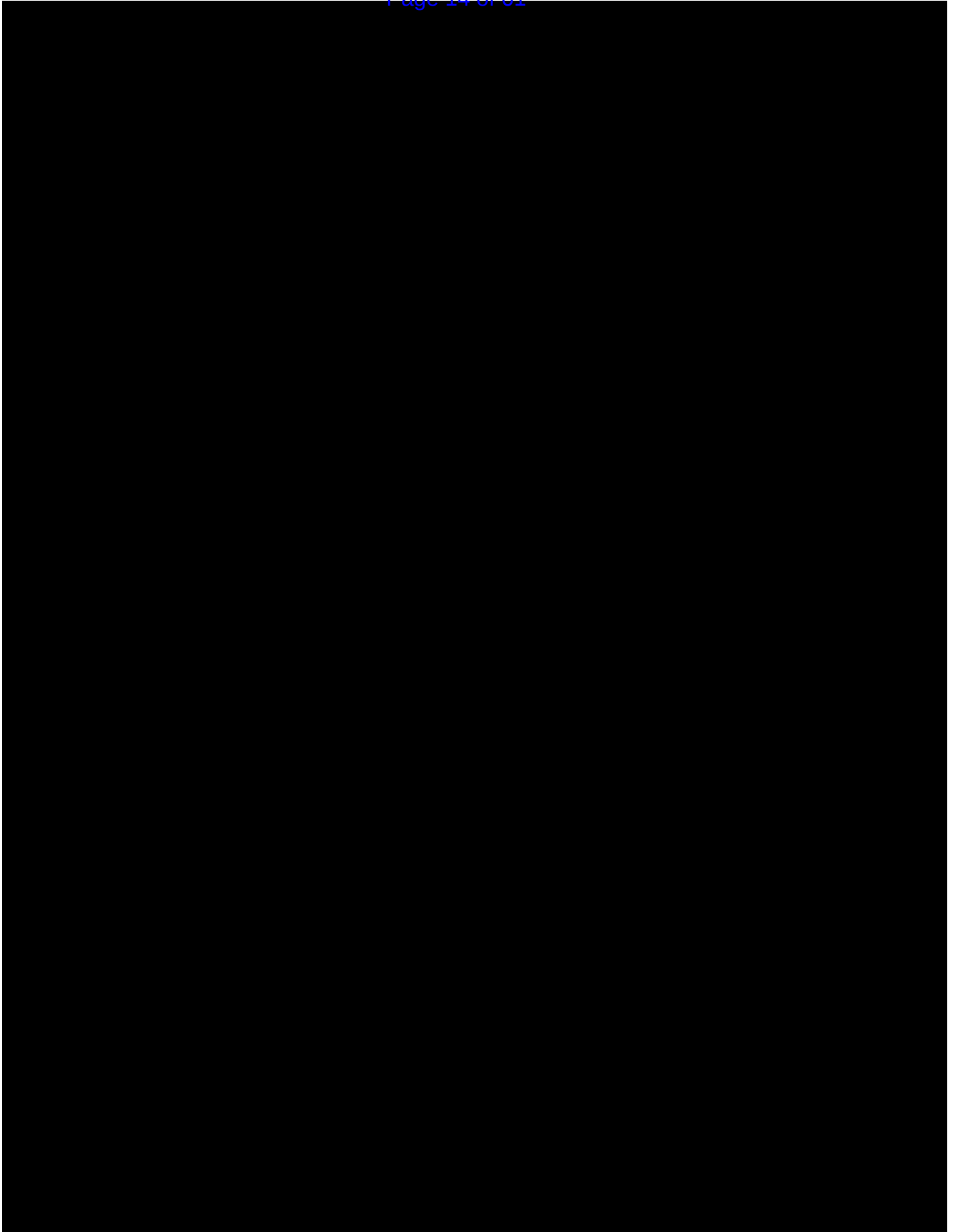


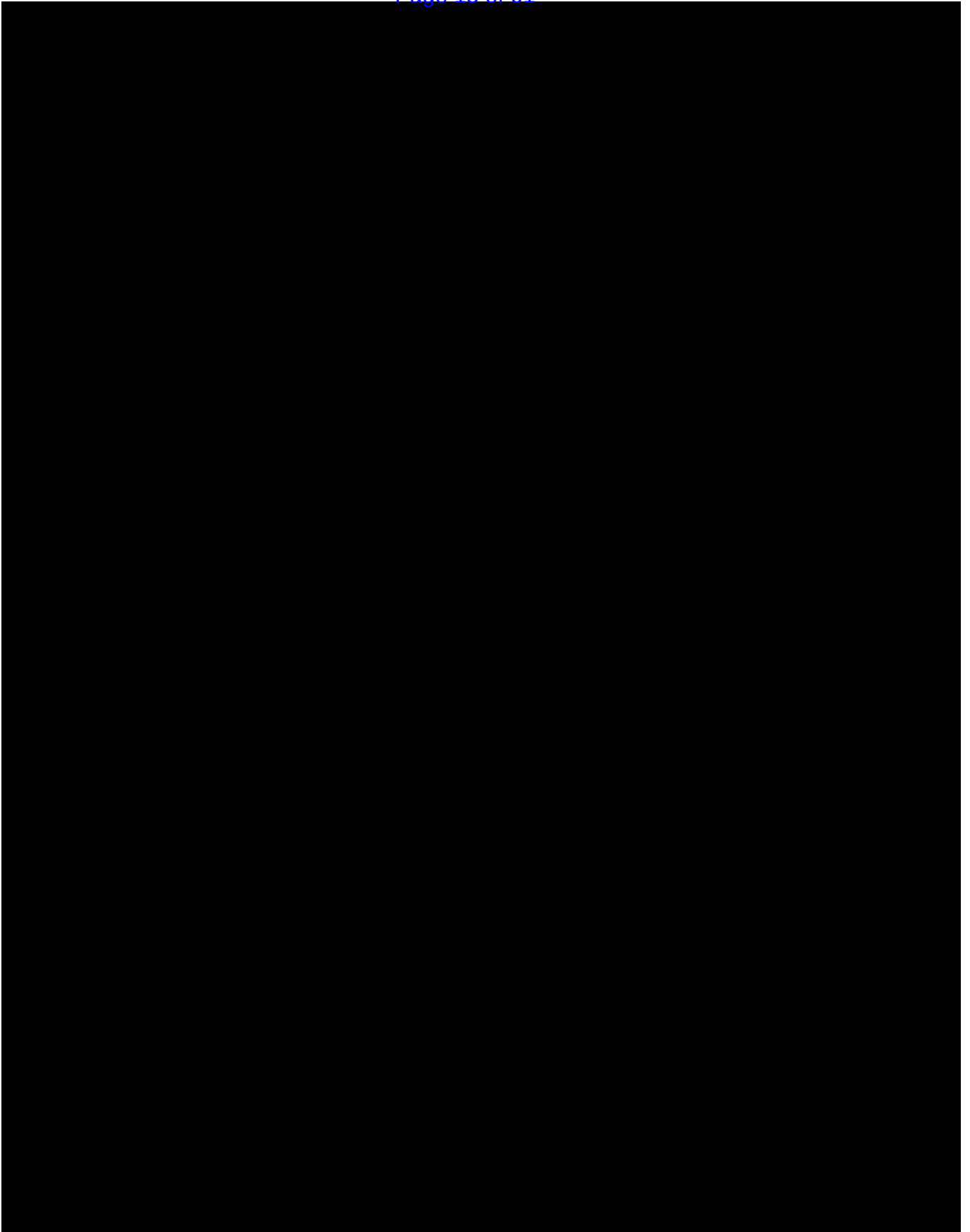


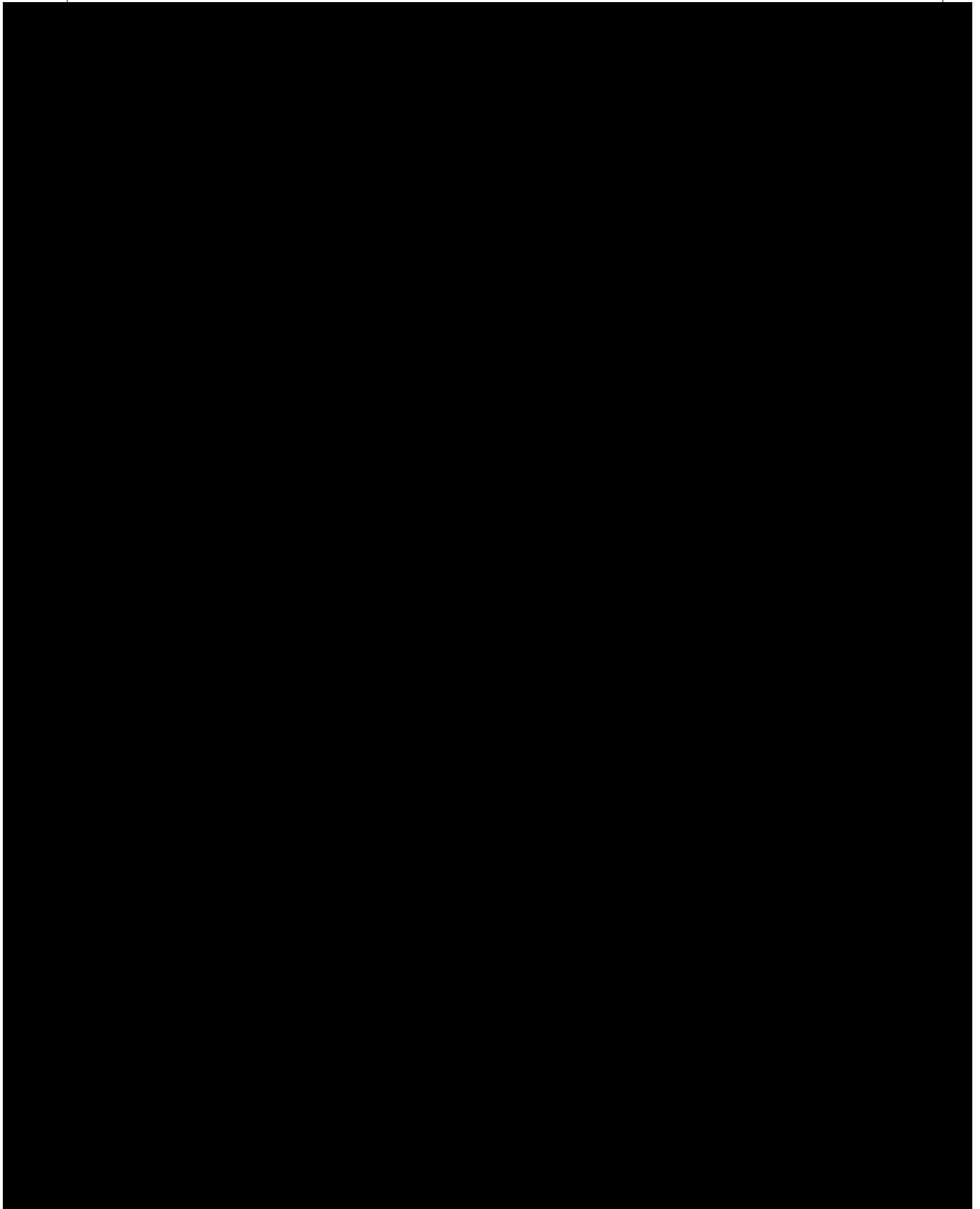


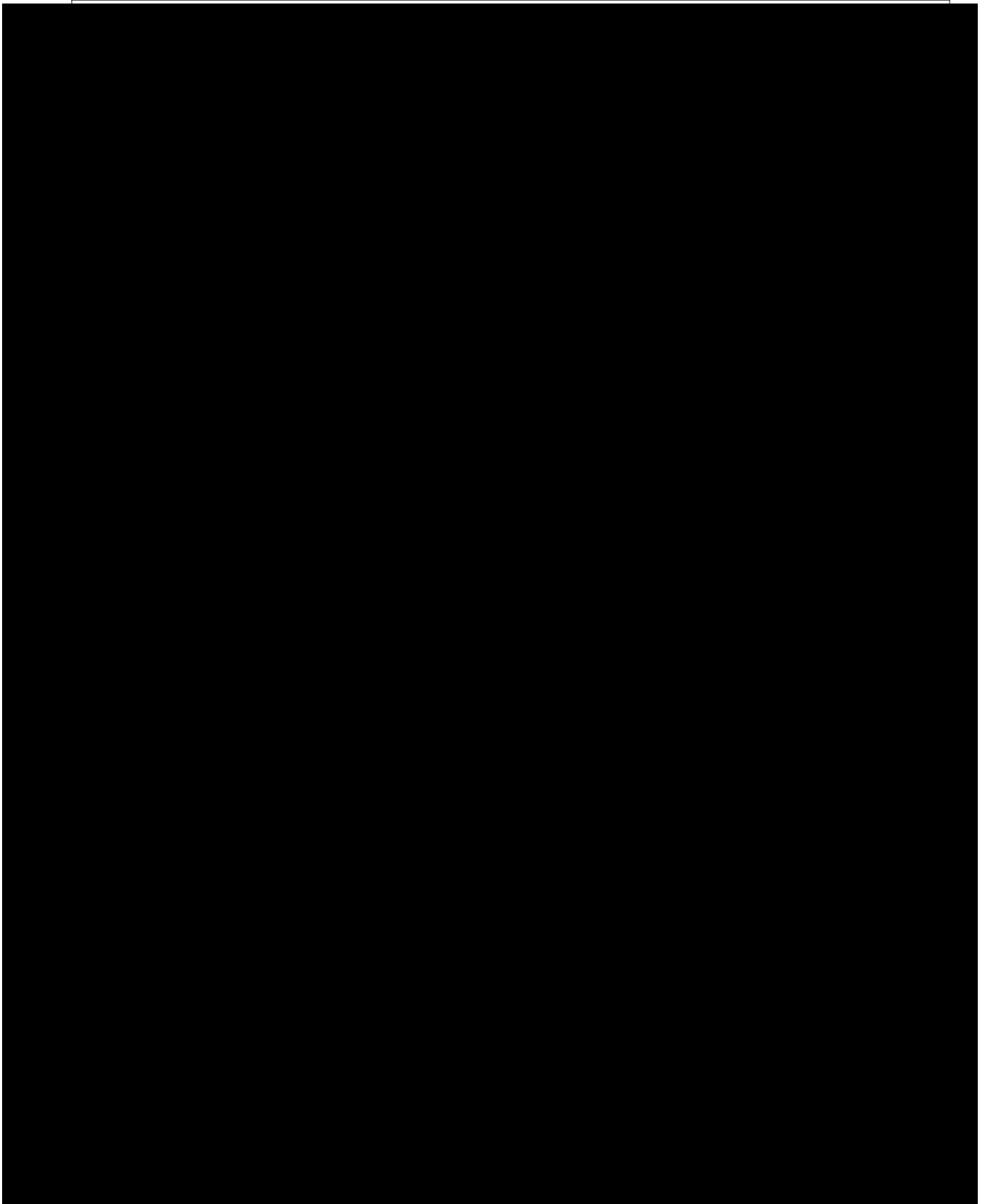


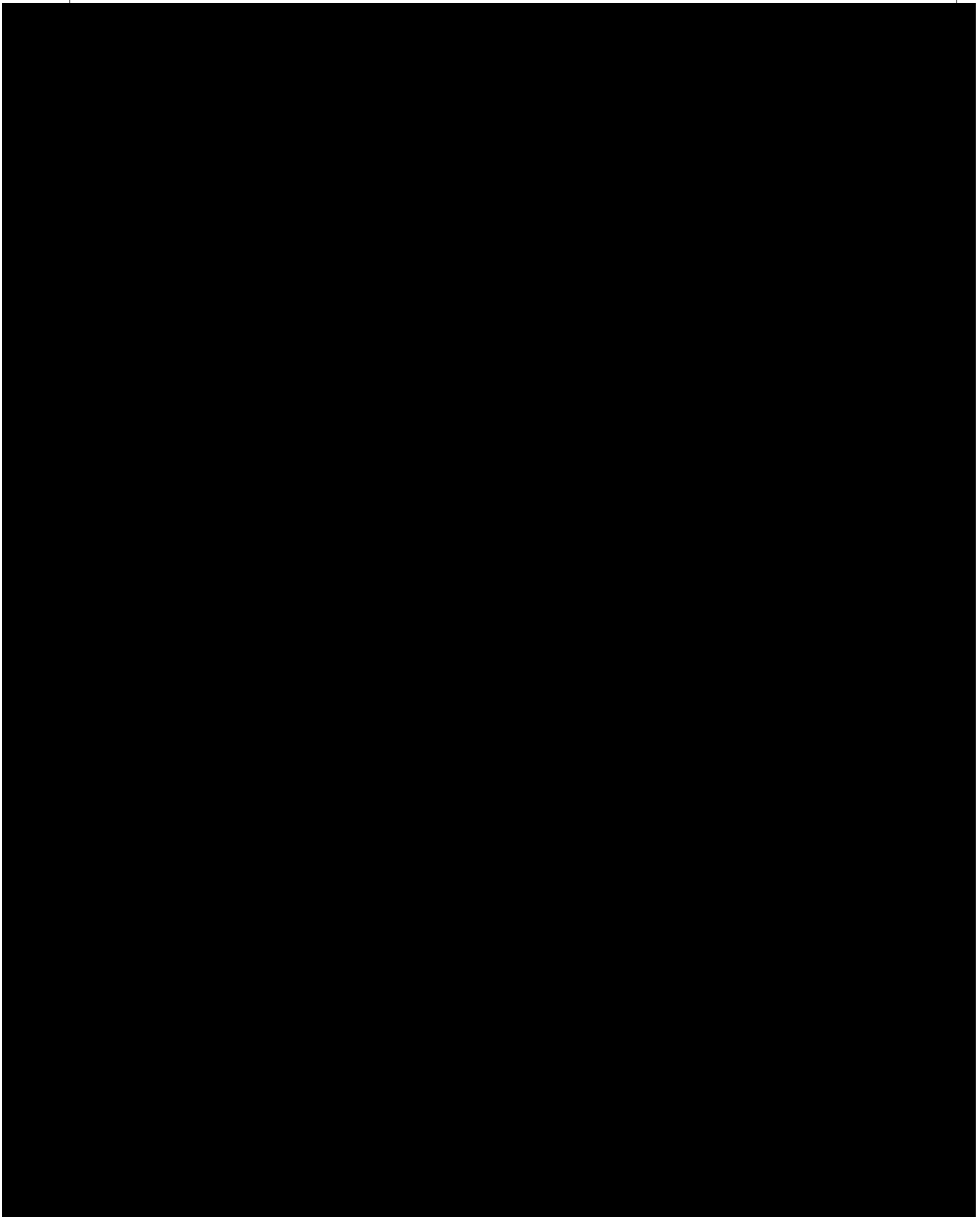


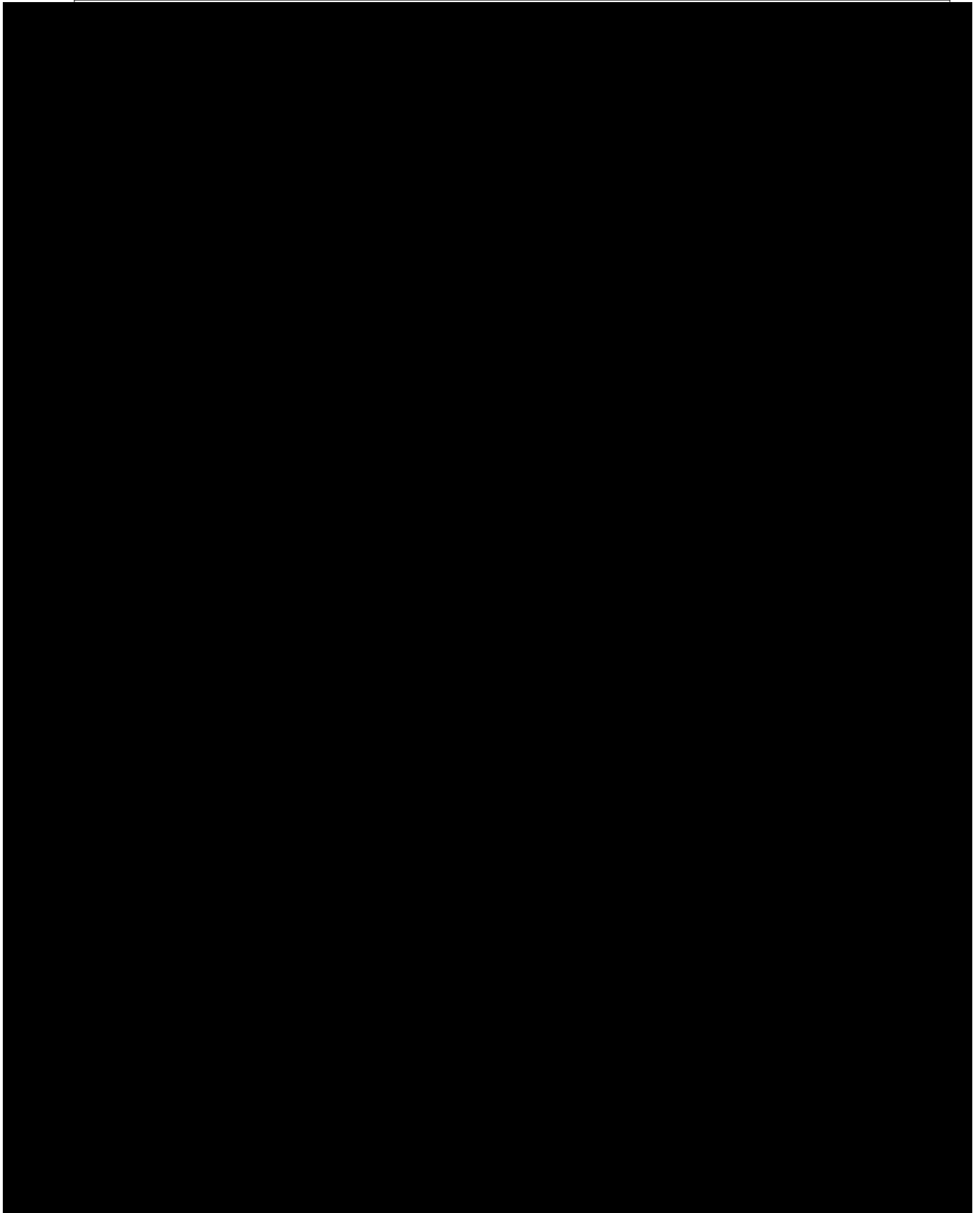


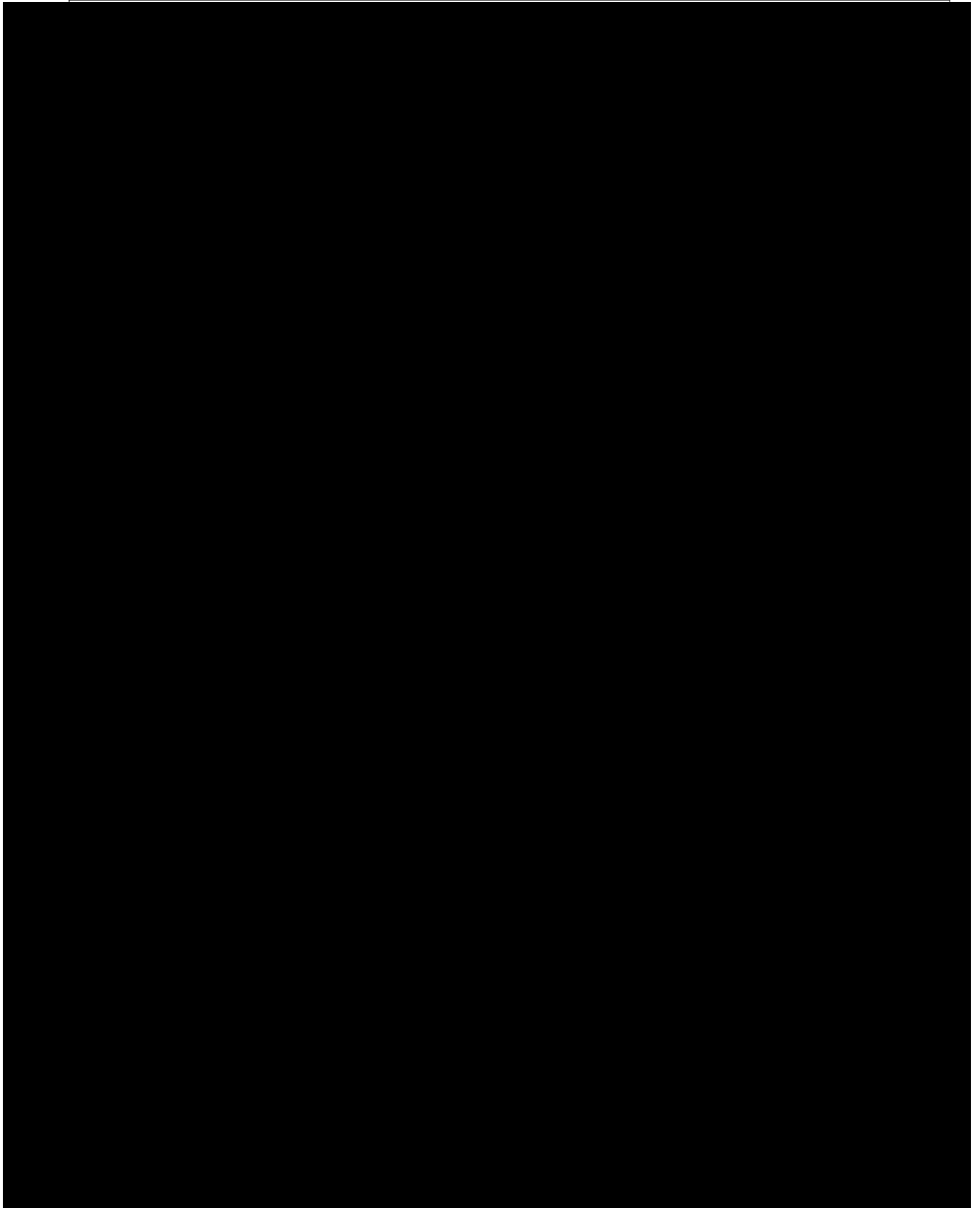


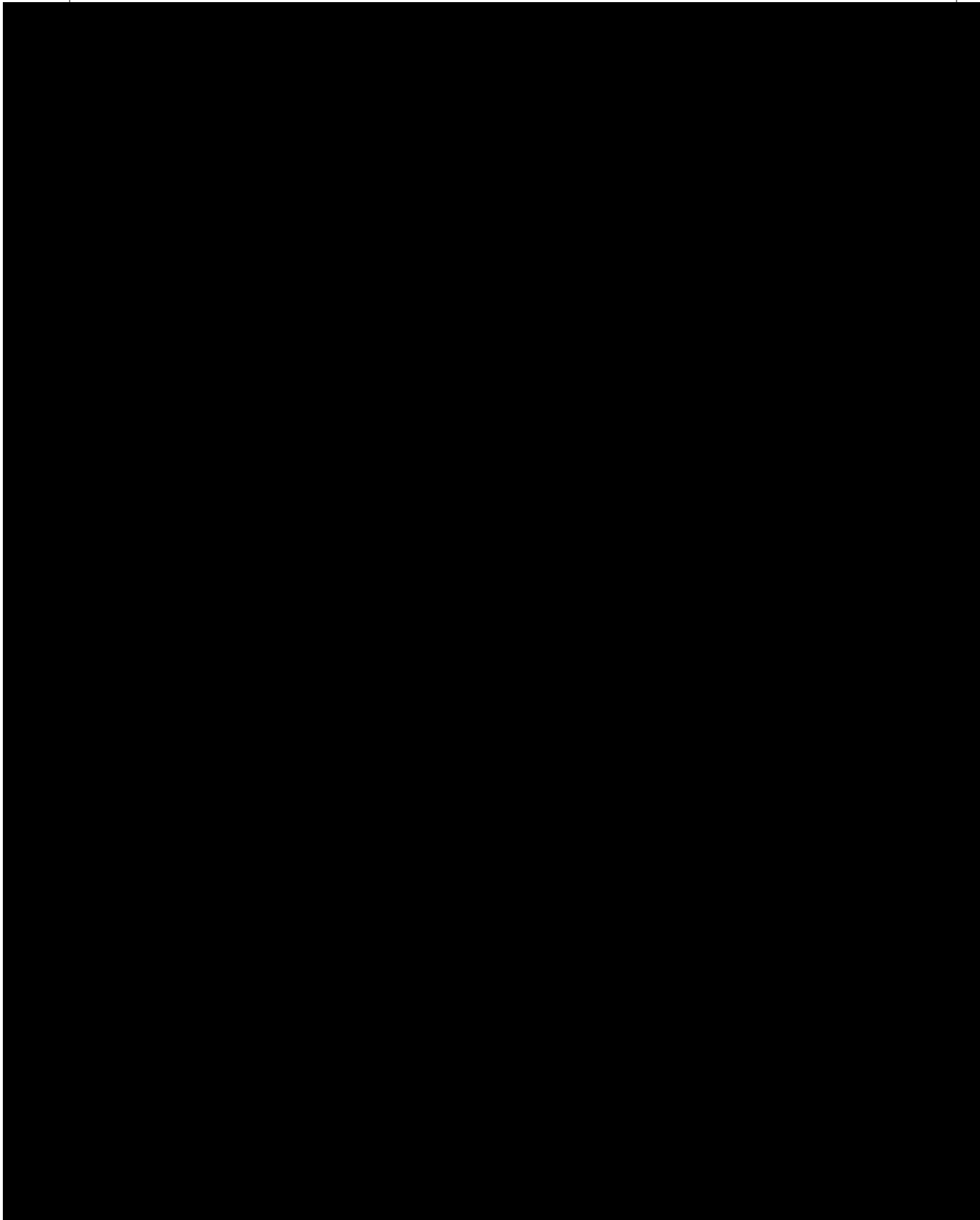


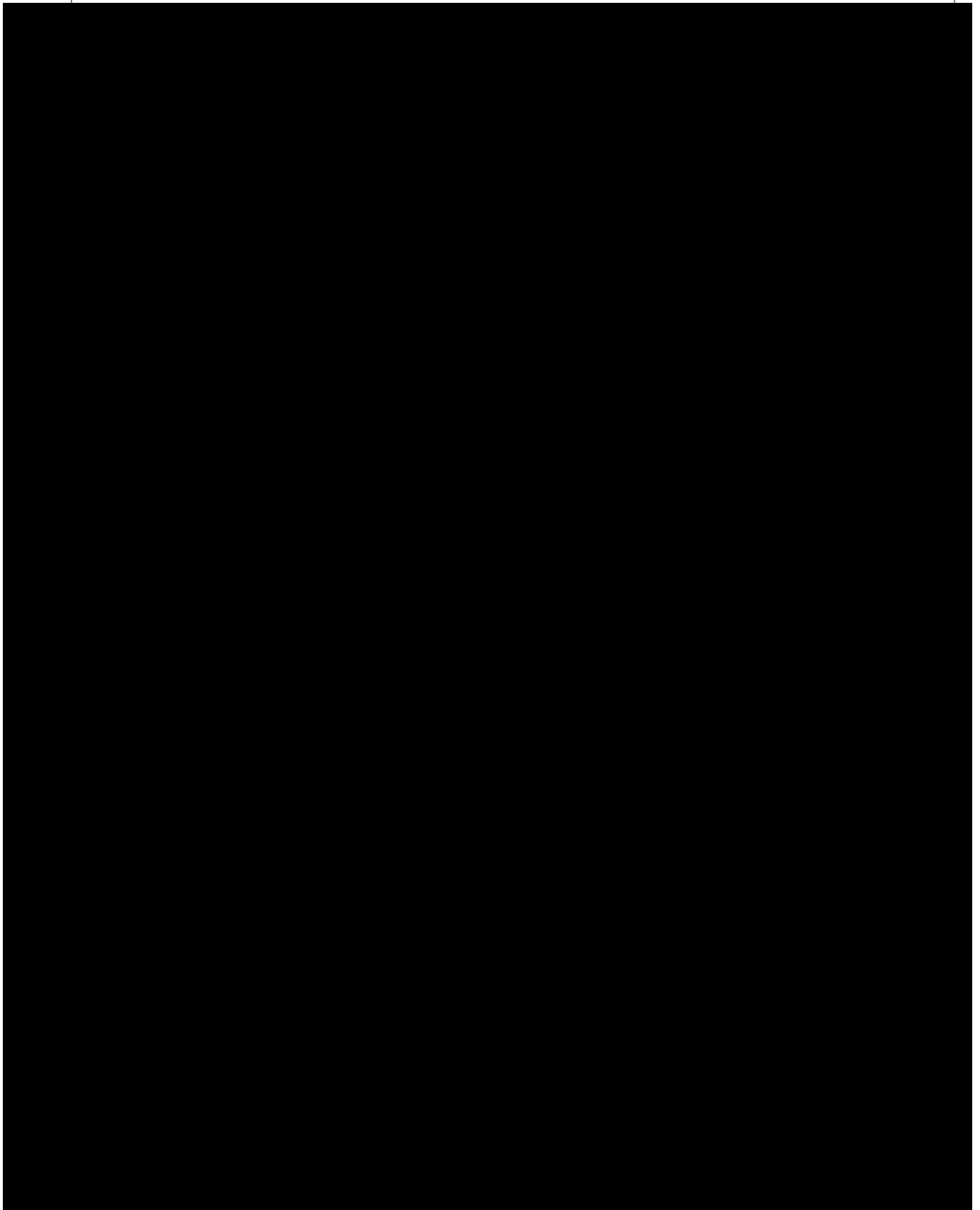


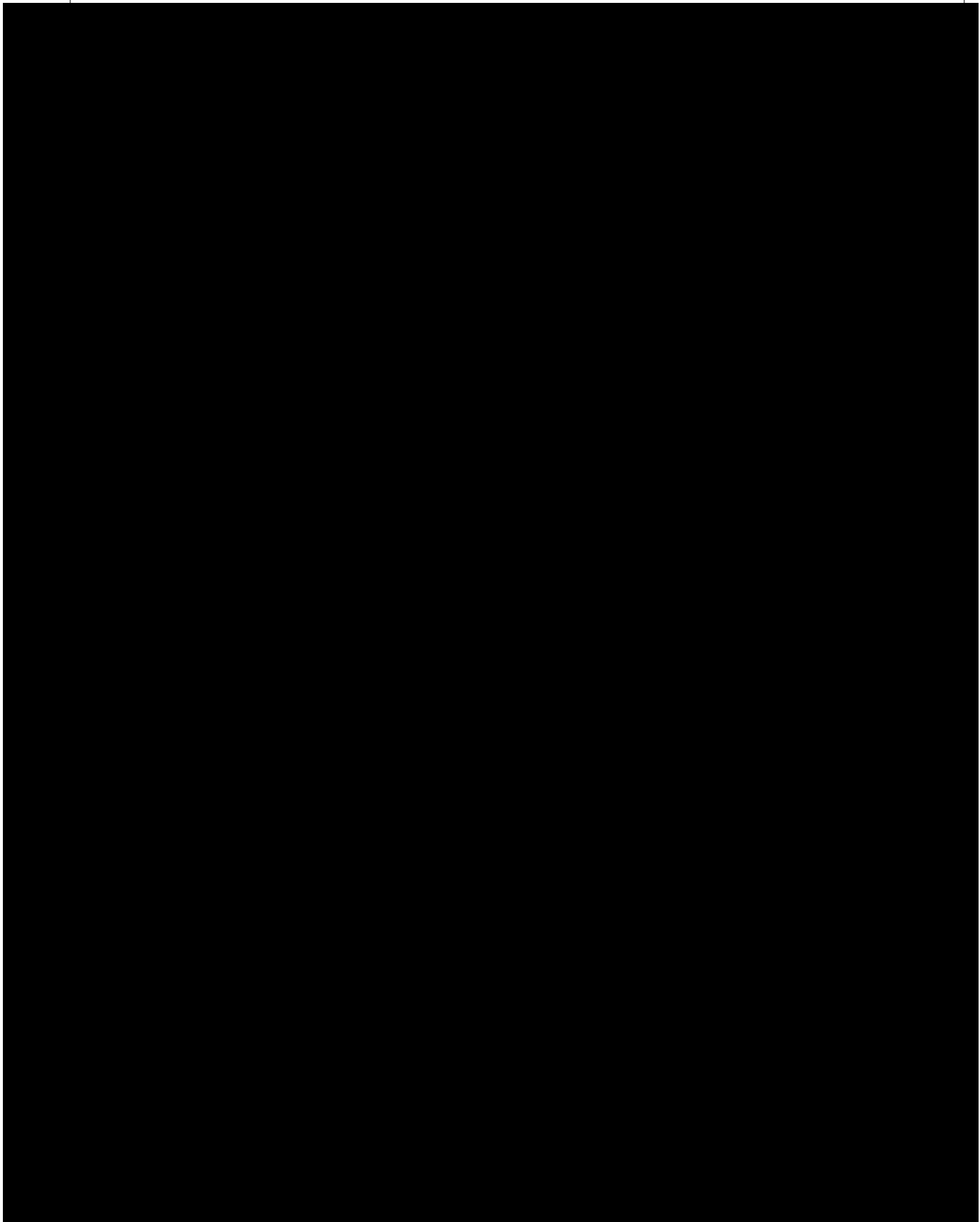


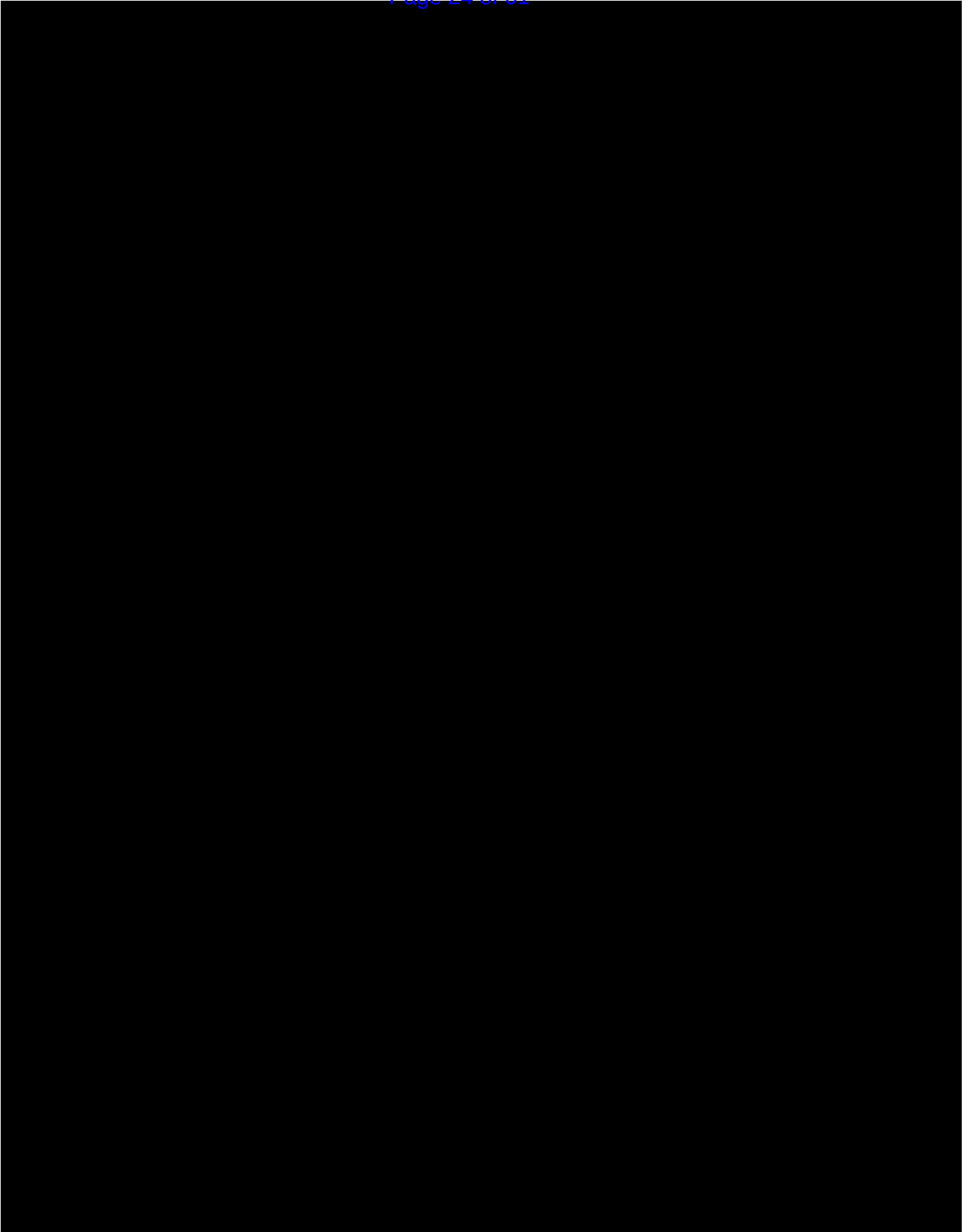


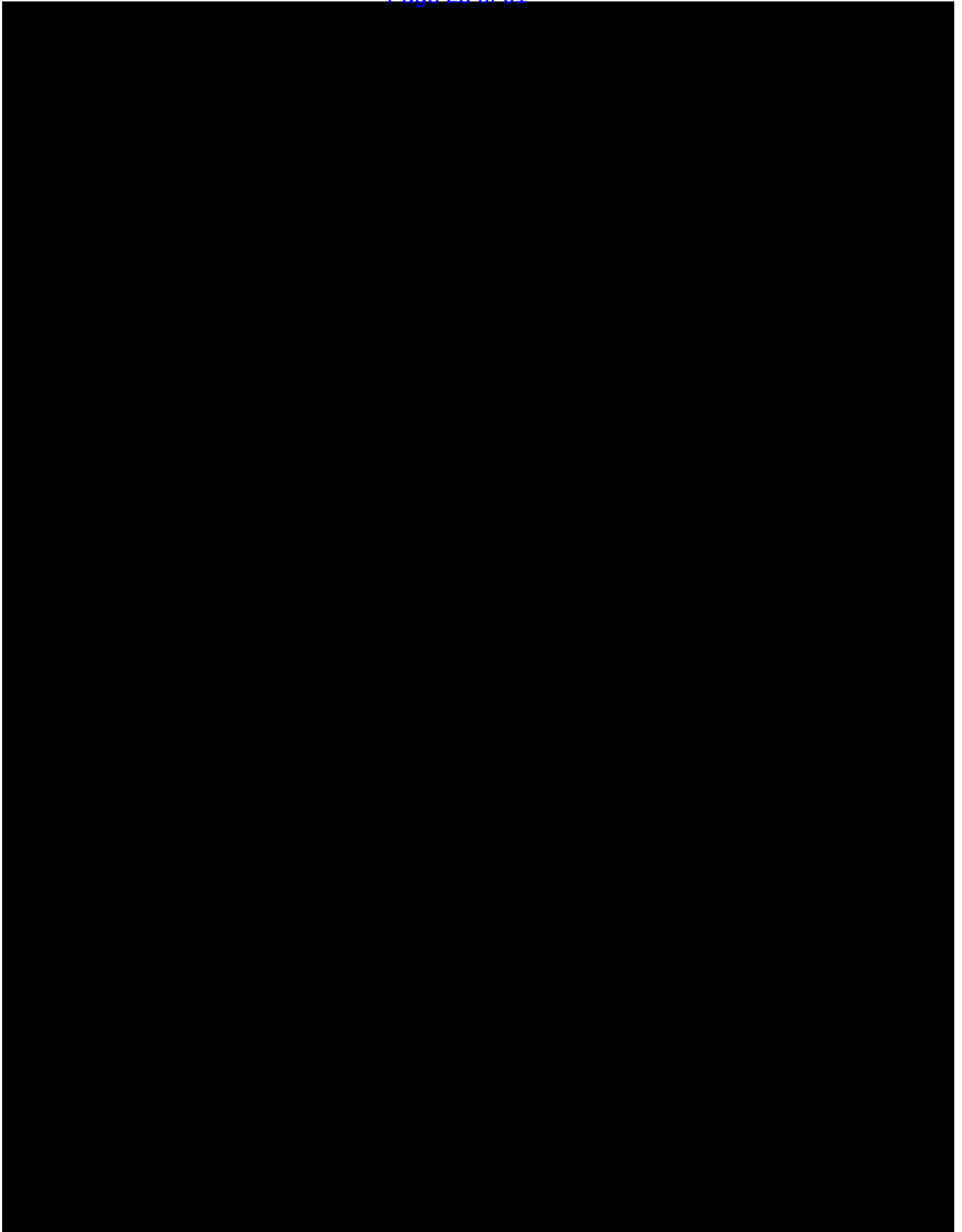


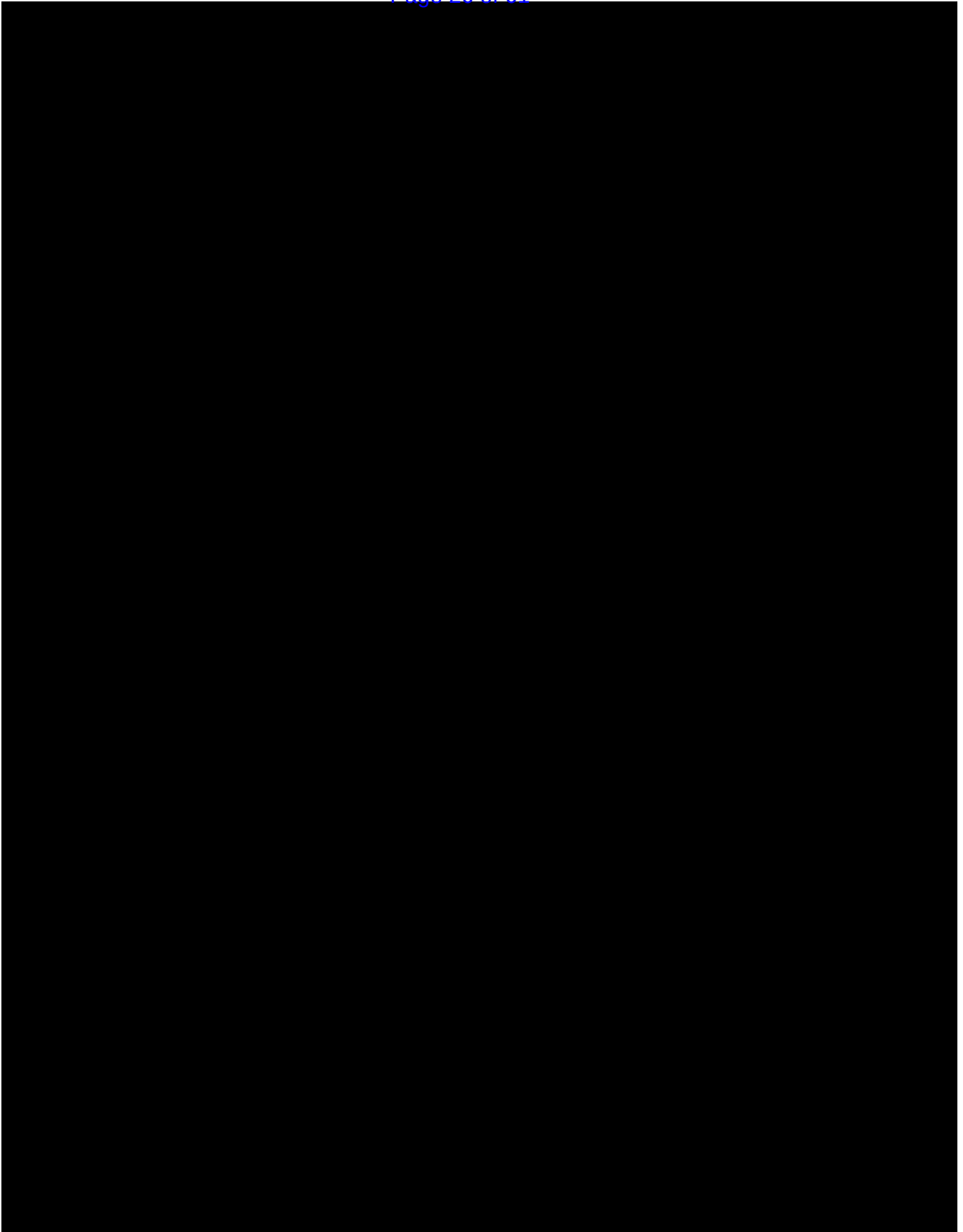


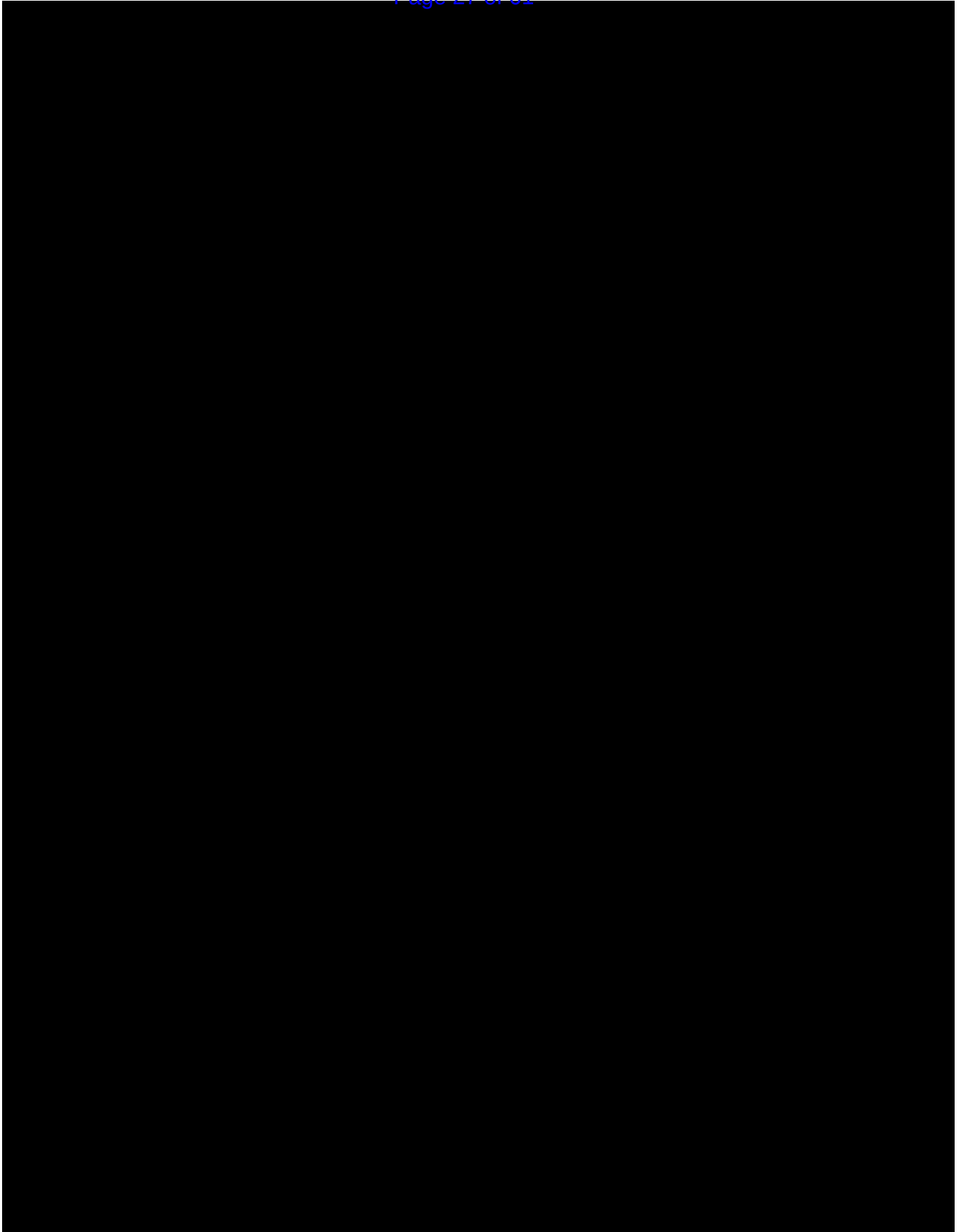


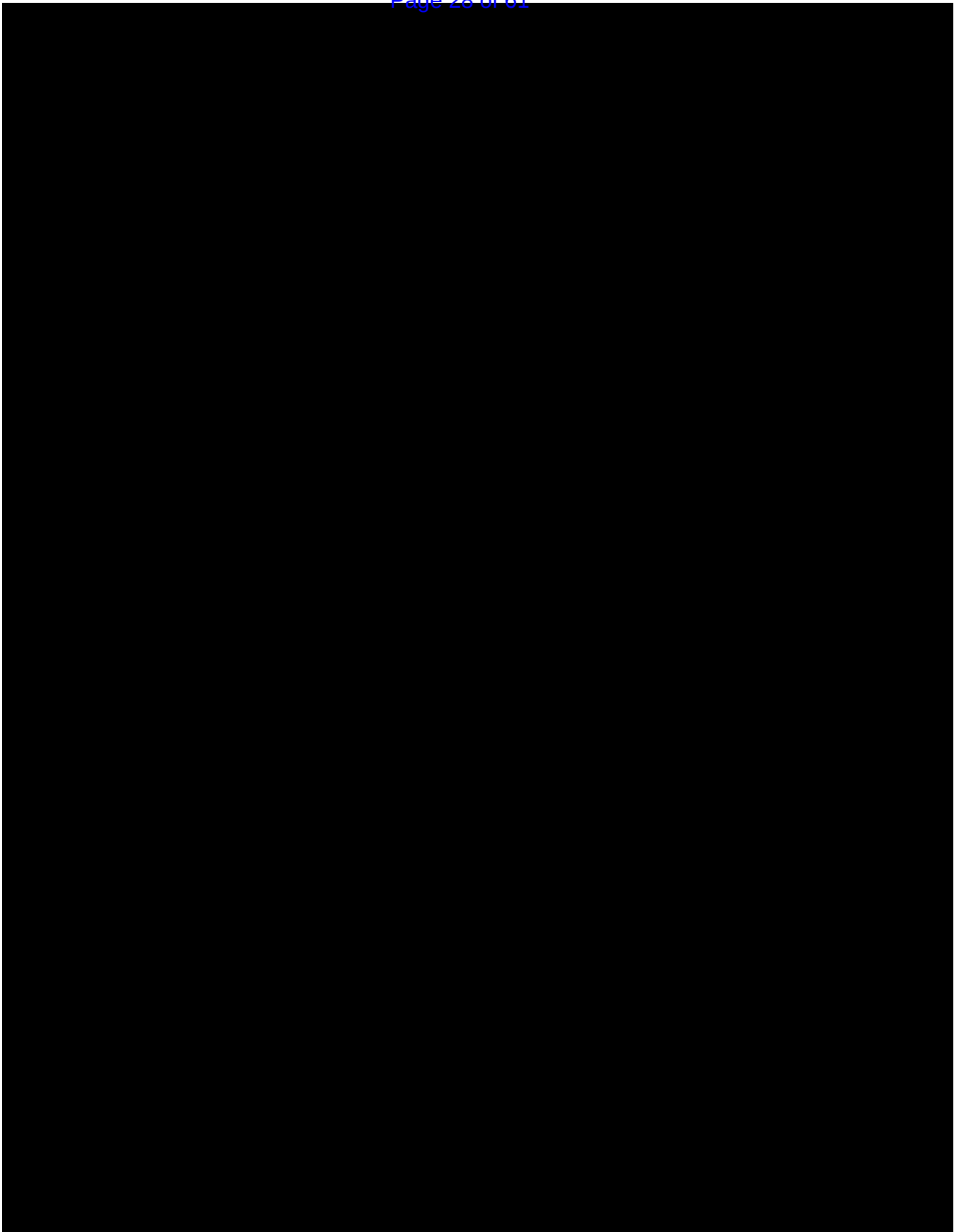


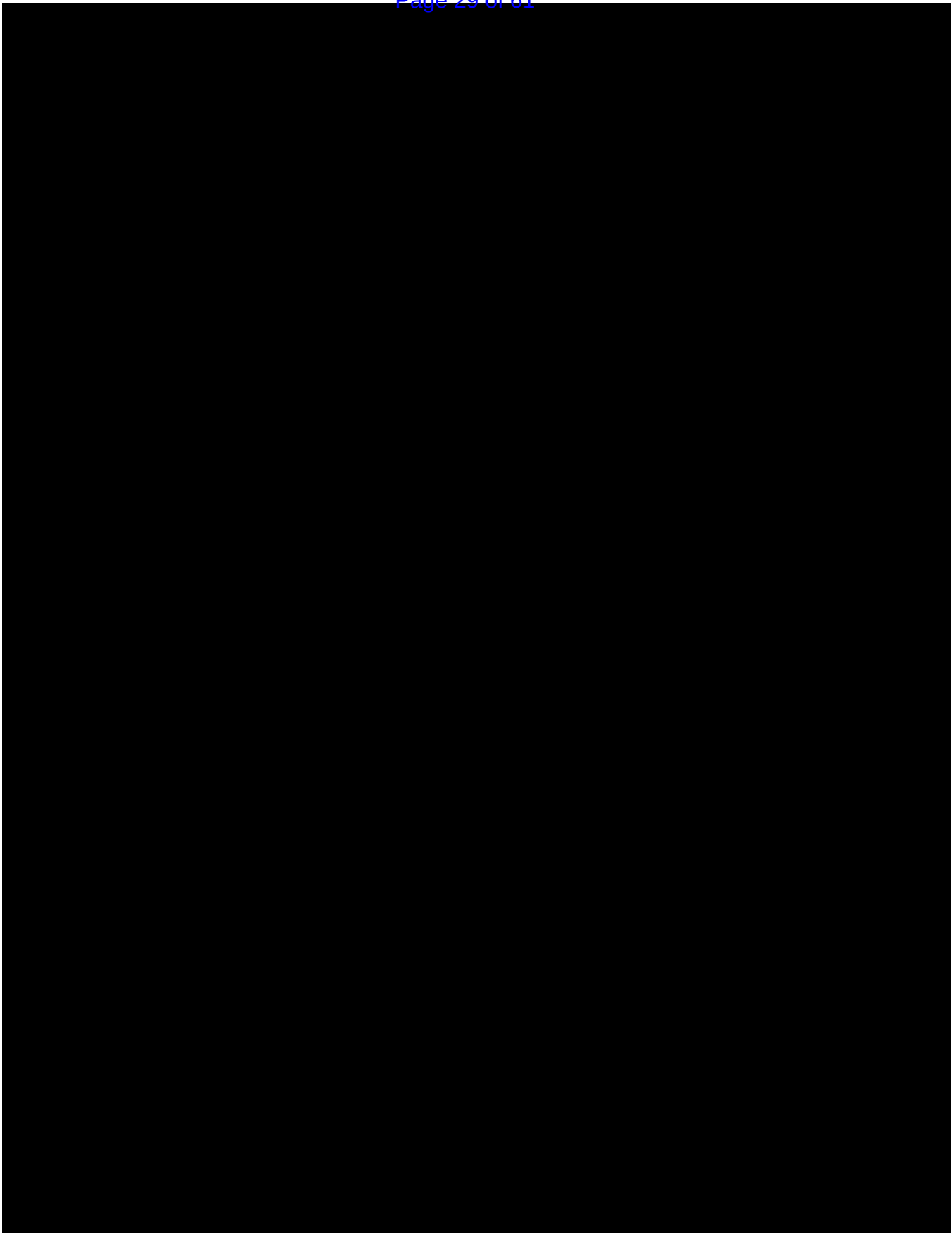


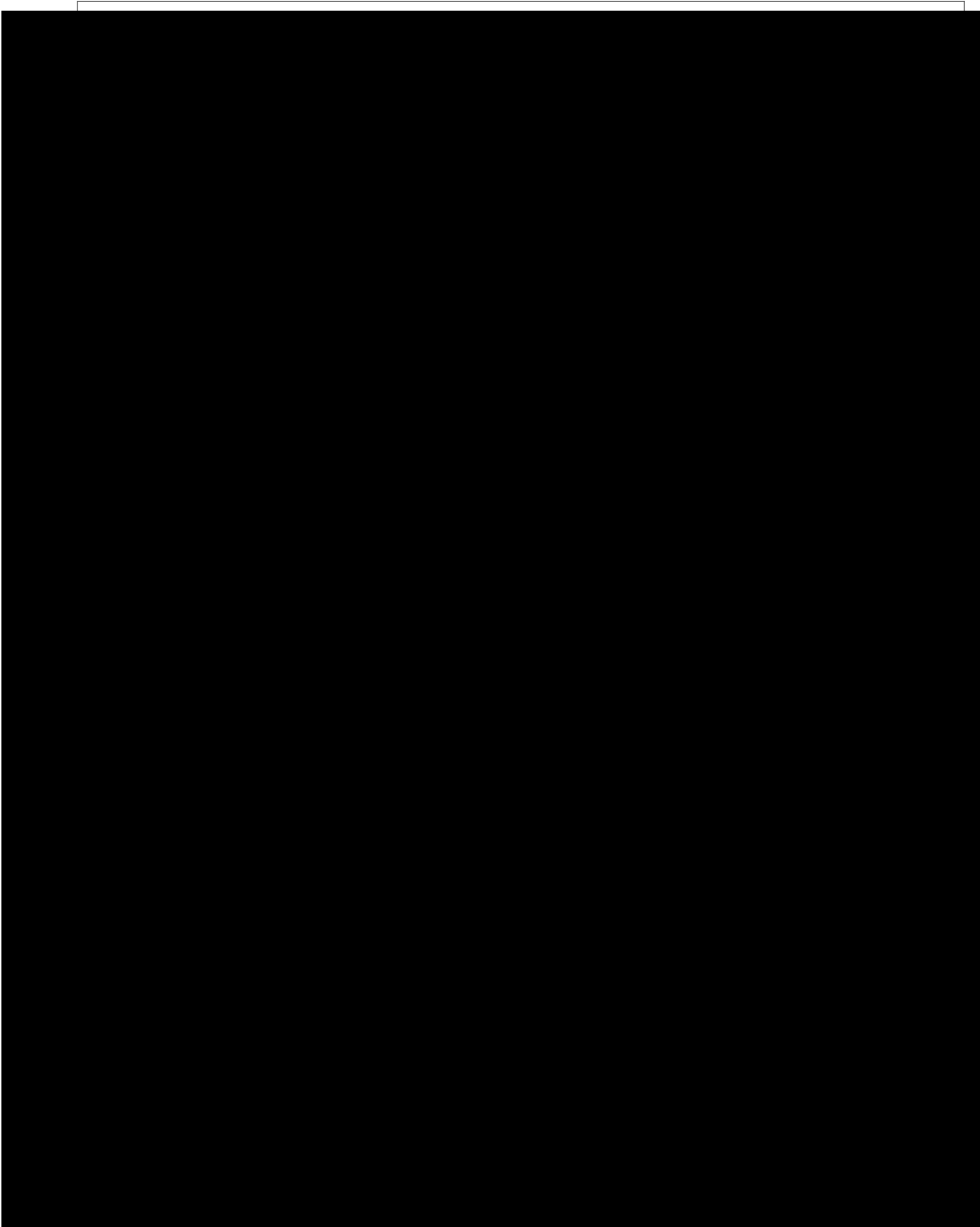


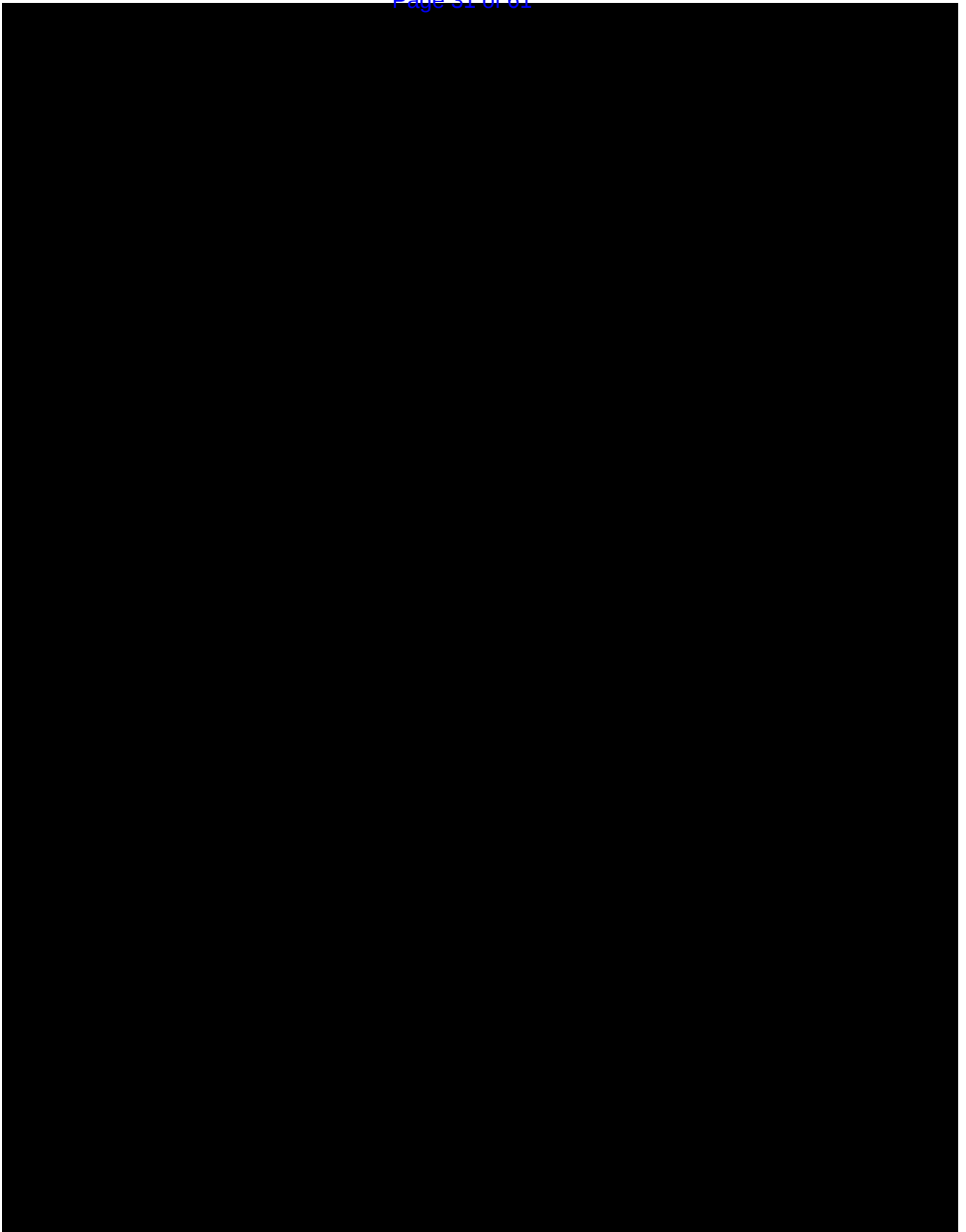


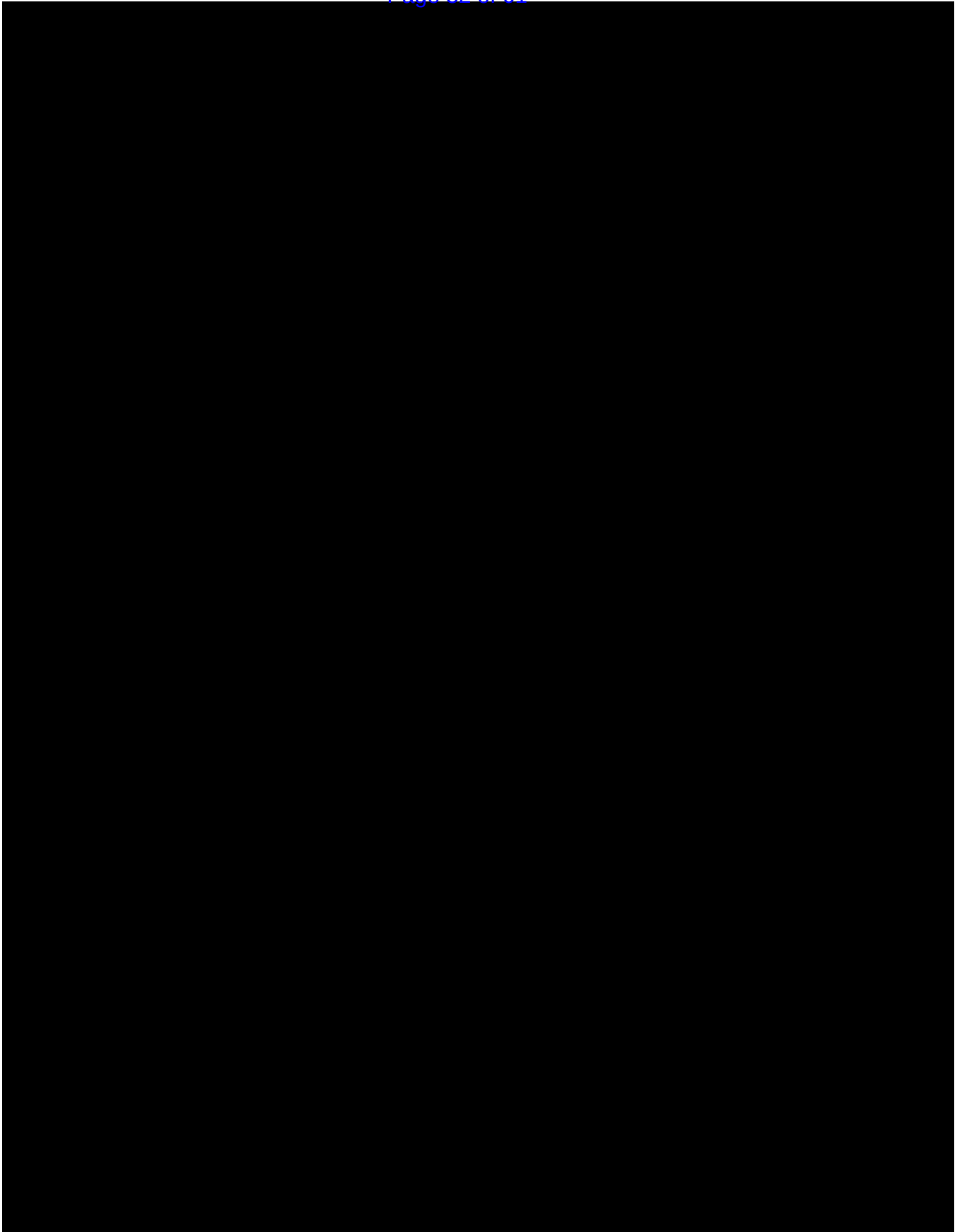


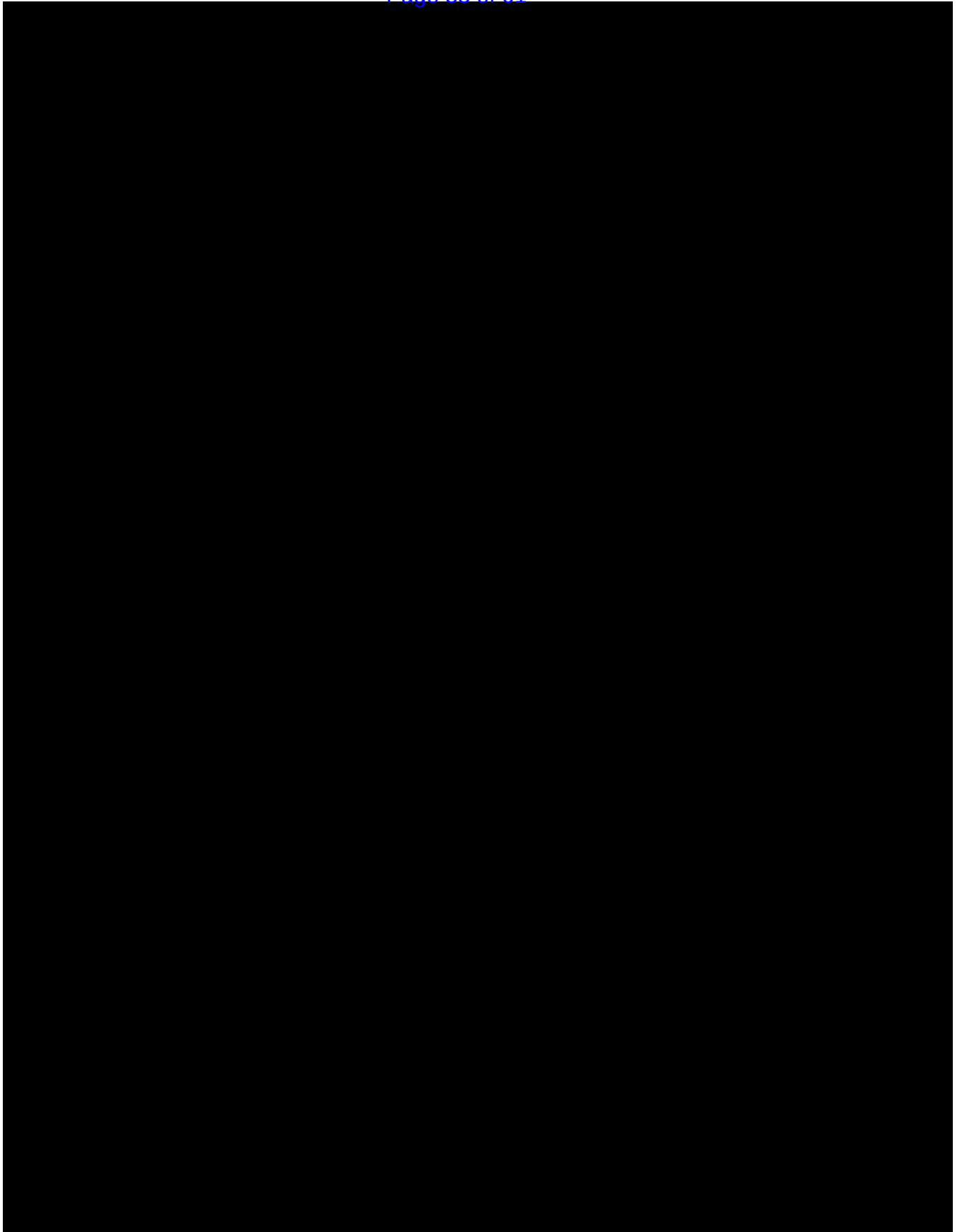


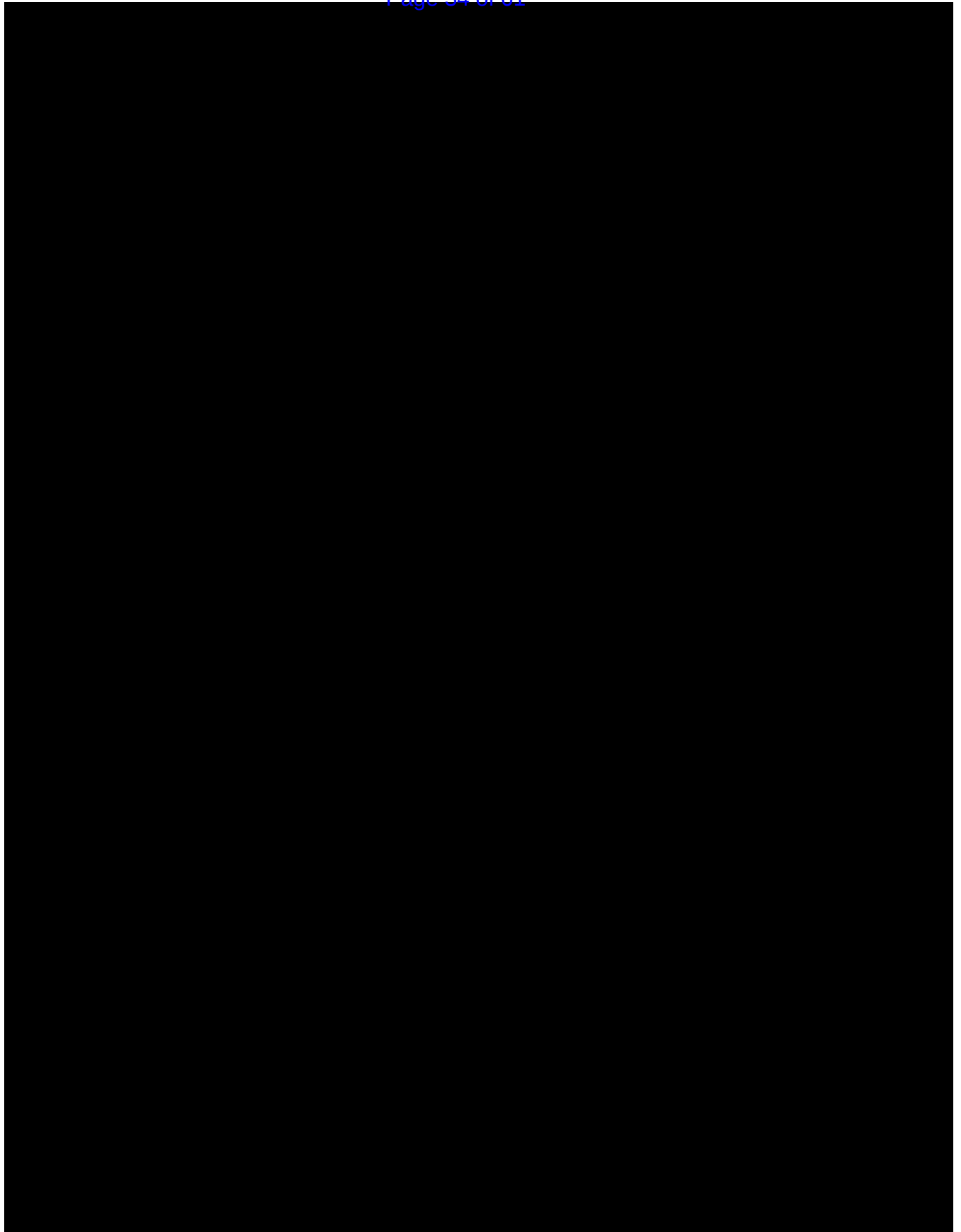


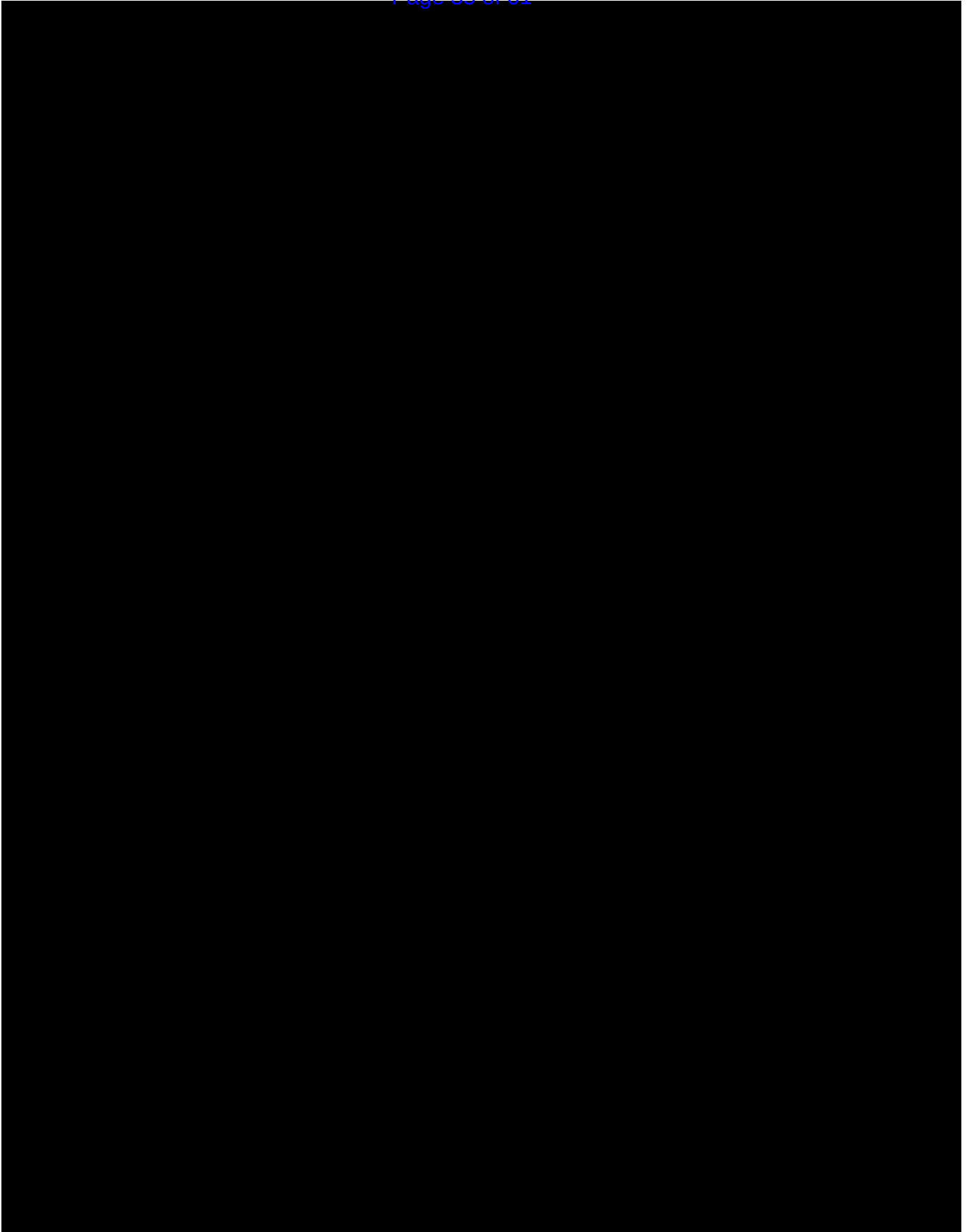


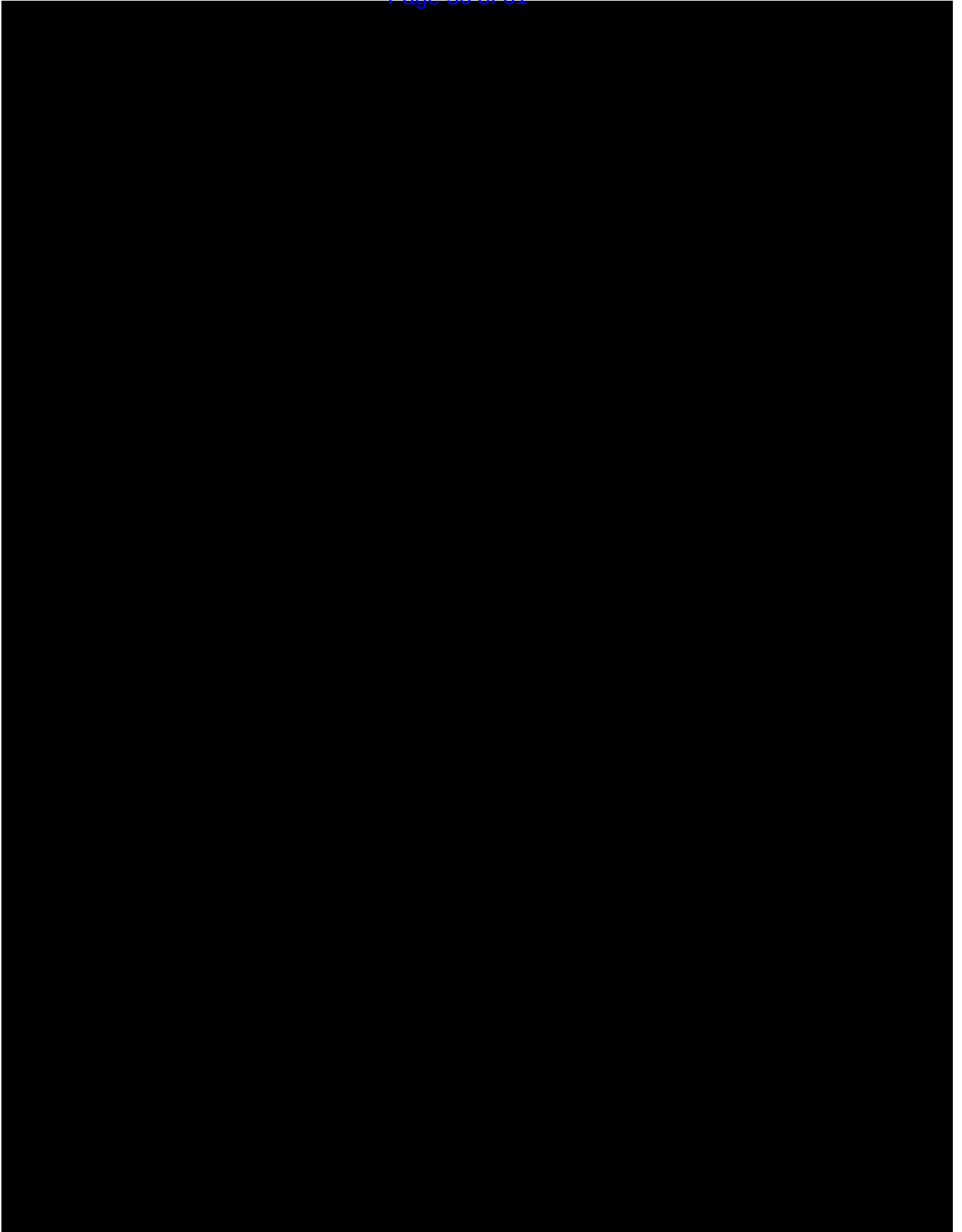


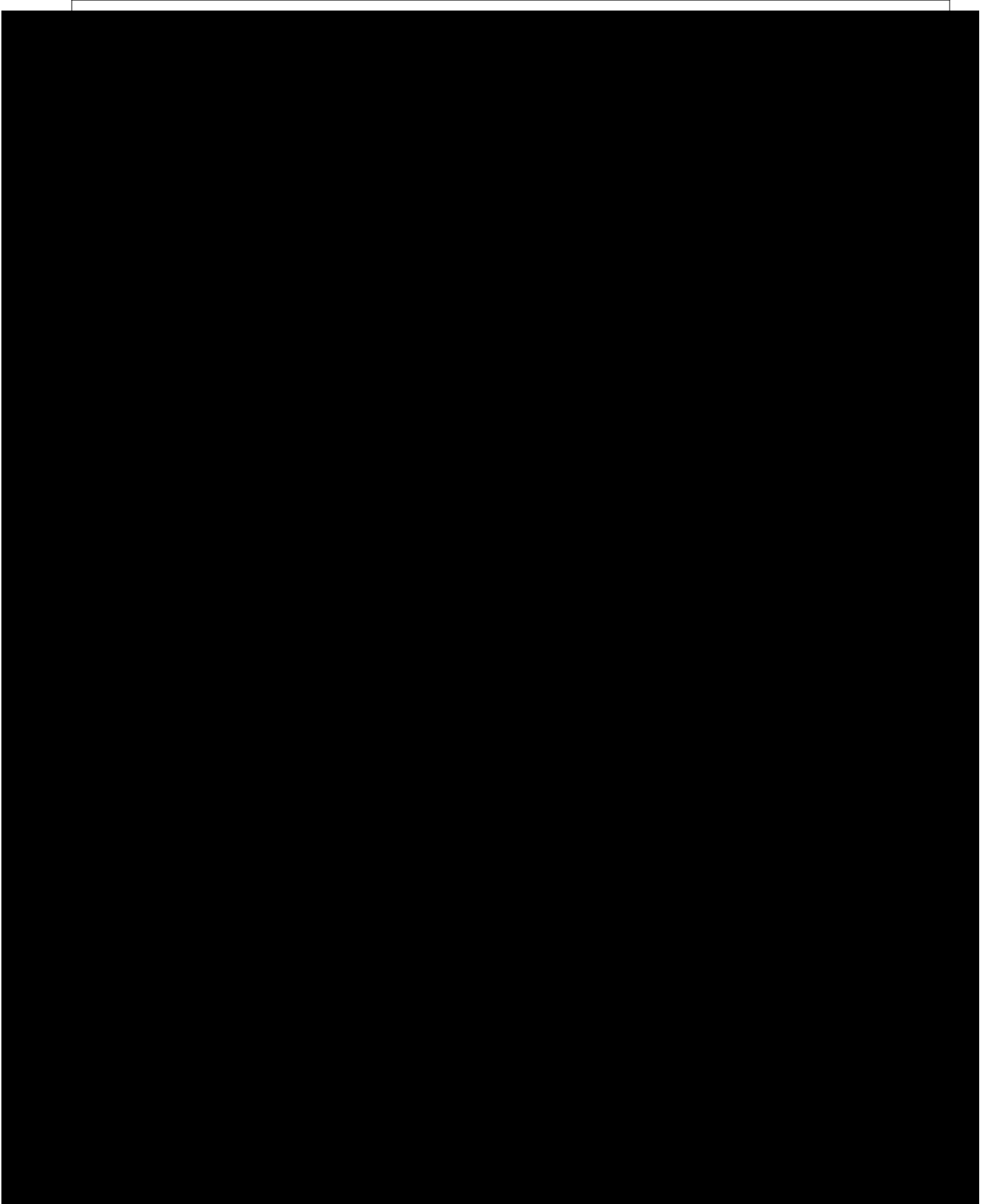


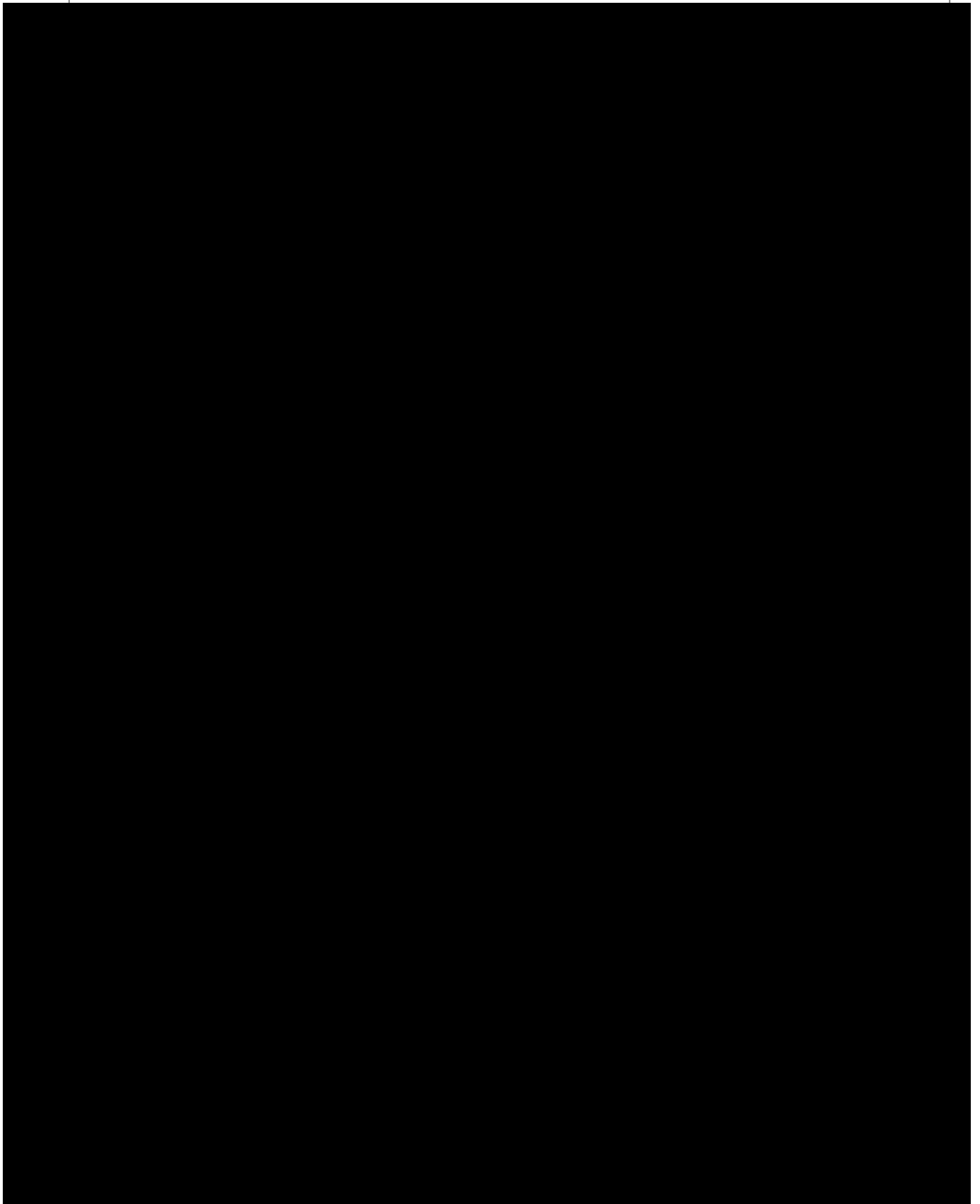


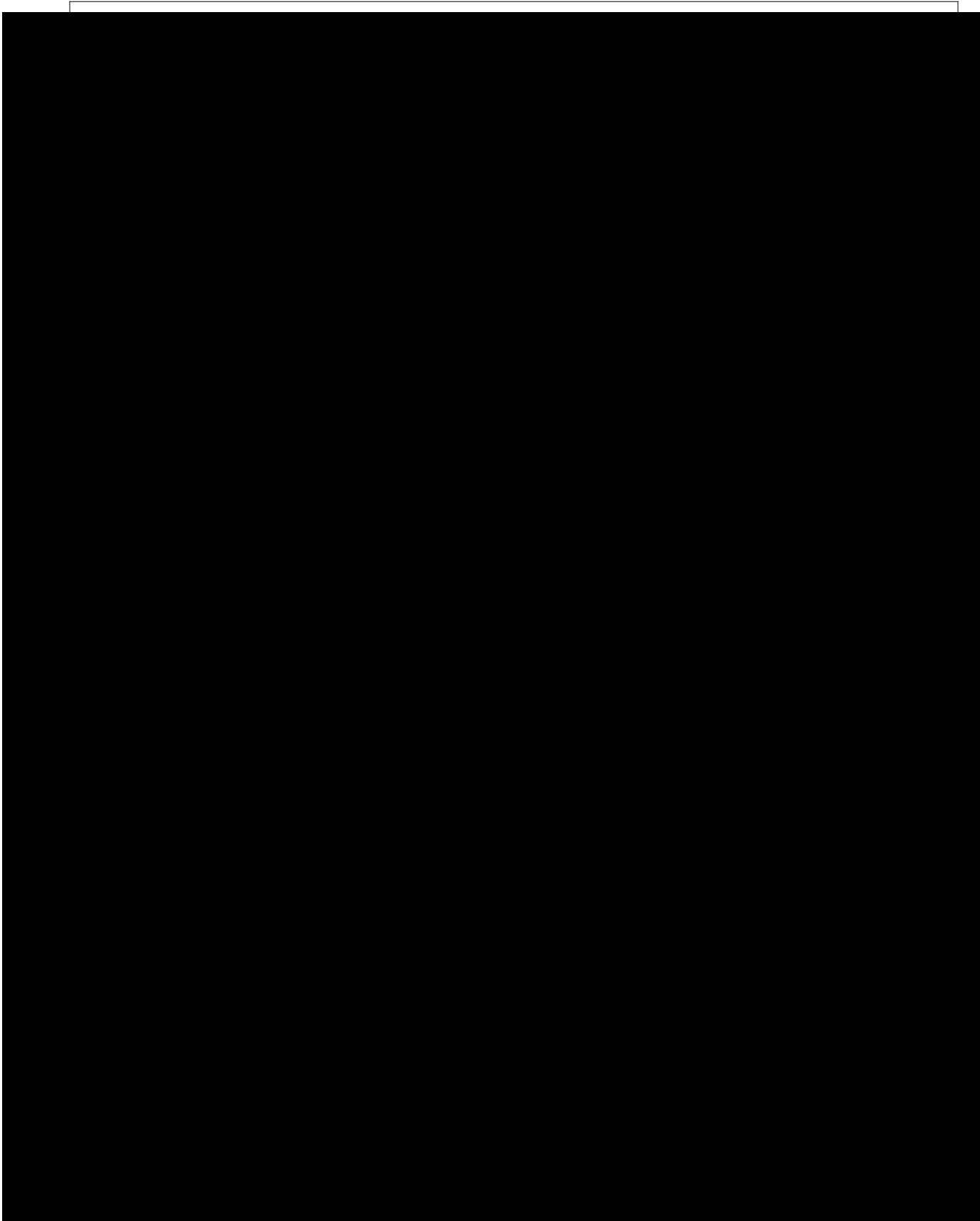


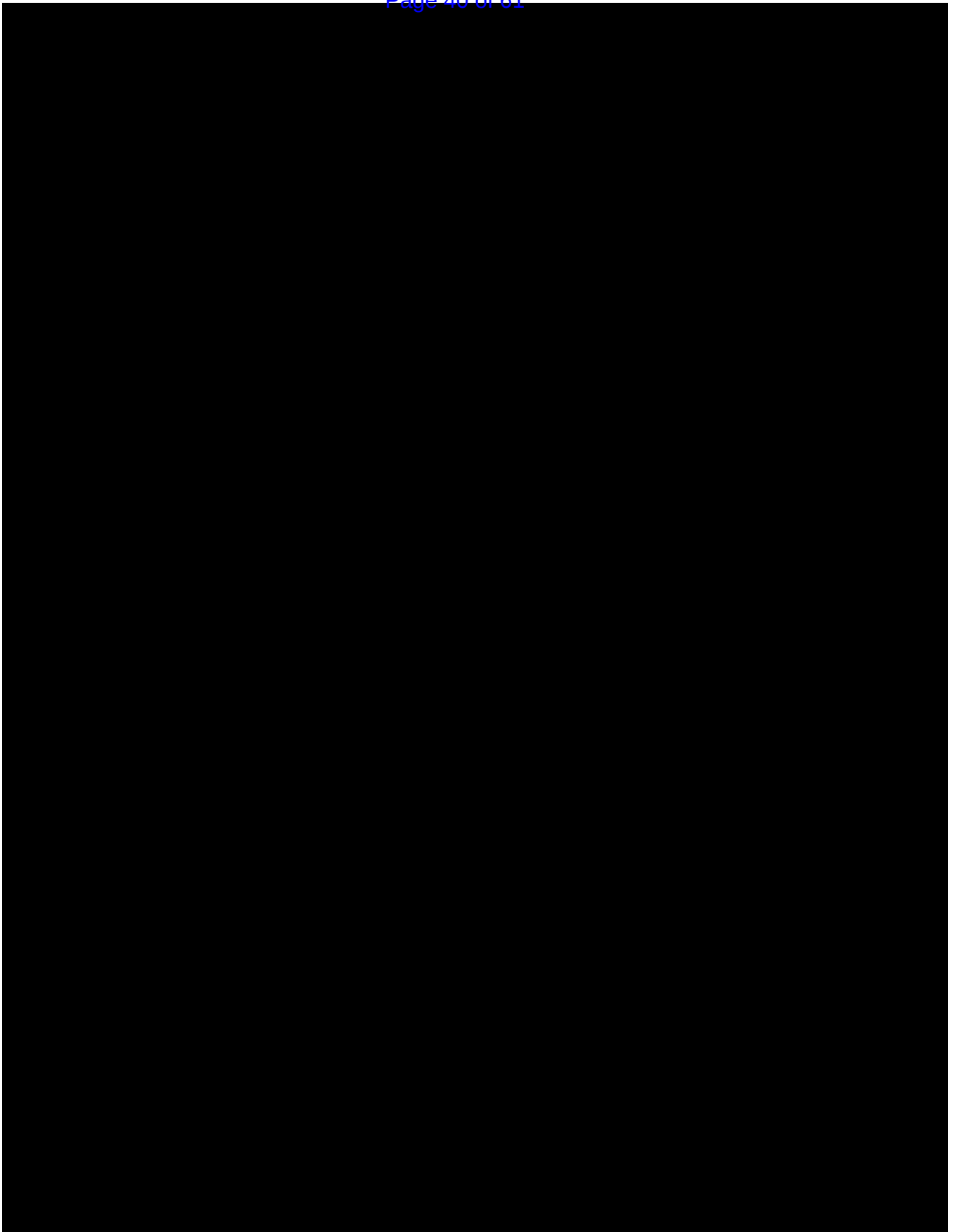


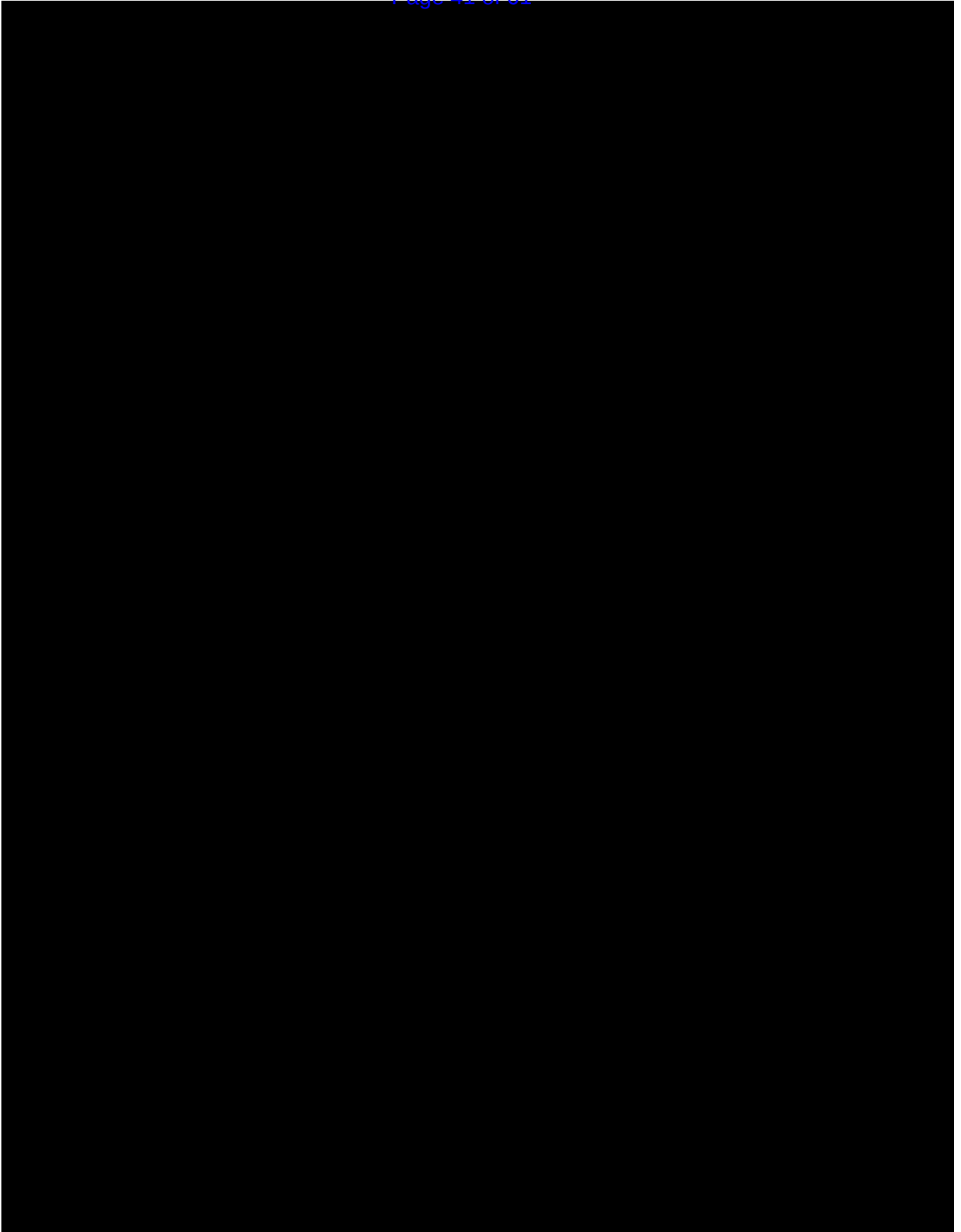


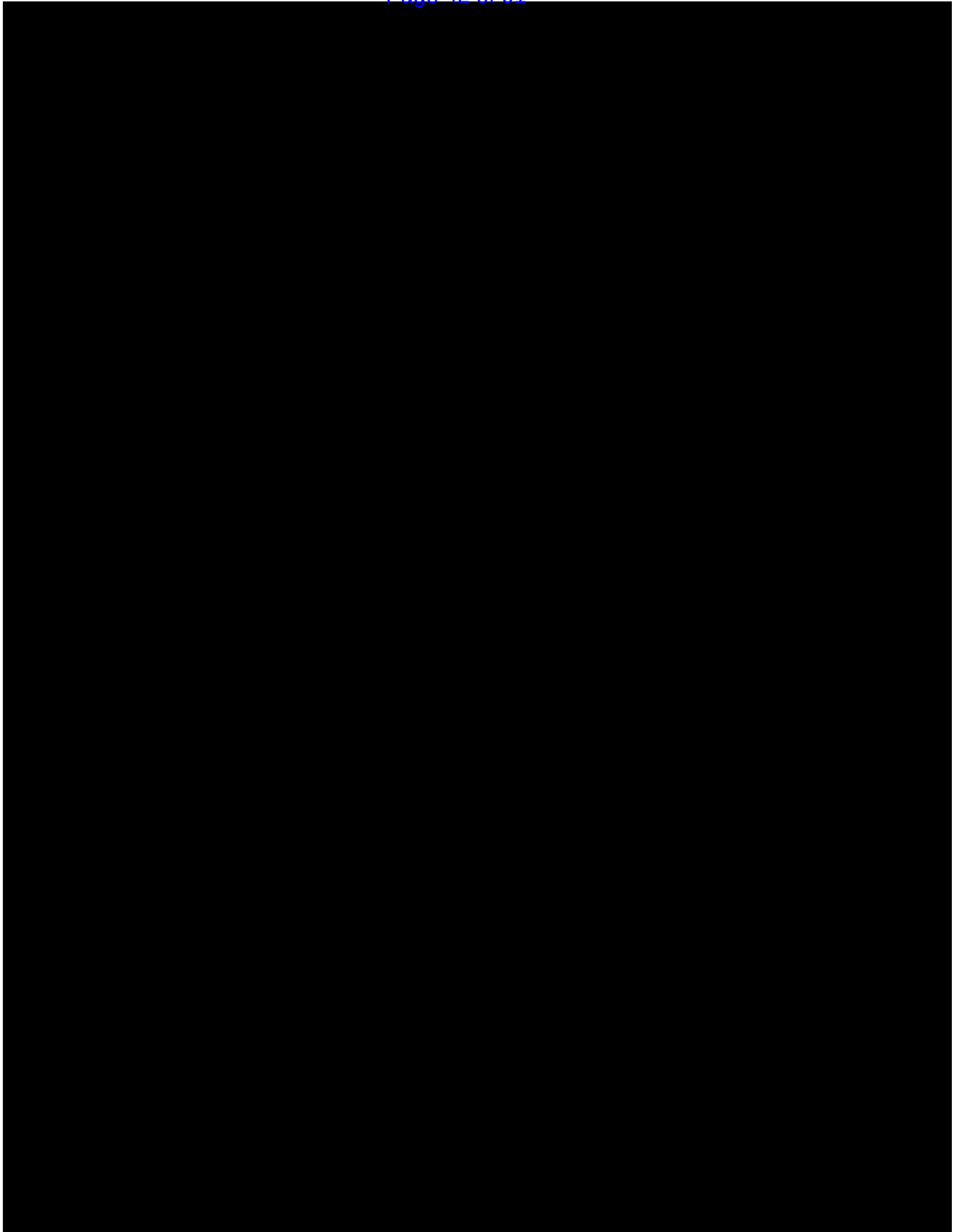


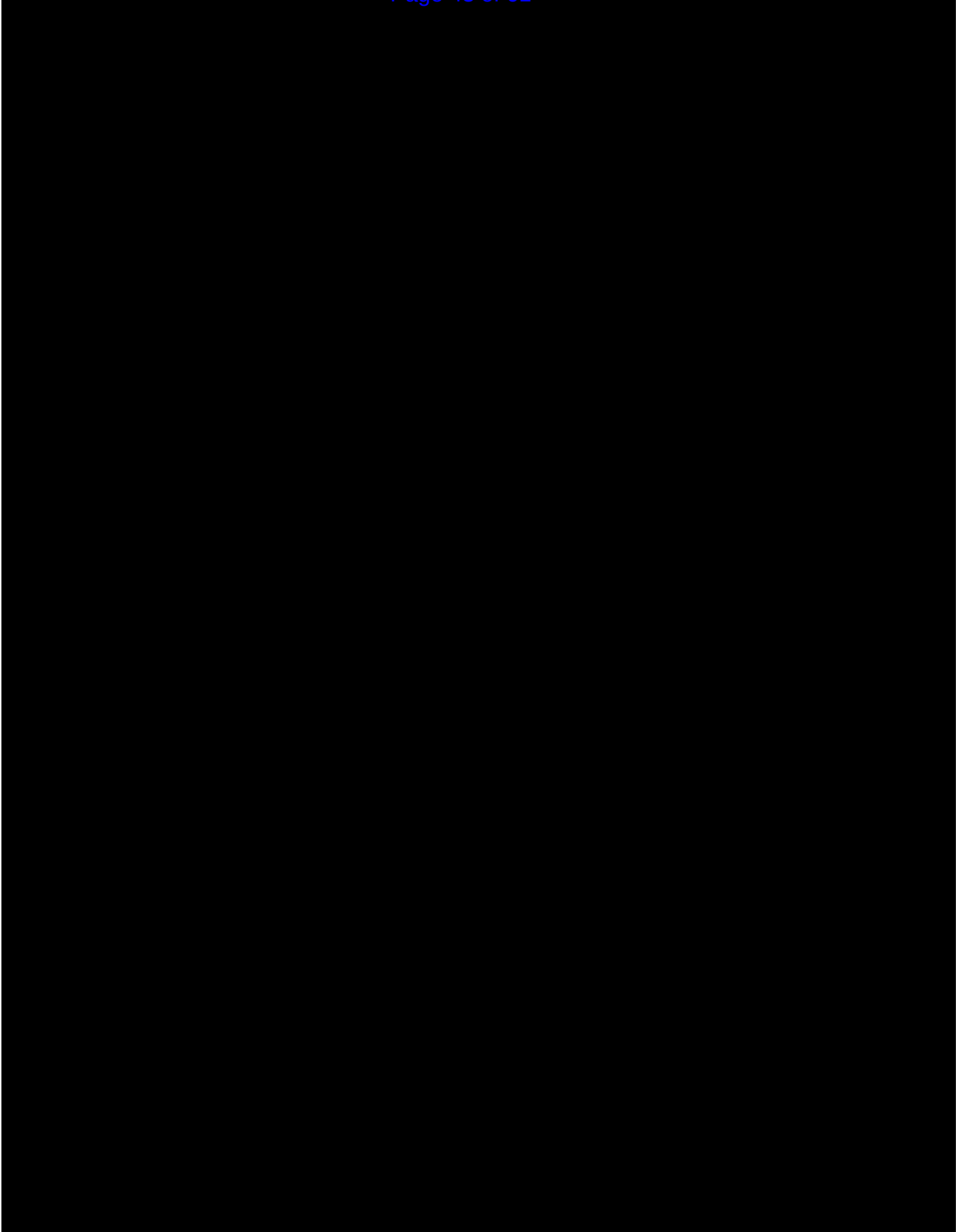


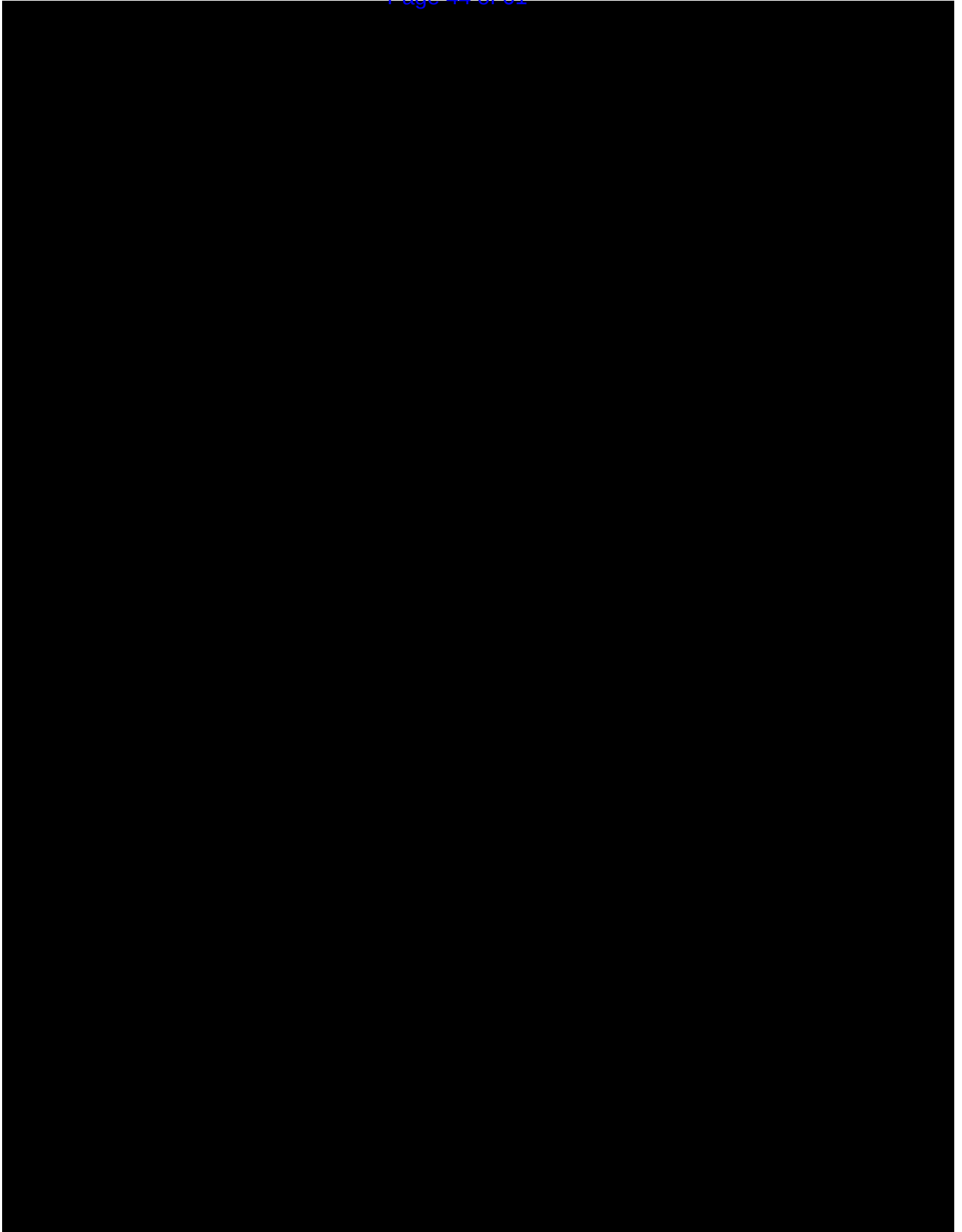


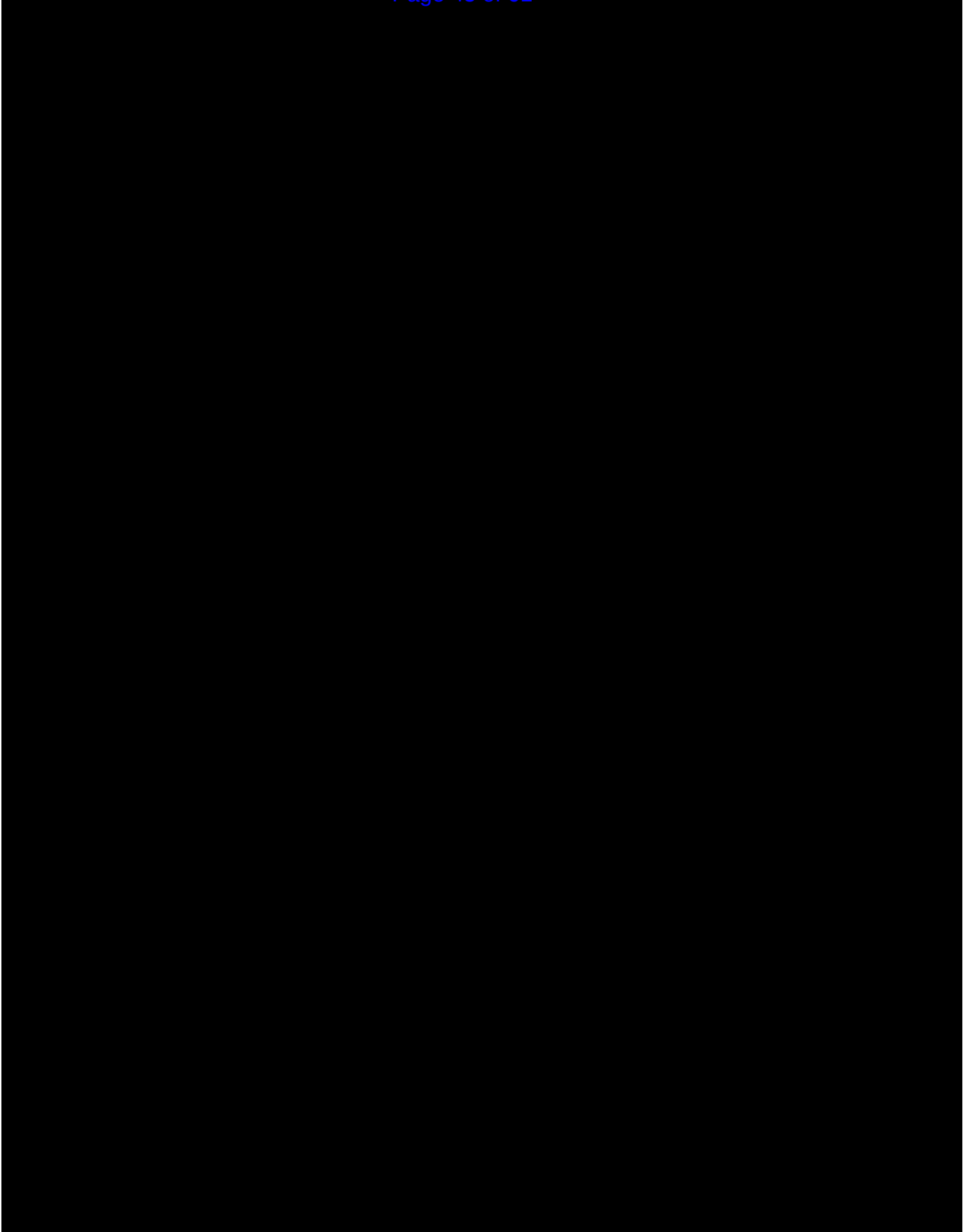


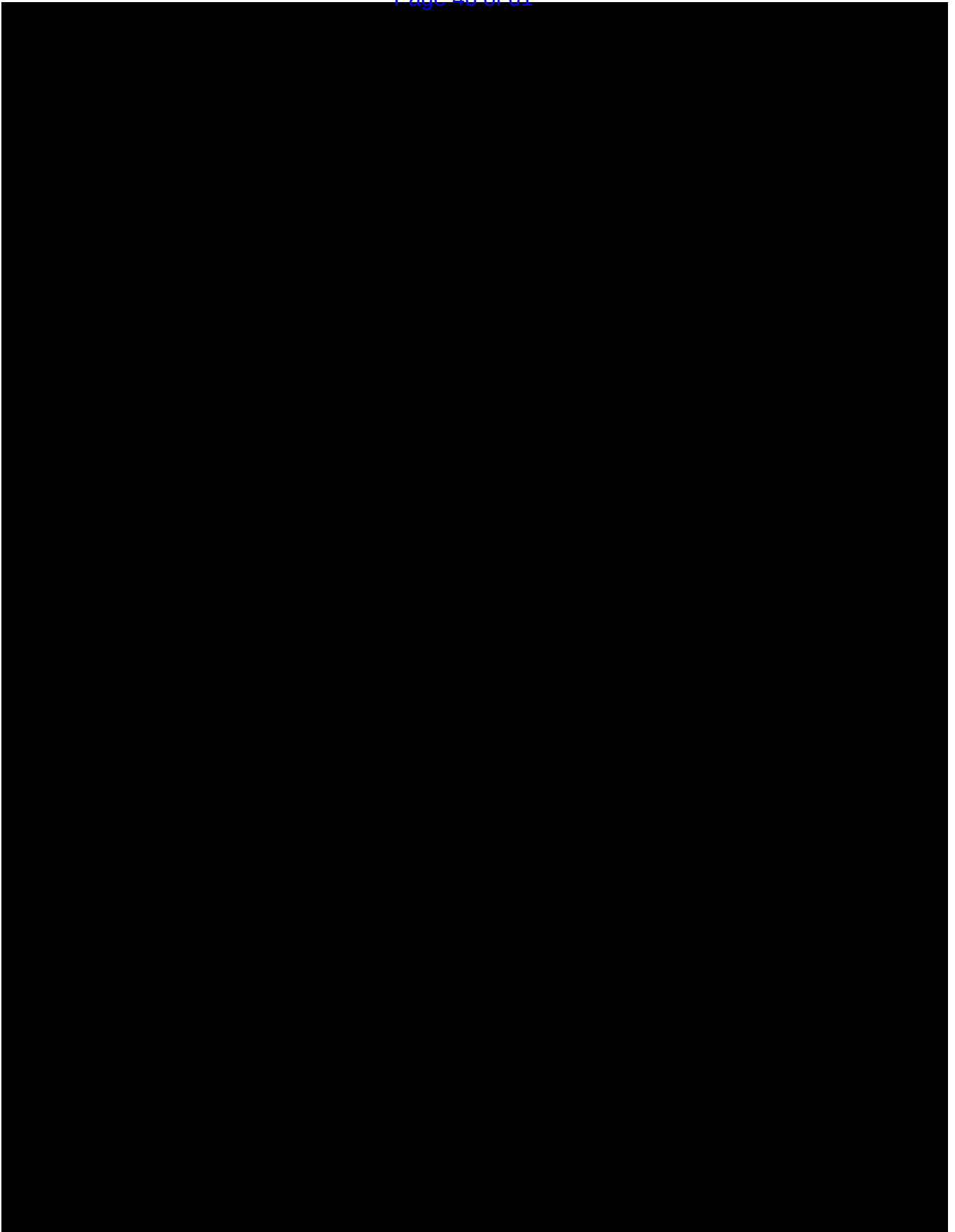


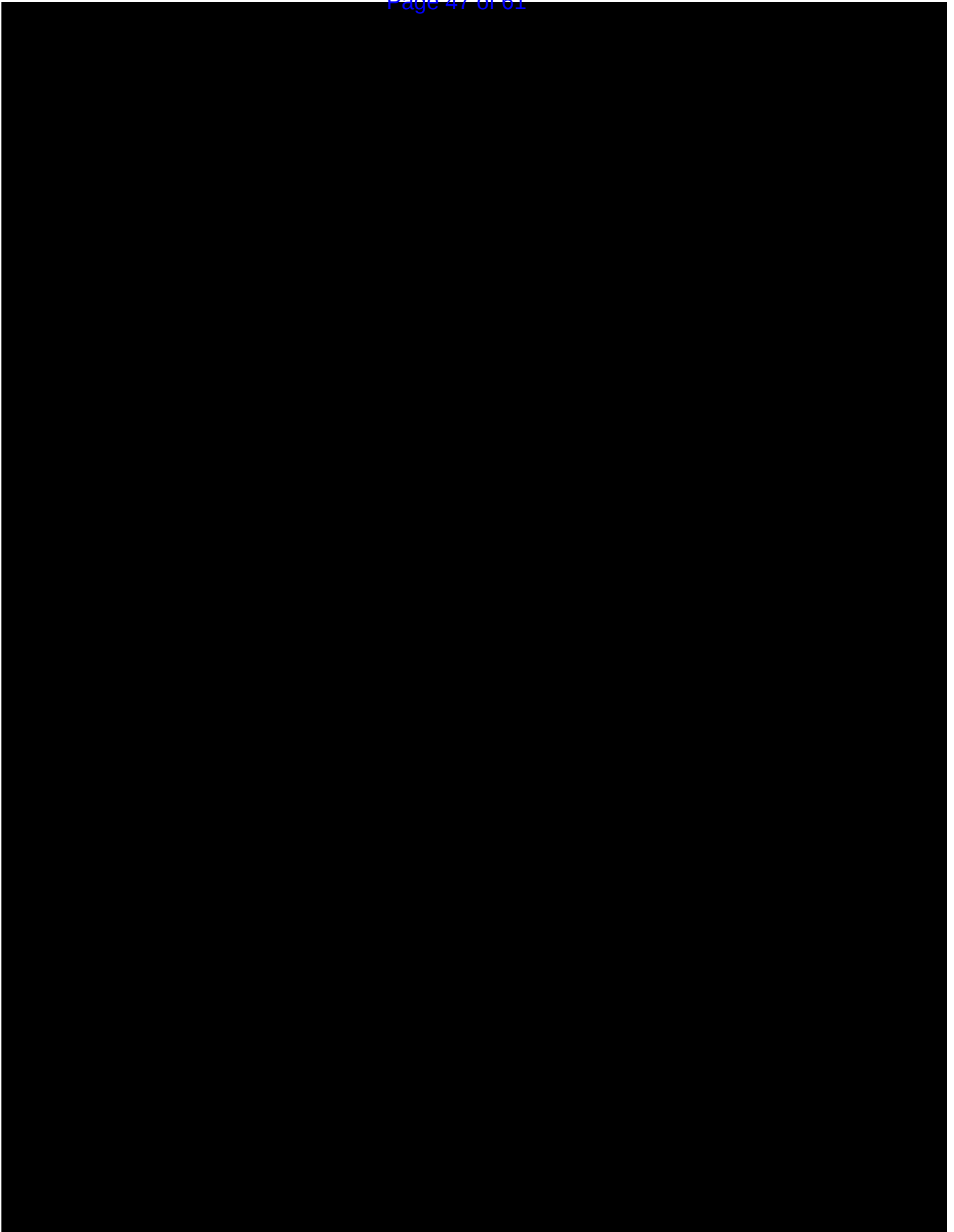


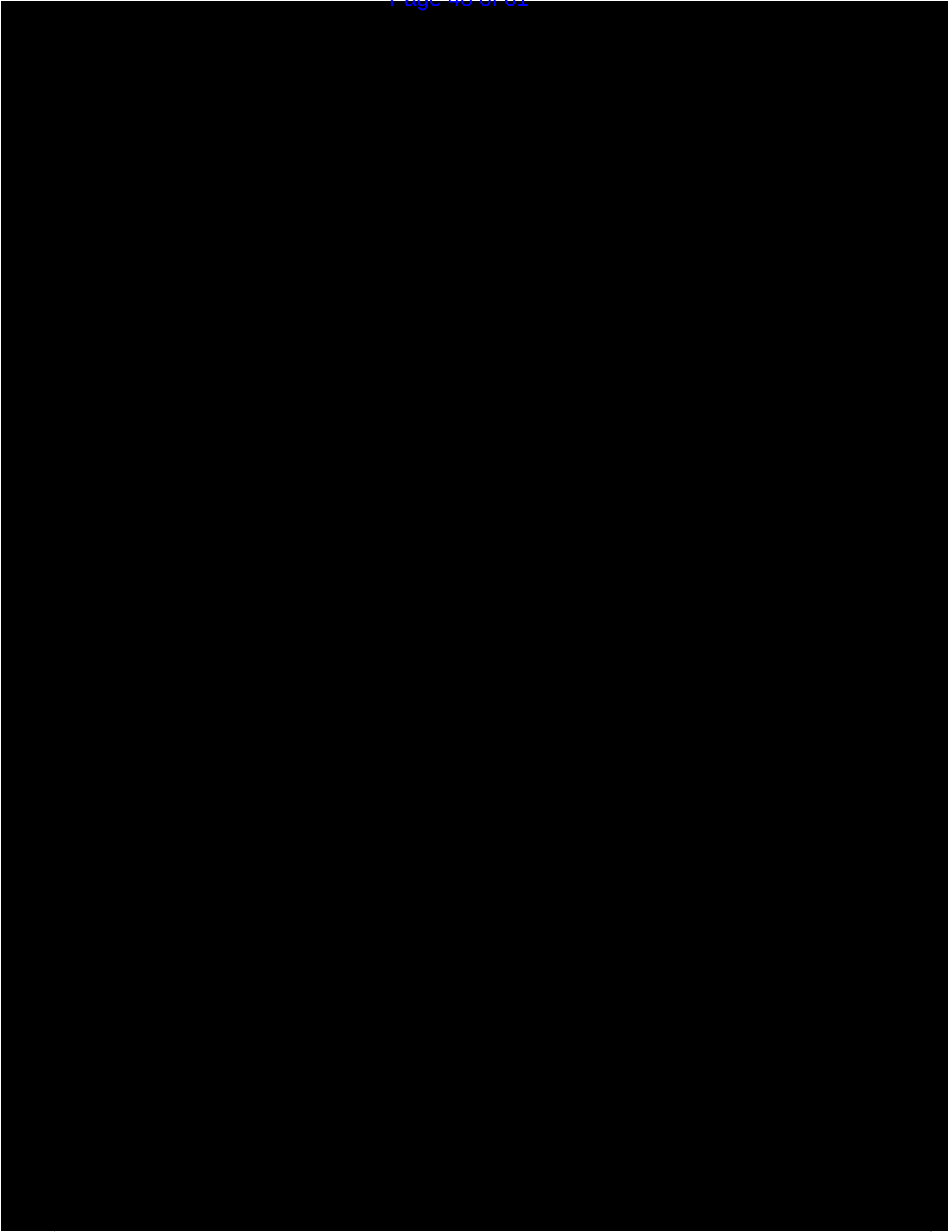


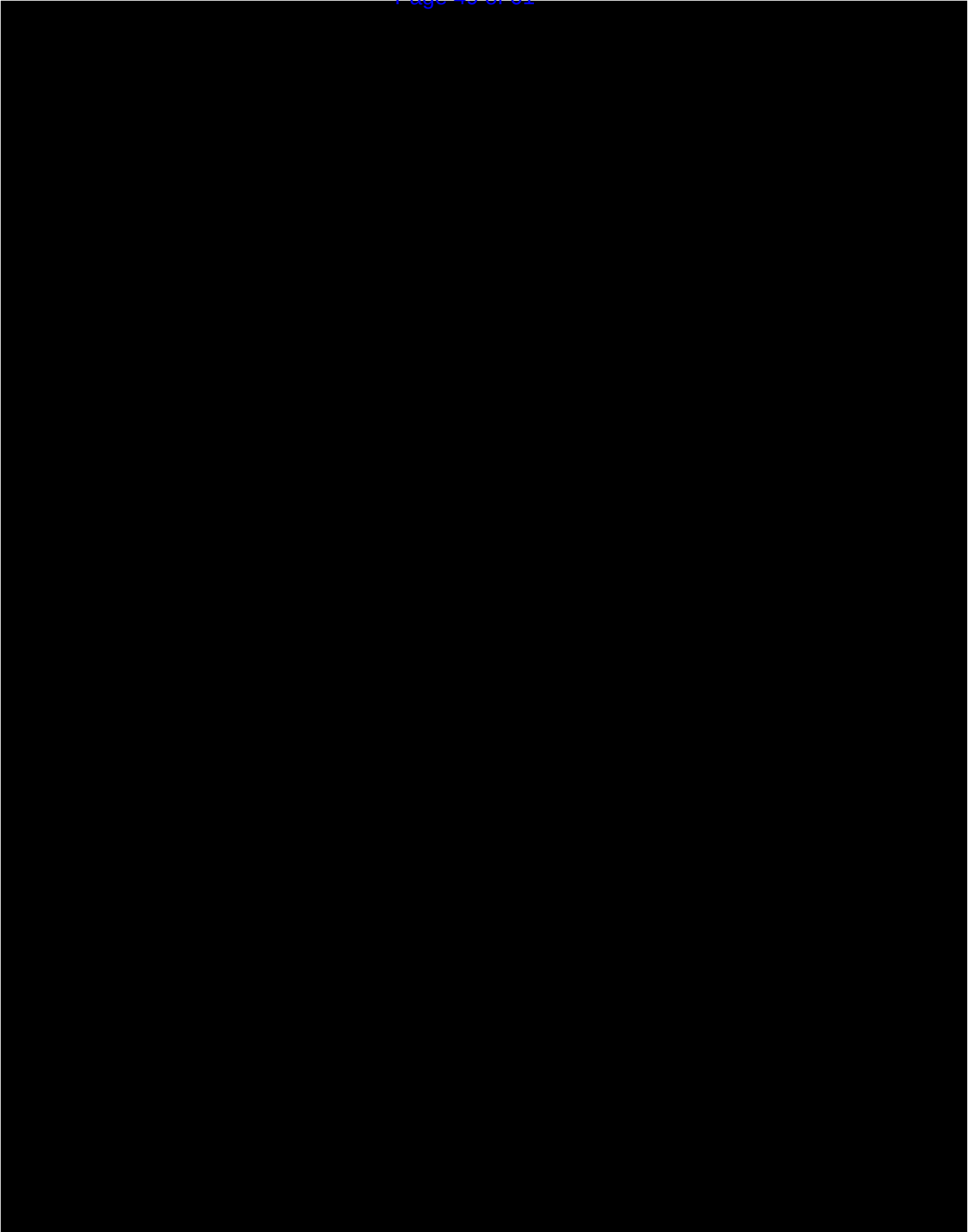


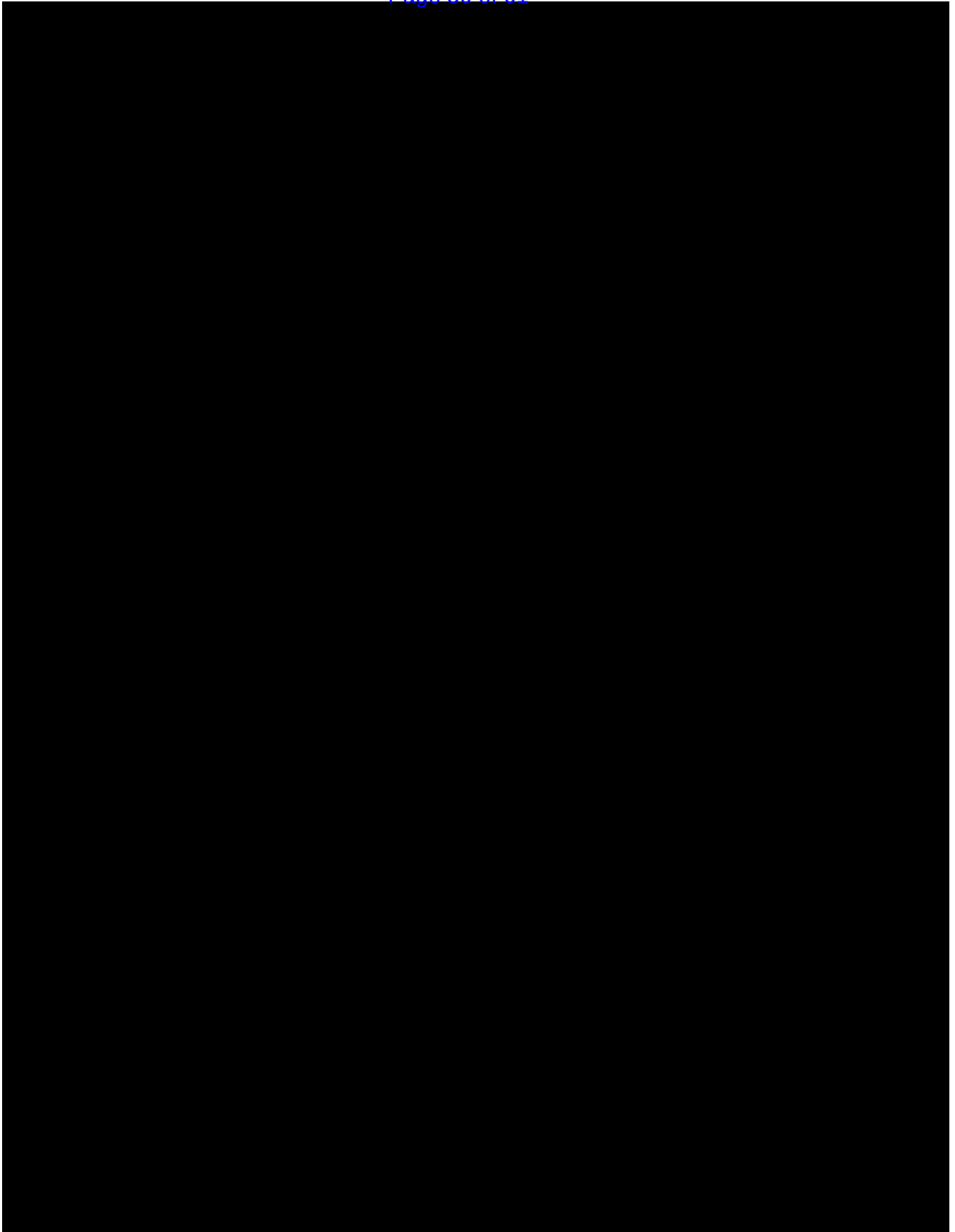


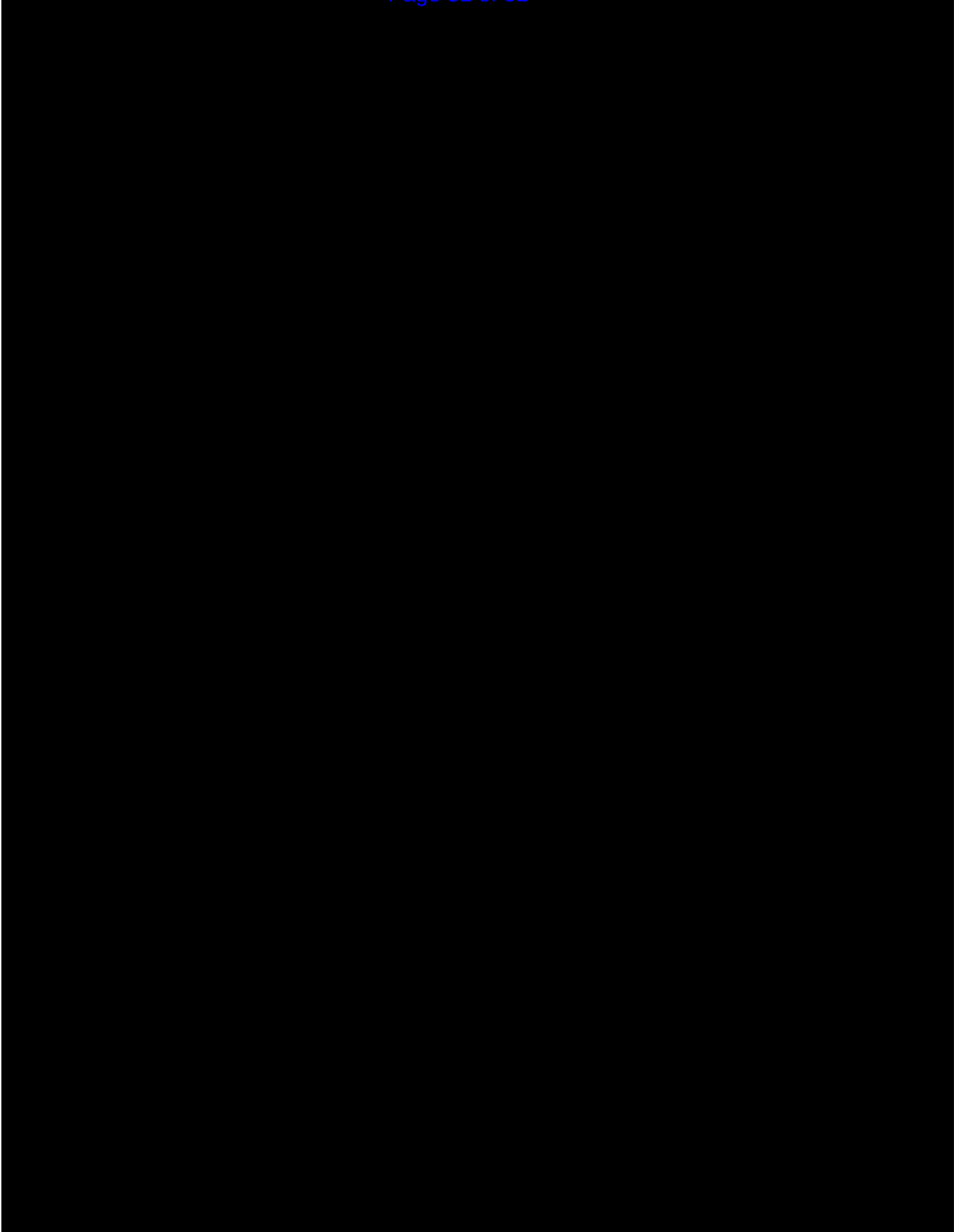


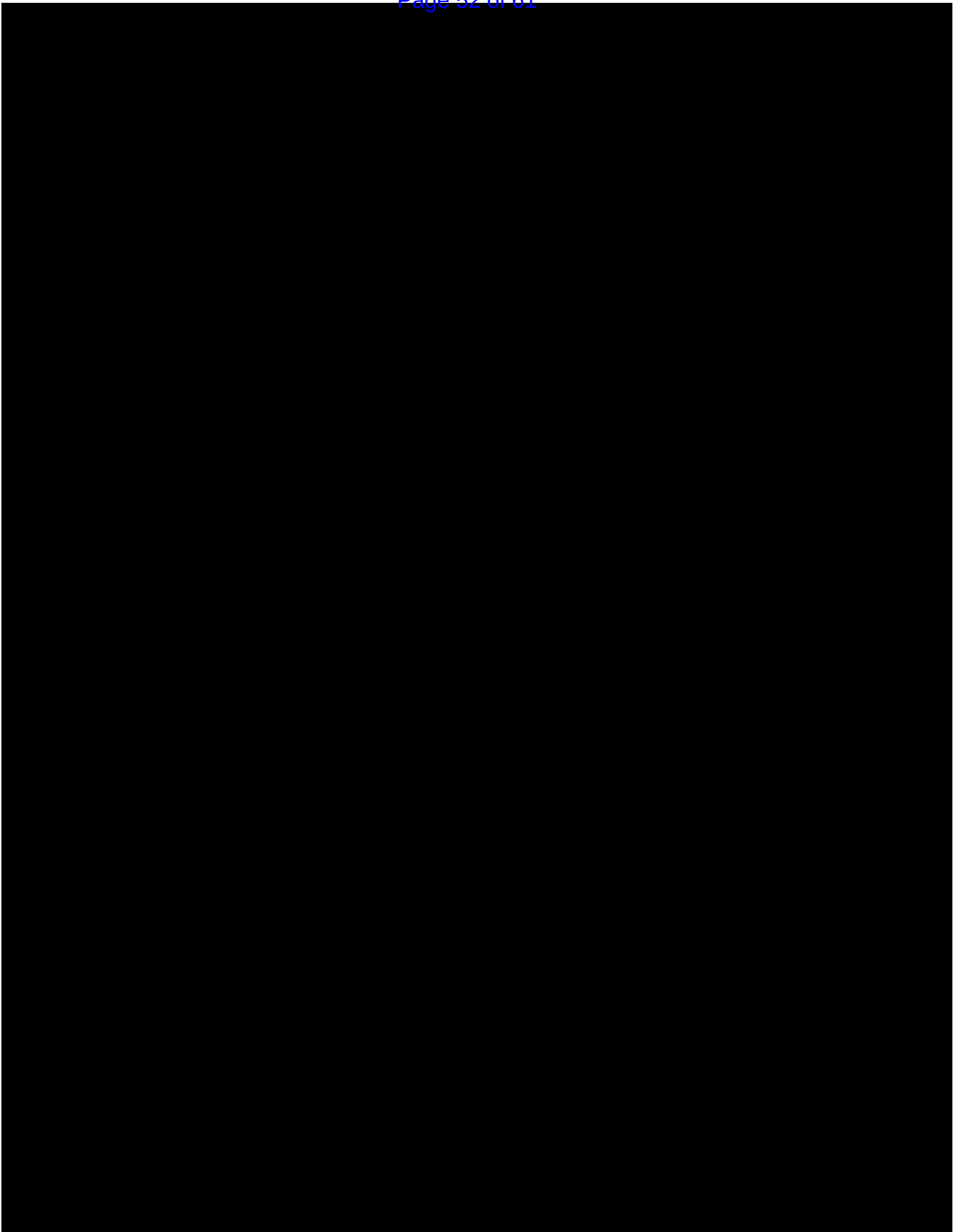


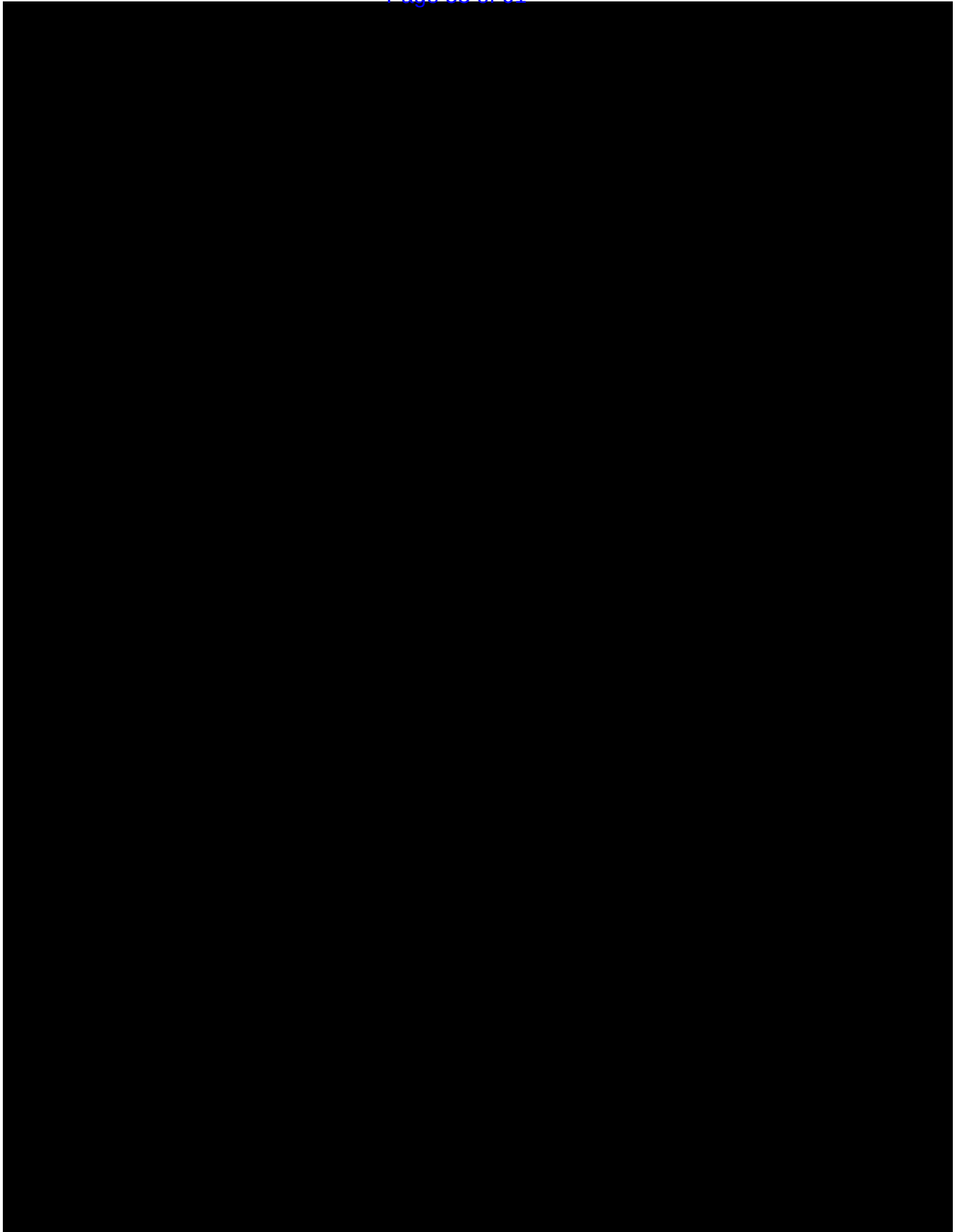


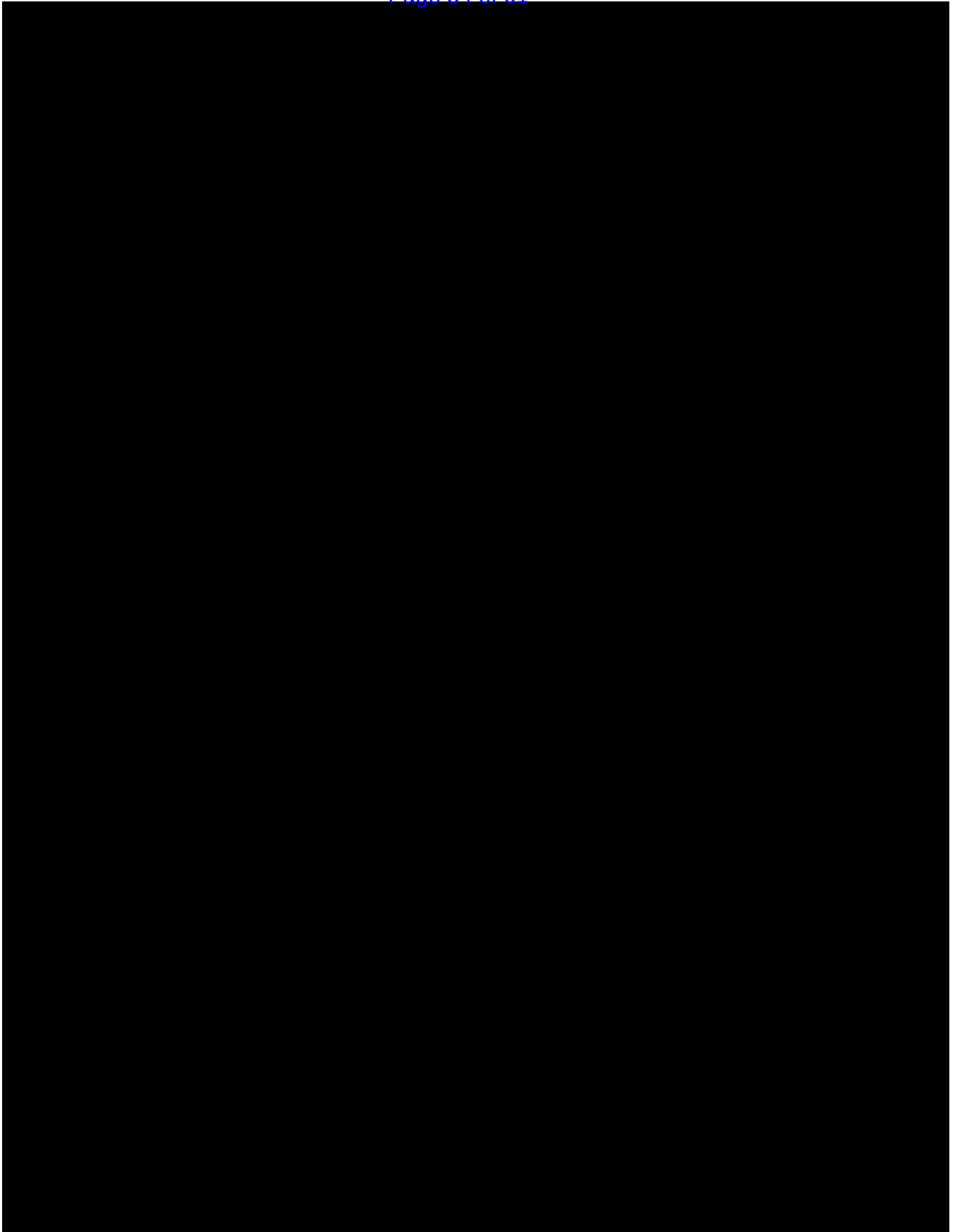


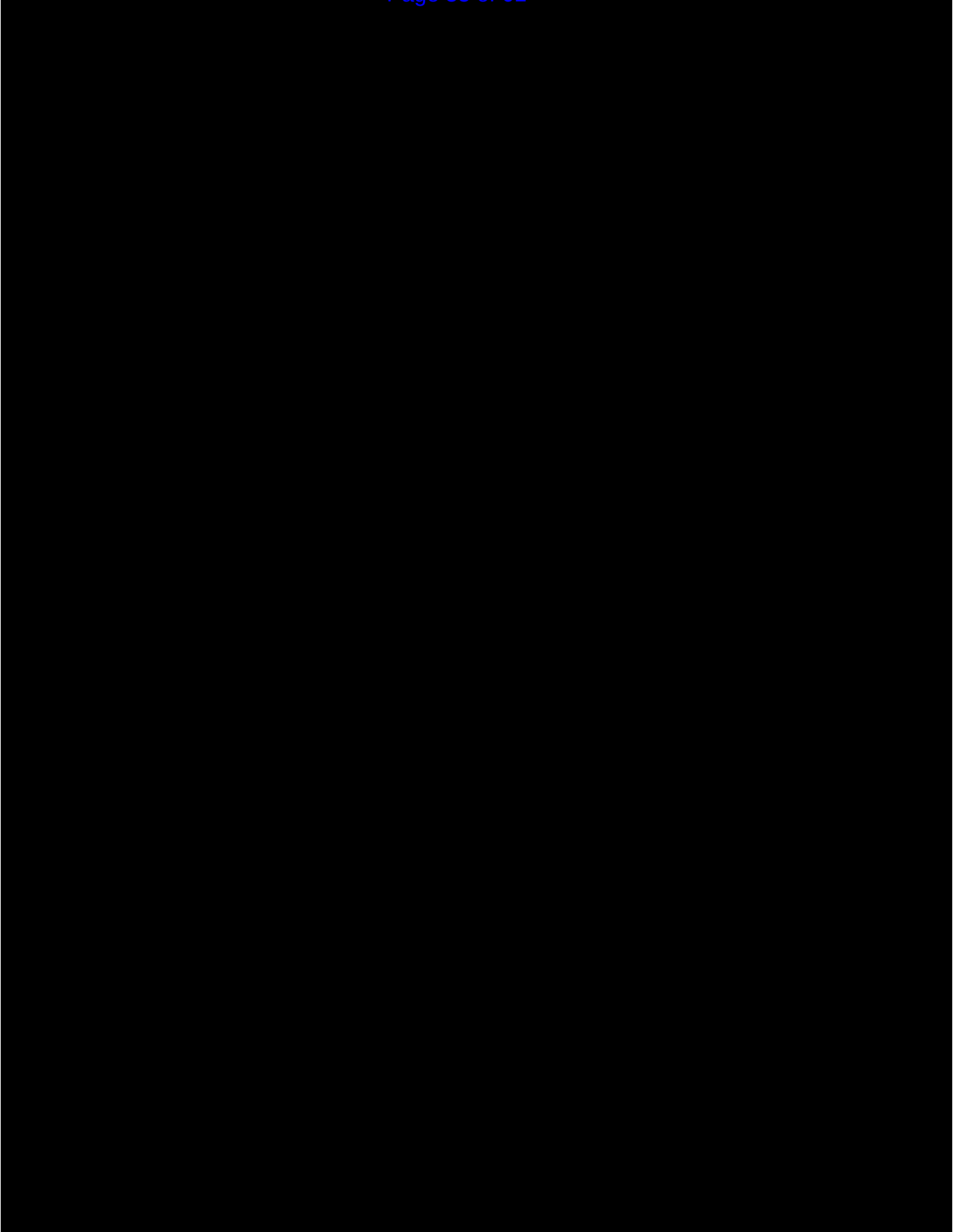












1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Michelle L. Munroe, Certified Shorthand
4 Reporter in and for the State of Texas, certify that
5 the foregoing deposition of ROBERT A. CHESTNUT was
6 reported stenographically by me at the time and place
7 indicated, said witness having been placed under oath
8 by me, and that the deposition is a true record of
9 the testimony given by the witness;

10 That the amount of time used by each party at
11 the deposition is as follows:

Mr. Kirtley - 5 hours, 26 minutes

12
13 I further certify that I am neither counsel for
14 nor related to any party in this cause and am not
15 financially interested in its outcome.

16 Given under my hand on this the 21st day
17 of February, 2024.

18
19
20 
21

Michelle L. Munroe, CSR No. 6011

Commission expires 1-31-26

Firm Registration #571

22 VERITEXT LEGAL SOLUTIONS

300 Throckmorton Street, Suite 1600

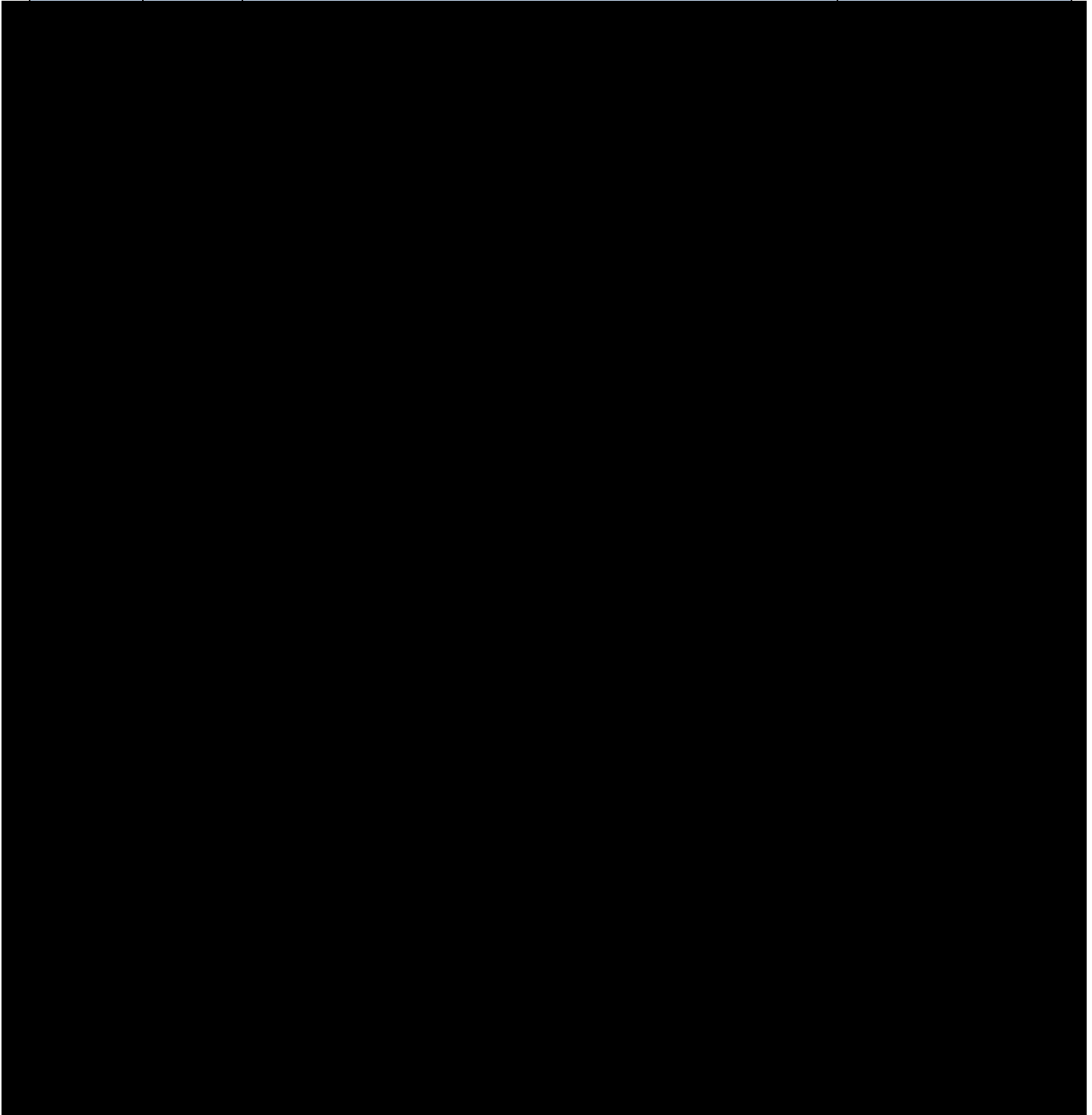
24 Fort Worth, Texas 76102

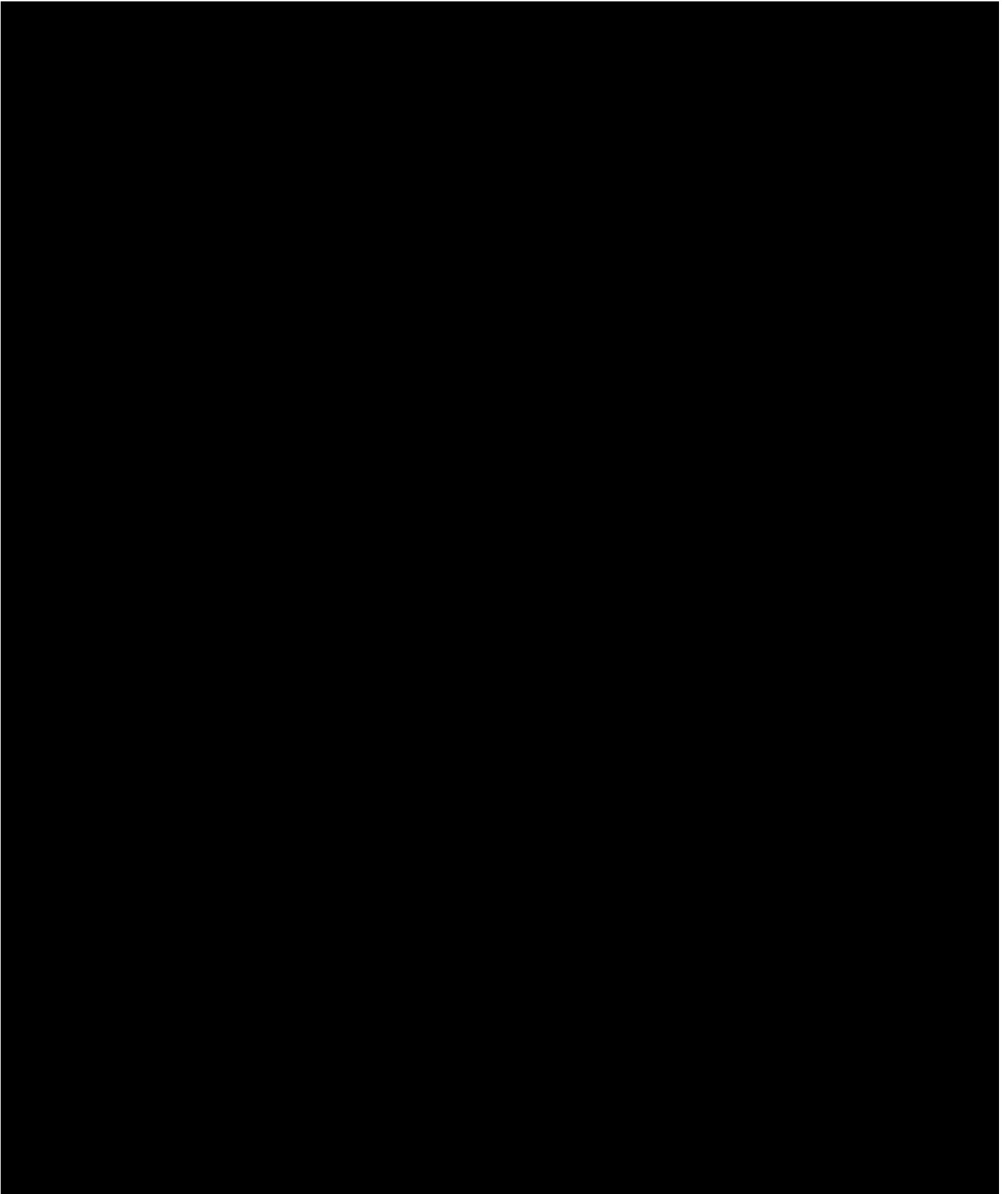
817.336.3042 telephone

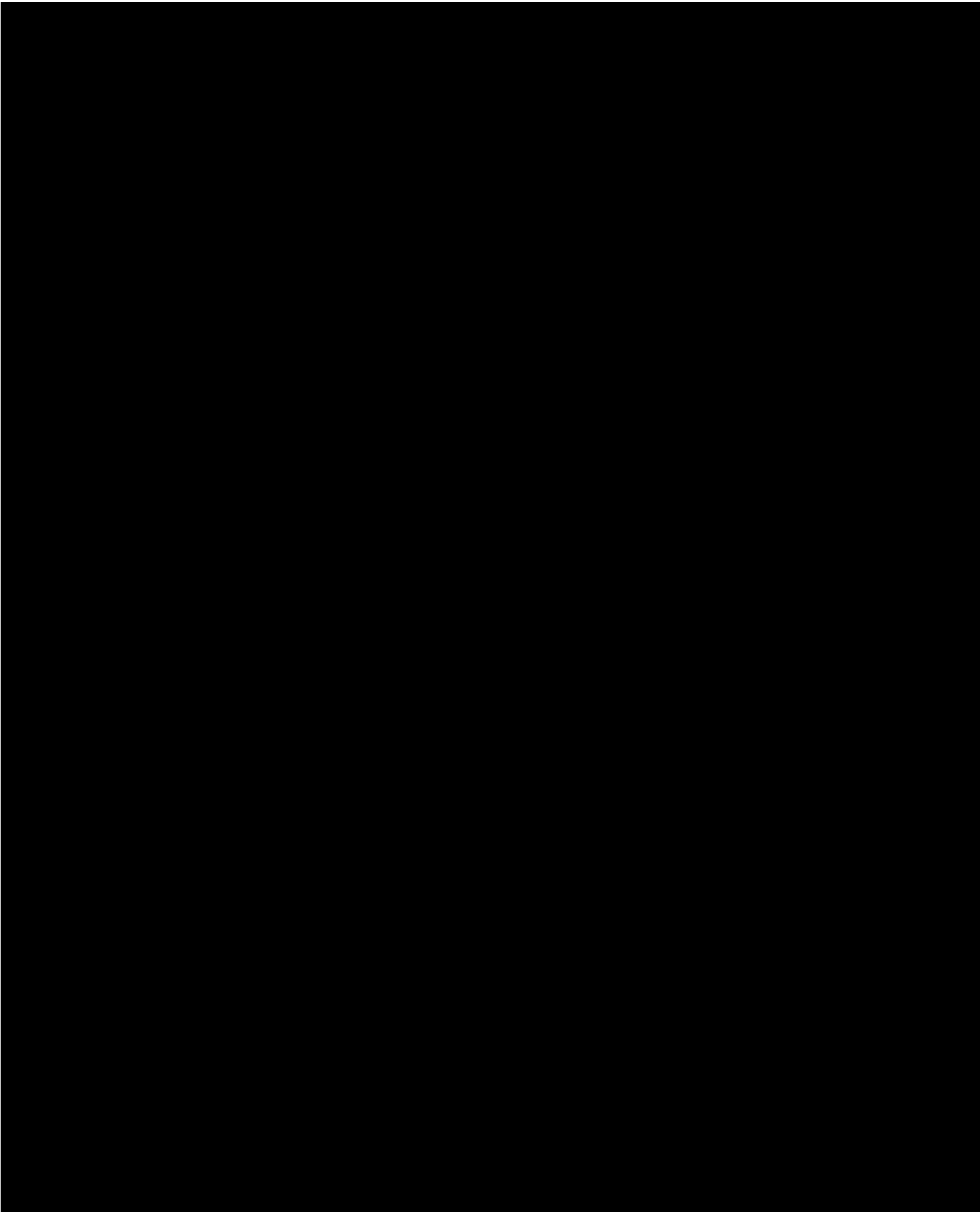
In re Bank of America California Unemployment Benefits Litigation
Case No. 3:21-MD-02992-LAB-MSB

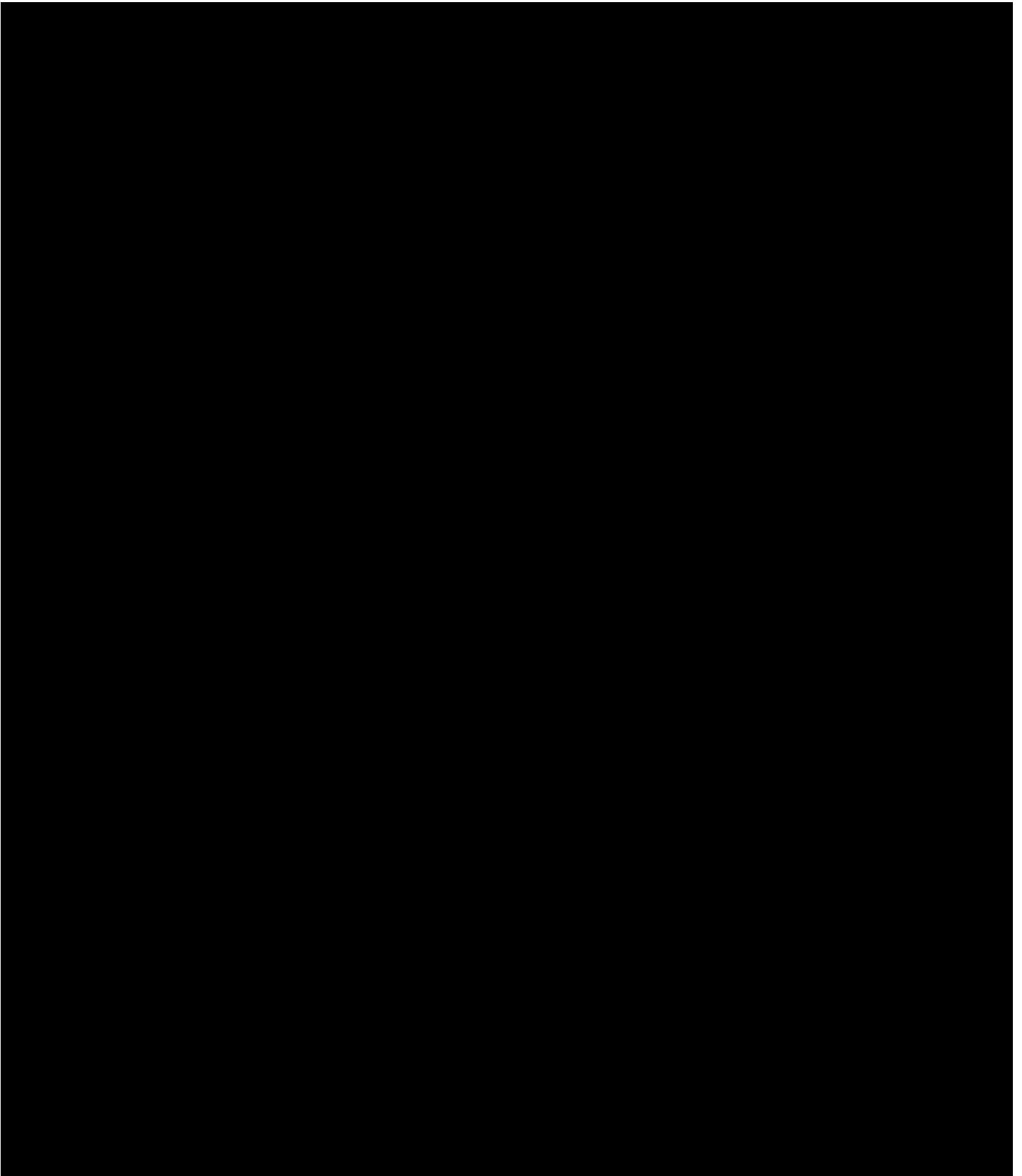
Errata for Deposition of Robert Chestnut, February 8, 2024

Page	Line(s)	Change	Reason
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In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me. I have listed my changes on the above Errata Sheet, listing page and line numbers. I request that these changes be entered as part of the record of my testimony, and request and authorize that this Errata Sheet be appended to the transcript of my testimony and be incorporated therein.

Executed this 22 day of March, 2024.

A handwritten signature in black ink, appearing to read "RA Chestnut", with a stylized, cursive script.

Robert A. Chestnut