

PX 15

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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

This Document Relates to)
All Actions)

_____)

VIDEOTAPED 30(b)(6) DEPOSITION OF

BANK OF AMERICA, N.A.

by its designee: MICHAEL LETSON

9:20 a.m.

Friday, February 16, 2024

(Taken by Plaintiffs)

REPORTED BY: Christine A. Taylor, RPR

Page 1

APPEARANCES

For the Plaintiffs and the Proposed Class:

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1 For the Defendant Bank of America, N.A.:

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6
7 Also Present:

8 Amanda Laus (via Zoom)

9 Colin Jones (via Zoom)

10 Michael Rubin (via Zoom)

11 David Cooper, Videographer

1 VIDEOCONFERENCE 30(b)(6) DEPOSITION of BANK
2 OF AMERICA, N.A., by its designee, MICHAEL LETSON,
3 a witness in the above-entitled action, taken
4 pursuant to notice, pursuant to the Federal Rules
5 of Civil Procedure by the Plaintiffs, before
6 CHRISTINE A. TAYLOR, RPR, at the offices of
7 McGuireWoods, 201 North Tryon Street, Suite 3000,
8 Charlotte, North Carolina, on the 16th day of
9 February, 2024, at 9:20 a.m.

10 - - -

11 THE VIDEOGRAPHER: We are going on the
12 record at 9:20:59 a.m., Friday,
13 February 16, 2024.

14 Please note that the microphones are
15 sensitive and may pick up whispering and
16 private conversations. Please turn off all
17 cell phones or place them away from the
18 microphones, as they can interfere with the
19 deposition audio. Recording will continue
20 until all parties agree to go off the
21 record.

22 This is Media Unit Number 1 of the
23 30(b)(6) video recorded deposition of Bank
24 of America, N.A., with Mike Letson taken by
25 counsel for the plaintiff in the matter of

1 In Re: Bank of America California
2 Unemployment Benefits Litigation in the
3 United States District Court, Southern
4 District of California. Case Number
5 3:21-md-02992-LAB-MSB.

6 This video deposition is taking place
7 at McGuireWoods LLP in the Charlotte
8 conference room located at 201 North Tryon
9 Street, Suite 3000, Charlotte, North
10 Carolina 28202.

11 My name is David Cooper. I'm the
12 certified legal videographer with Veritext.
13 I'm not authorized to administer an oath.
14 I am not related to any party in this
15 action nor am I financially interested in
16 the outcome.

17 Counsel and all those present in the
18 room and everyone attending remotely will
19 now state their appearance and affiliation
20 for the record.

21 If there are any objections to the
22 proceeding, please state them at the time
23 of your appearance, beginning with the
24 noticing attorney.

25 MS. CHAN: Connie Chan, counsel for

1 class plaintiffs.

2 MR. KIRTLEY: Andrew Kirtley, counsel
3 for class plaintiffs.

4 MS. ROSE-SMITH: Sabrina Rose-Smith,
5 counsel for defendants and the witness.

6 MS. ODUM: Jacqueline Odum, counsel for
7 defendants and the witness.

8 THE VIDEOGRAPHER: The court reporter,
9 Christine Taylor, will now swear in the
10 witness.

11 Oh, I'm sorry. Those on the remote,
12 please state your name and appearance.

13 MS. ROSE-SMITH: No one wishes to
14 formally appear.

15 THE VIDEOGRAPHER: Well, maybe we can
16 come back to that.

17 MS. CHAN: It is 6:00 a.m.

18 - - -

19 MICHAEL LETSON,
20 having first been duly sworn, was examined
21 and testified as follows:

22 - - -

23 EXAMINATION

24 BY MS. CHAN:

25 Q. Good morning, Mr. Letson. My name is

Page 11

1 Connie Chan. And with me is my co-counsel Andrew
2 Kirtley for the class plaintiffs. Thank you very
3 much for being here today.

4 Can you please state your full name
5 for the record?

6 A. Michael John Letson.

7 Q. I'm going to start by going over a few
8 ground rules with you so that we're all on the
9 same page.

10 You understand that you are testifying
11 under oath and under penalty of perjury today, the
12 same as if you were in court?

13 A. Correct.

14 Q. You understand that what you say here
15 today is being taken down by the court reporter?

16 A. I do.

17 Q. And for the court reporter, it's
18 important that your responses be verbal. So can
19 you please respond to my questions with verbal
20 answers rather than nodding your head or shrugging
21 your shoulders?

22 A. Yes.

23 Q. Thank you.

24 If you don't understand a question,
25 can you please tell me so that I can rephrase it?

1 If you answer my question, I will assume that you
2 understood it. Is that fair?

3 A. Okay.

4 Q. You should feel free to amend an
5 answer at any time if you think of something later
6 on that would help to clarify your response or
7 make it more accurate. But if you do so,
8 plaintiffs will be permitted to point that out to
9 the judge or the jury. Is that fair?

10 A. Okay.

11 Q. And, in addition, after the
12 deposition --

13 MR. SWIGART: Guys, I'm sorry to
14 interrupt. This is Josh Swigart online. I
15 don't think anybody can hear online. Are
16 the mics on?

17 THE VIDEOGRAPHER: Yes, the mics are
18 on. We can -- we can check that.

19 Should we go off the record?

20 MS. CHAN: Testing.

21 Yeah. We'll go off the record.

22 THE VIDEOGRAPHER: The time is
23 approximately 9:25:16 a.m. We are now off
24 the record.

25 (Recess taken from 9:25 a.m. until 9:27 a.m.)

1 THE VIDEOGRAPHER: The time is
2 approximately 9:27:12 a.m. We are now on
3 the record.

4 We can get those on the remote to
5 identify for the record?

6 MR. SWIGART: Sure. I can start. So
7 Josh Swigart, Swigart Law Group, on behalf
8 of the individual plaintiffs.

9 MS. PLATKIEWICZ: Ilana Platkiewicz of
10 Swigart Law Group as well.

11 BY MS. CHAN:

12 Q. Okay. Mr. Letson, after the
13 deposition the court reporter will prepare a
14 verbatim transcript and you'll have an opportunity
15 to review it and make any necessary corrections.

16 But if you do make corrections, again,
17 plaintiffs will be able to comment on those
18 corrections to the judge or jury. Is that clear?

19 A. Yeah. Yes. Sorry.

20 Q. I don't want you to guess today if you
21 don't know the answer to one of my questions, but
22 I am entitled to your best estimate.

23 Do you understand the difference
24 between a guess and an estimate?

25 A. Yes.

1 Q. So, for example, if I asked you to
2 estimate the size of this table, I would be
3 entitled to your best estimate.

4 But if I asked you to estimate the
5 size of the desk in my office back in California,
6 I wouldn't expect -- I wouldn't want you to guess
7 about that because you've never seen it before.
8 Is that -- is that clear?

9 A. Yes.

10 Q. You understand that from time to time
11 your counsel may state objections to some of my
12 questions. But unless she specifically instructs
13 you not to answer, you do need to answer the
14 question after she has finished her objection. Is
15 that clear?

16 A. Yes.

17 Q. Is there any reason you cannot answer
18 my questions truthfully and to the best of your
19 ability today?

20 A. No.

21 Q. Are you under the influence of alcohol
22 or any medication that would impede your ability
23 to give your best testimony today?

24 A. No.

25 Q. I do plan on taking regular breaks

1 throughout the day. If at any time you would like
2 to take a break, please do let me know. I just
3 ask that if I have a pending question that you
4 answer my question before we take the break. Is
5 that fair?

6 A. Okay.

7 Q. Have you ever been deposed before?

8 A. No.

9 Q. Have you ever provided testimony as a
10 witness in any other form before such as at trial?

11 A. No.

12 Q. You understand that this is the
13 30(b)(6) deposition of Bank of America?

14 A. Yes.

15 Q. And have you received and reviewed a
16 copy of the revised 30(b)(6) deposition notice?

17 A. Yes.

18 Q. And I will provide you a copy of it
19 now just to confirm.

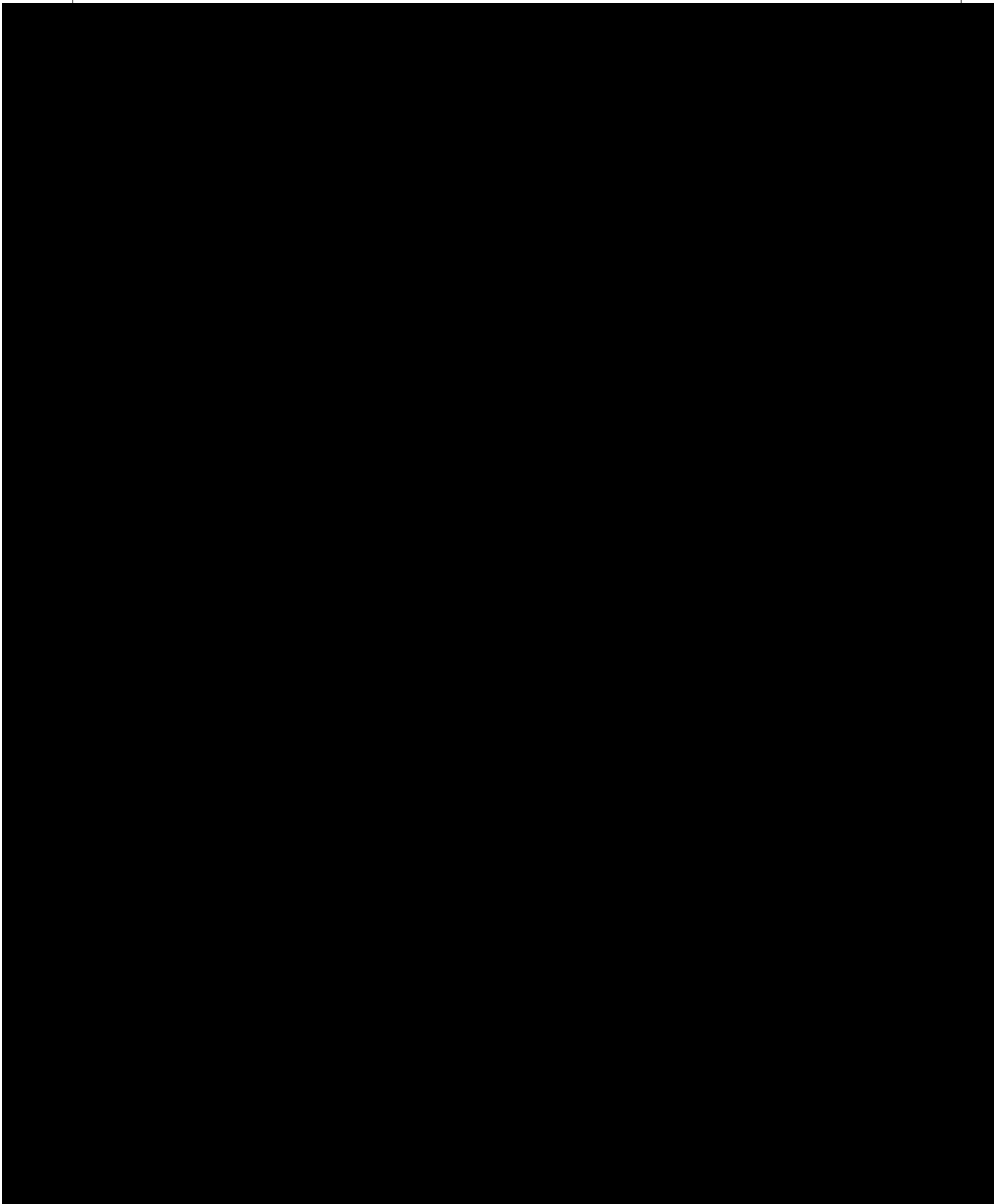
20 (Exhibit 65 marked for identification.)

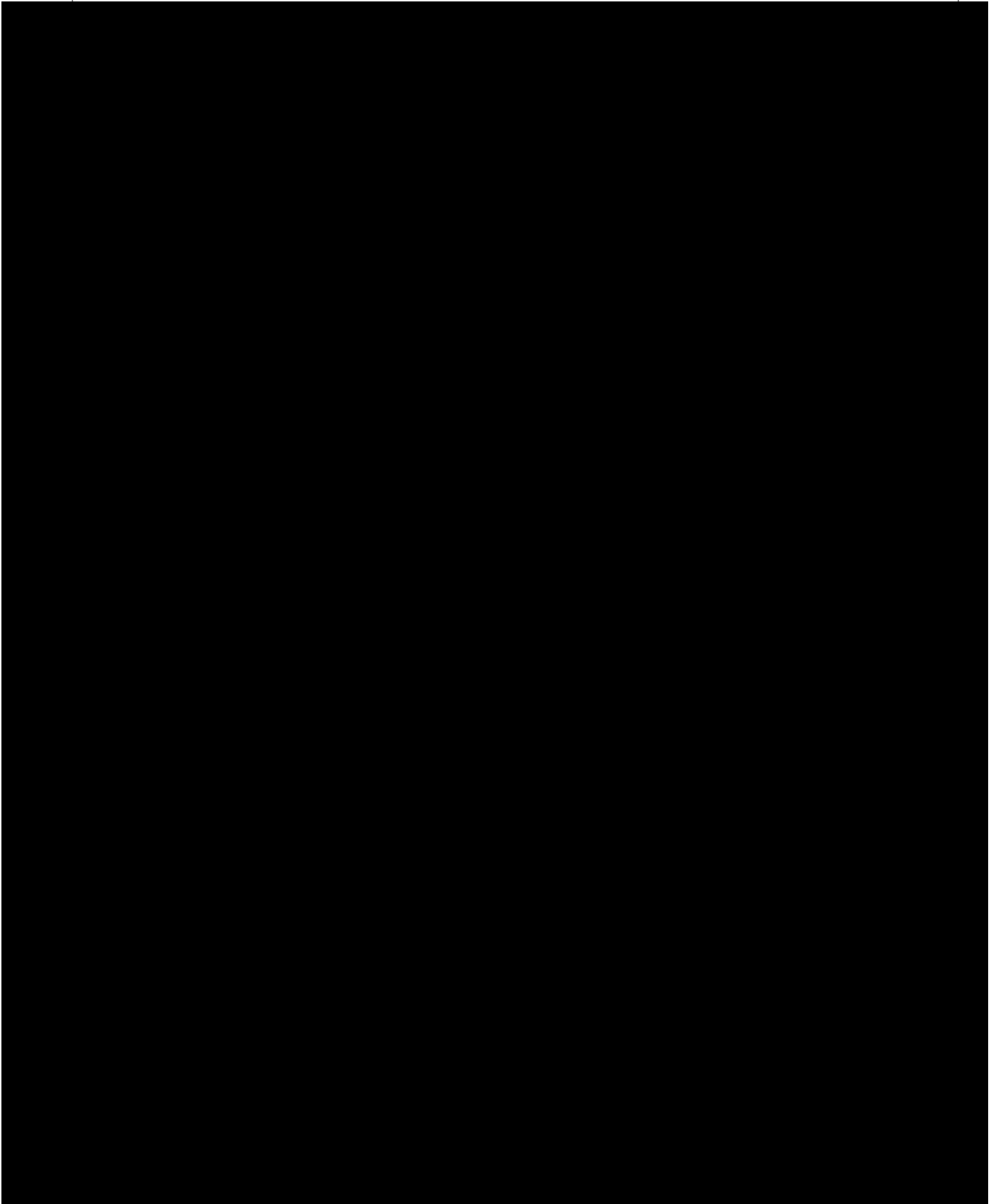
21 MS. ROSE-SMITH: Is this Plaintiff's
22 Exhibit 65?

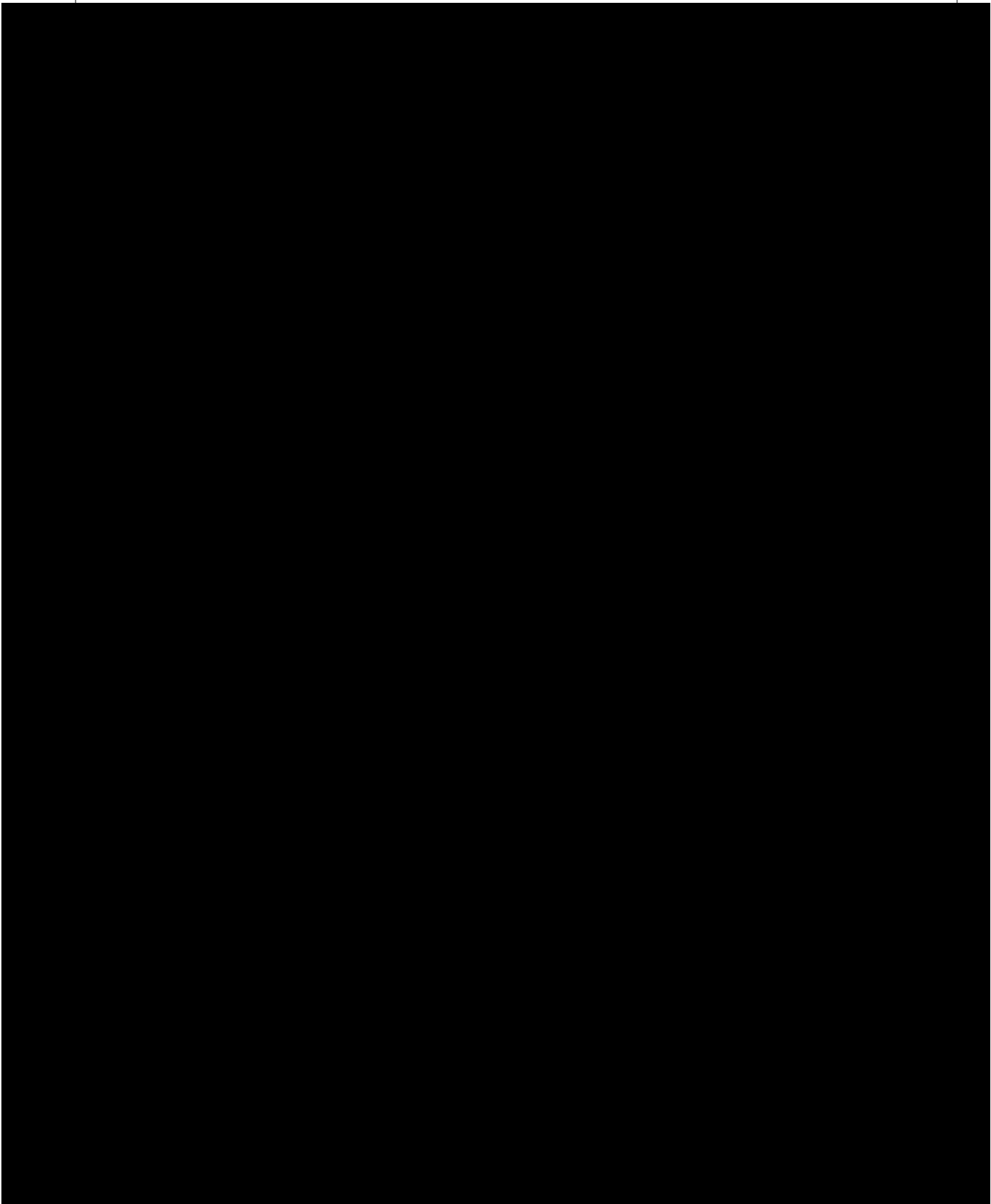
23 MR. KIRTLEY: Yes.

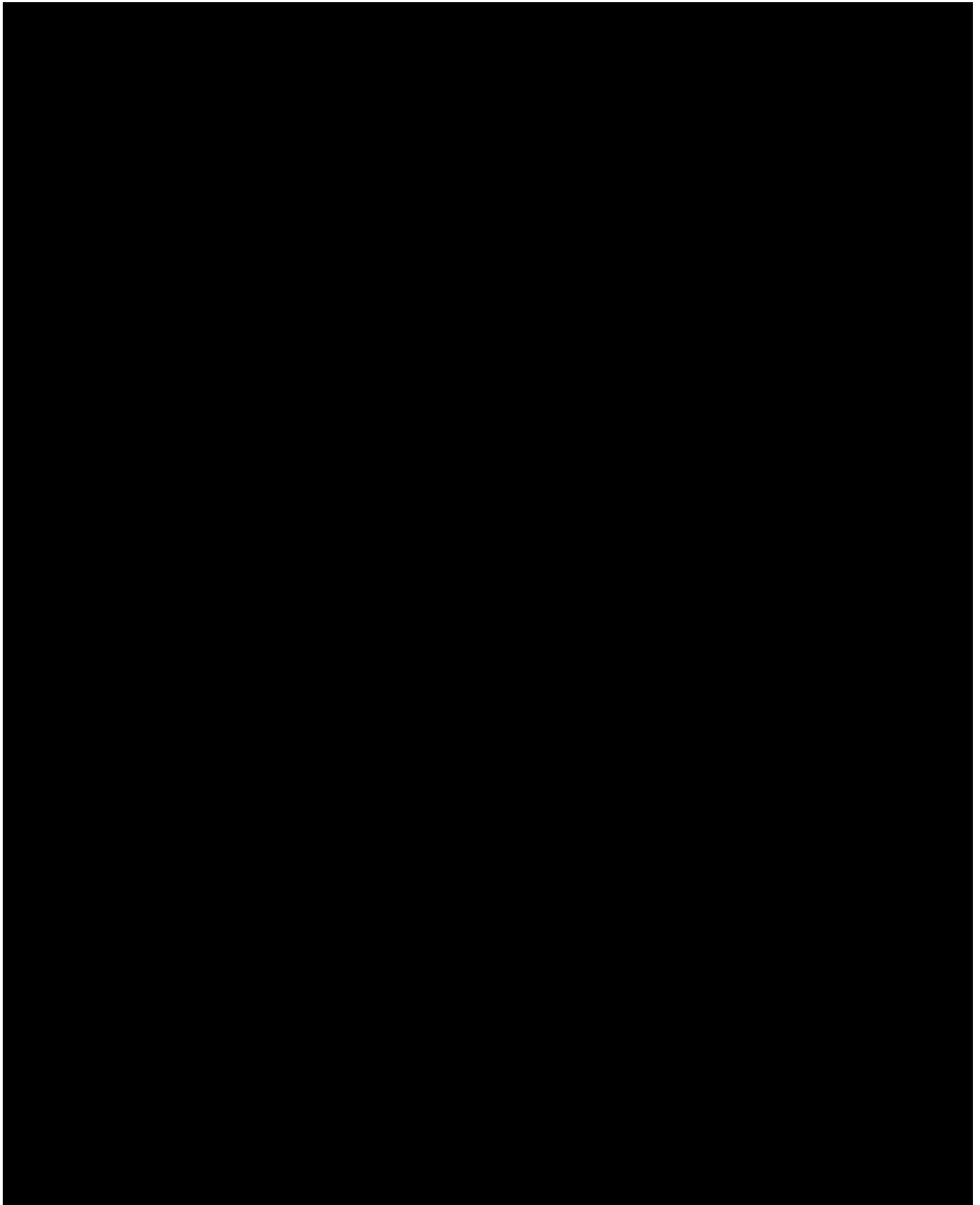
24 MS. CHAN: Yes.

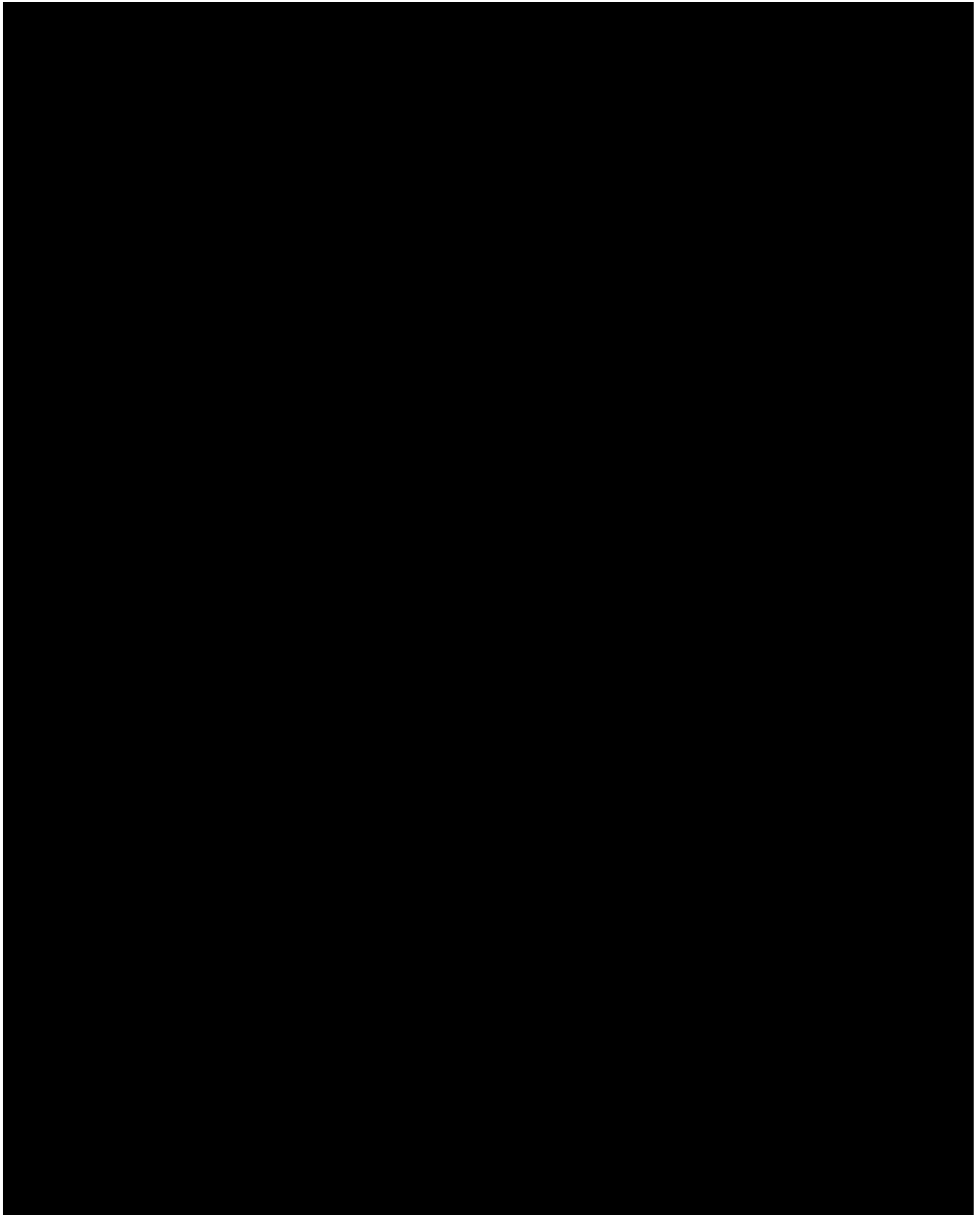
25 BY MS. CHAN:

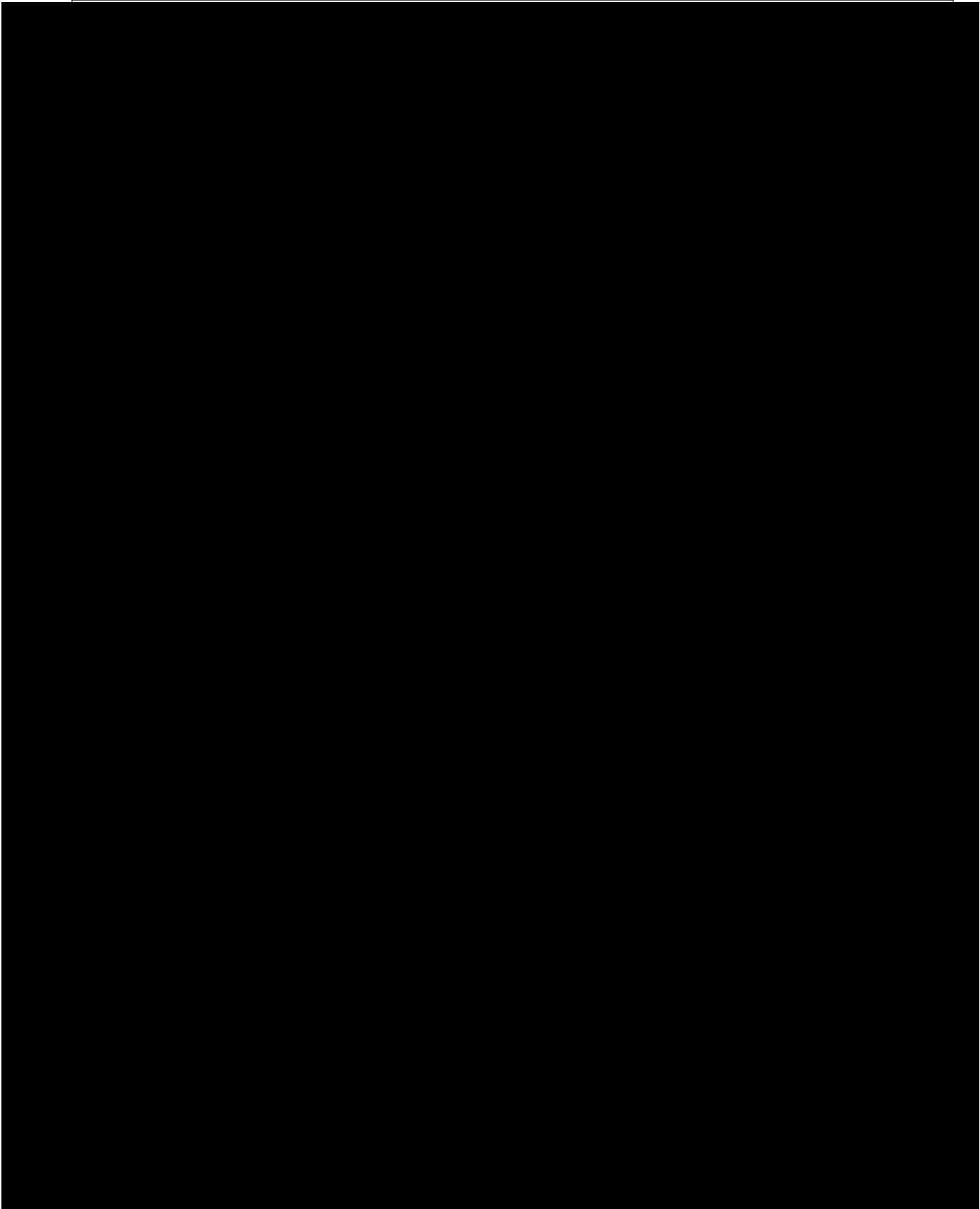


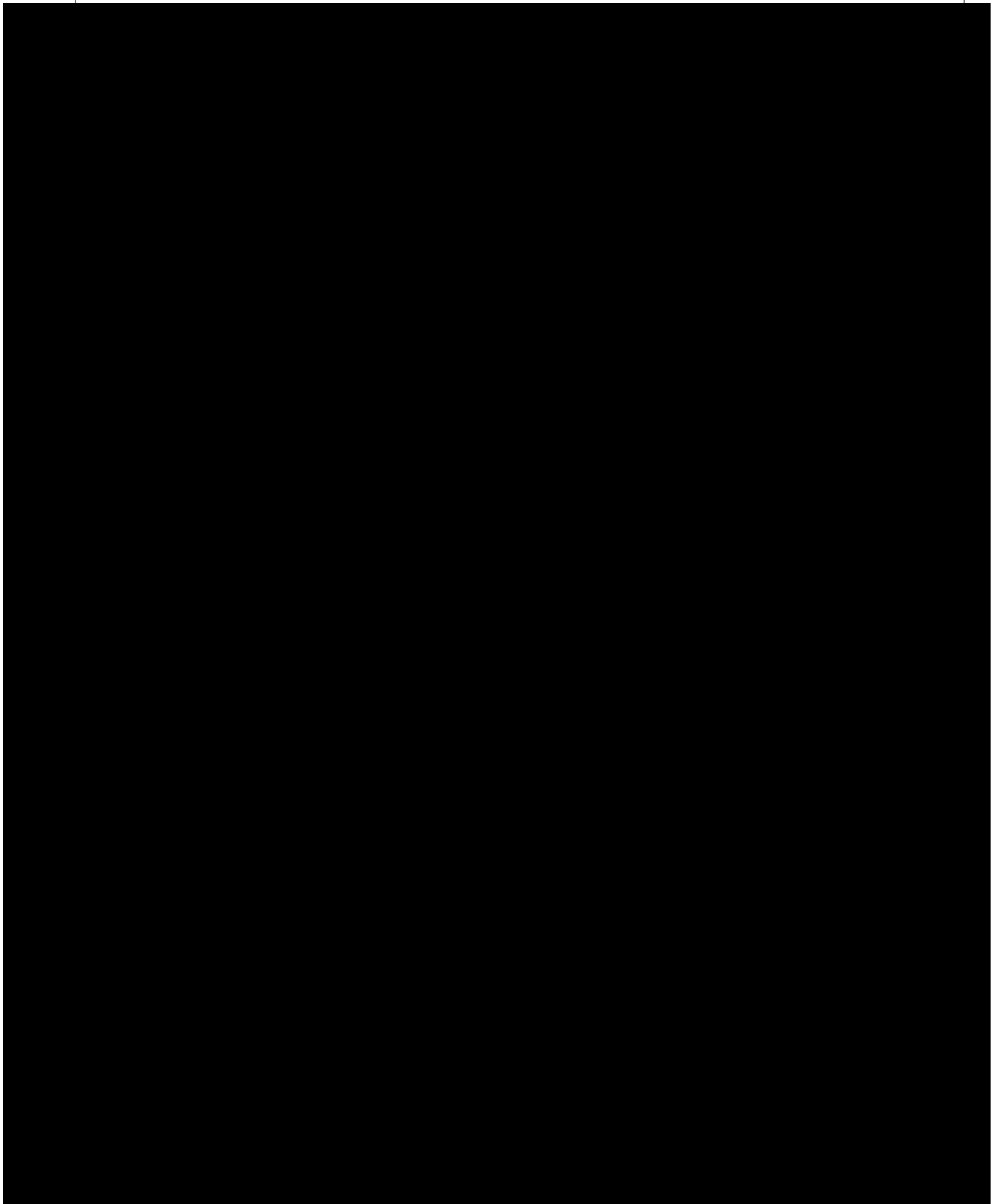


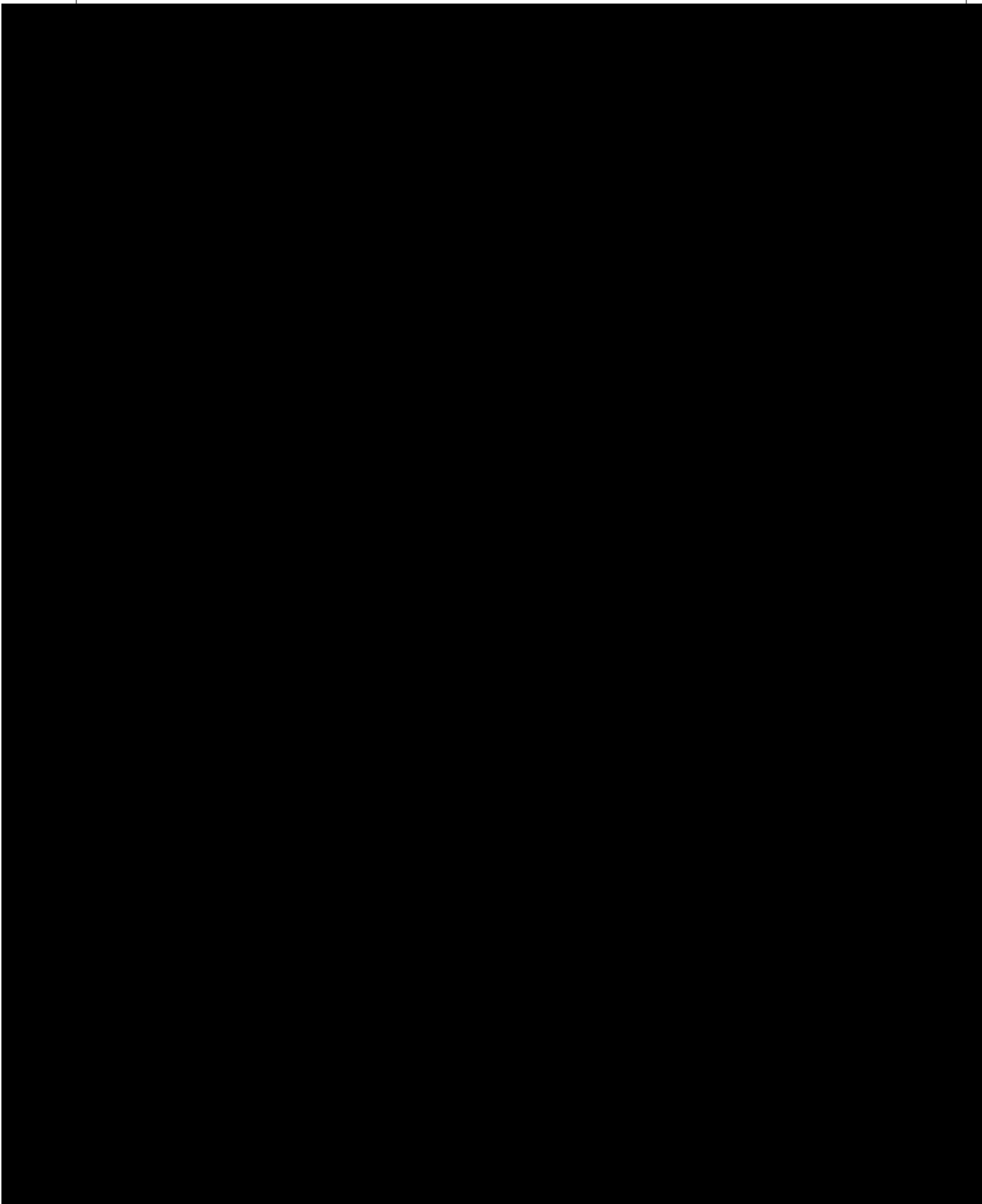


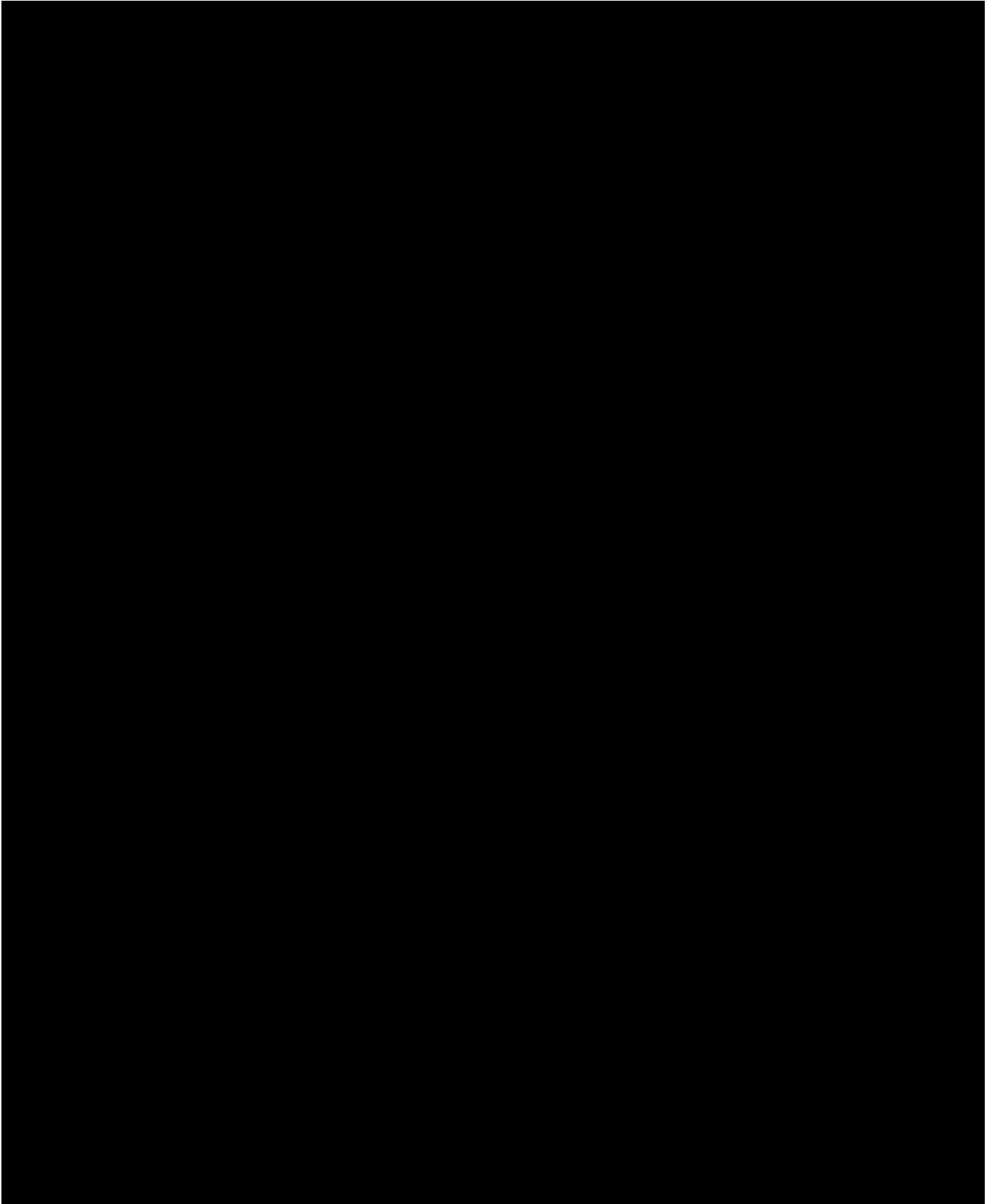


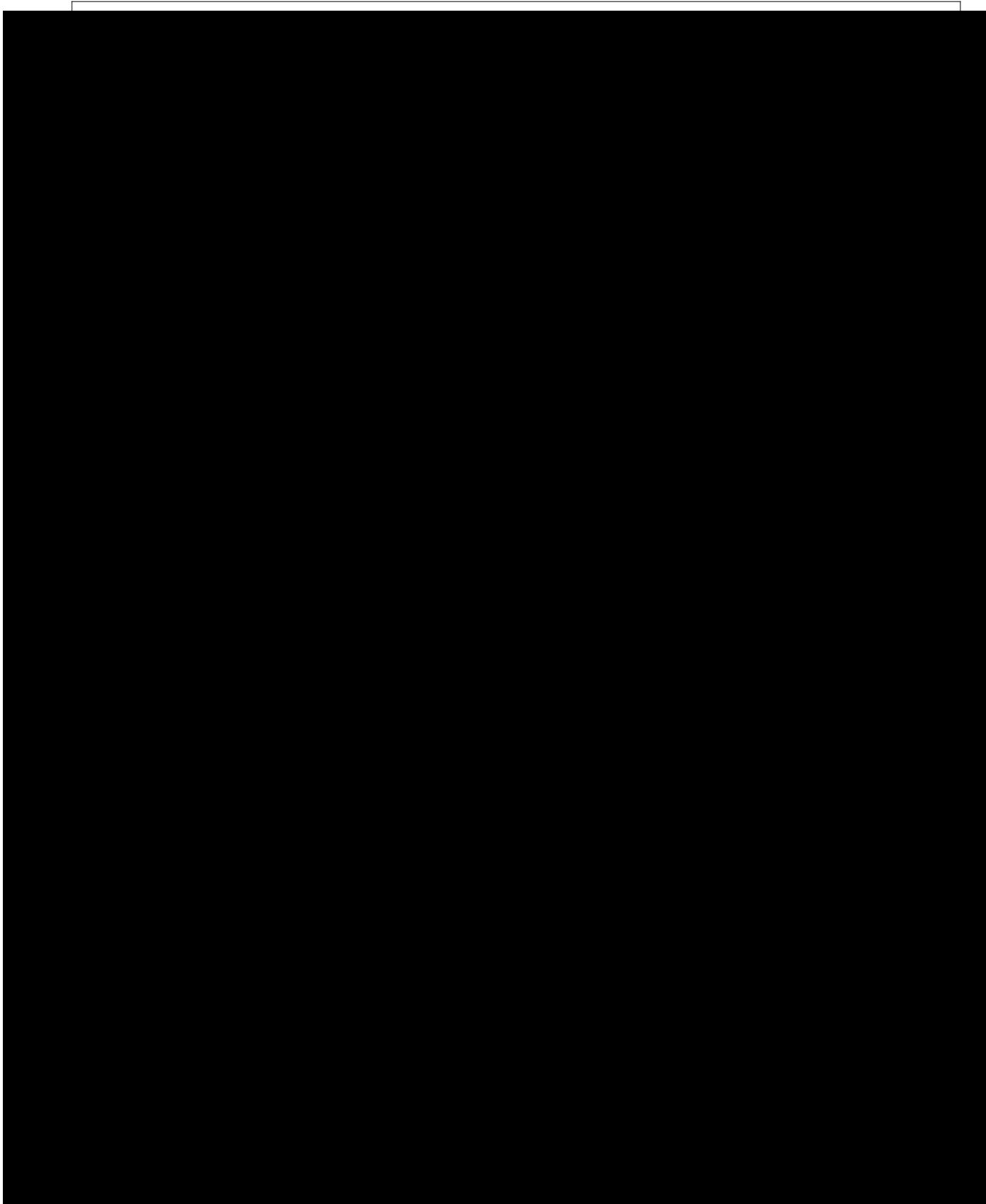


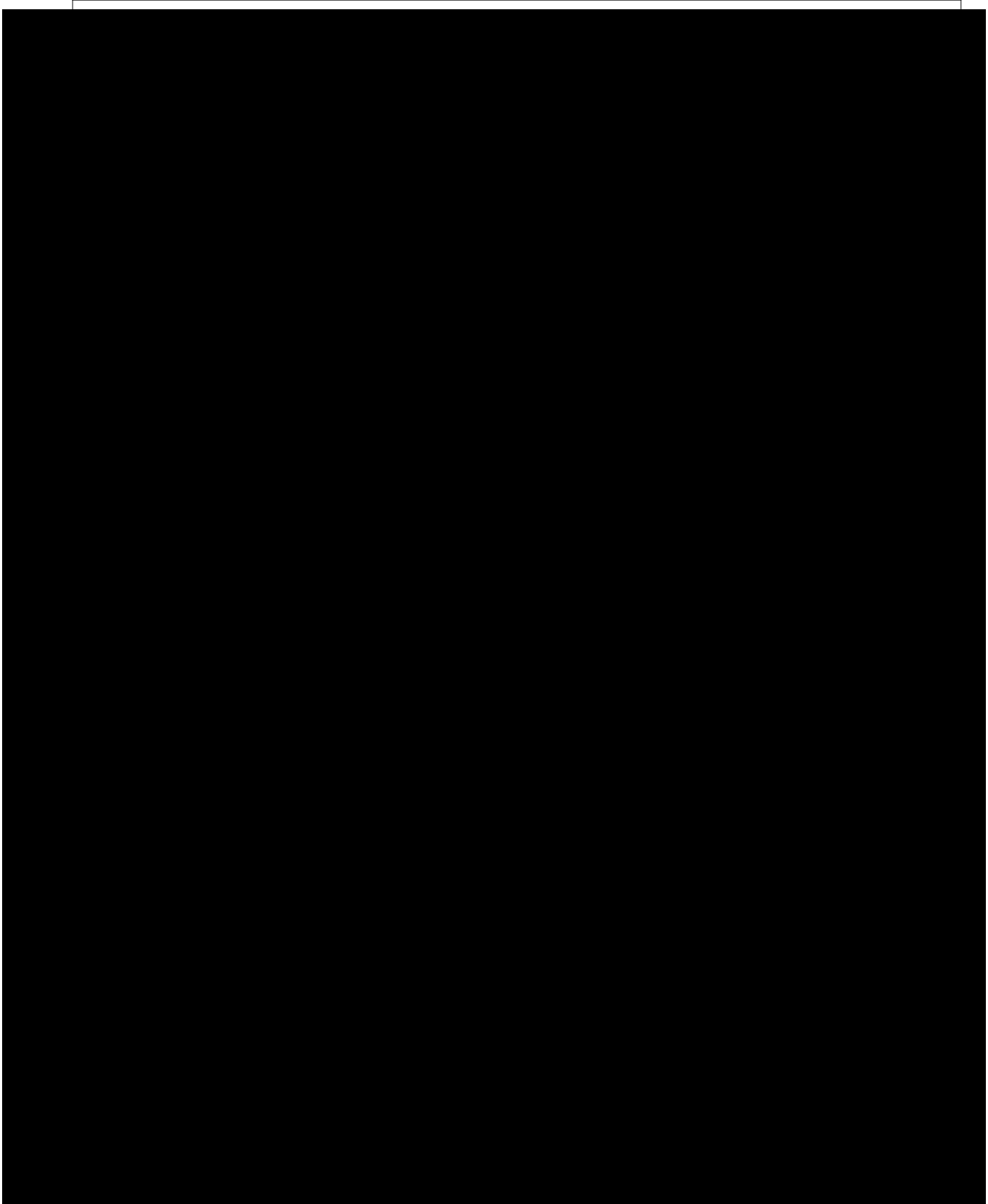


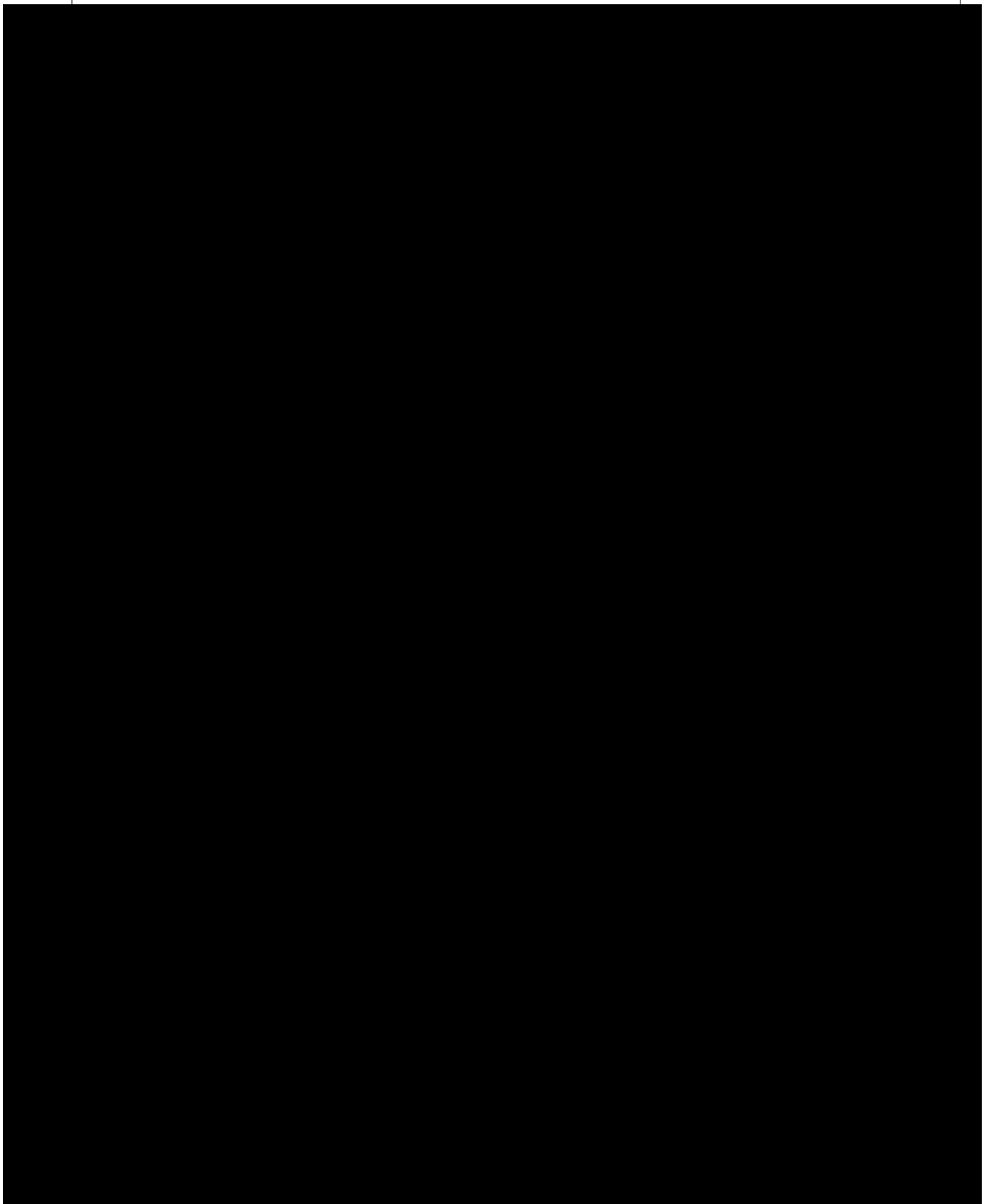


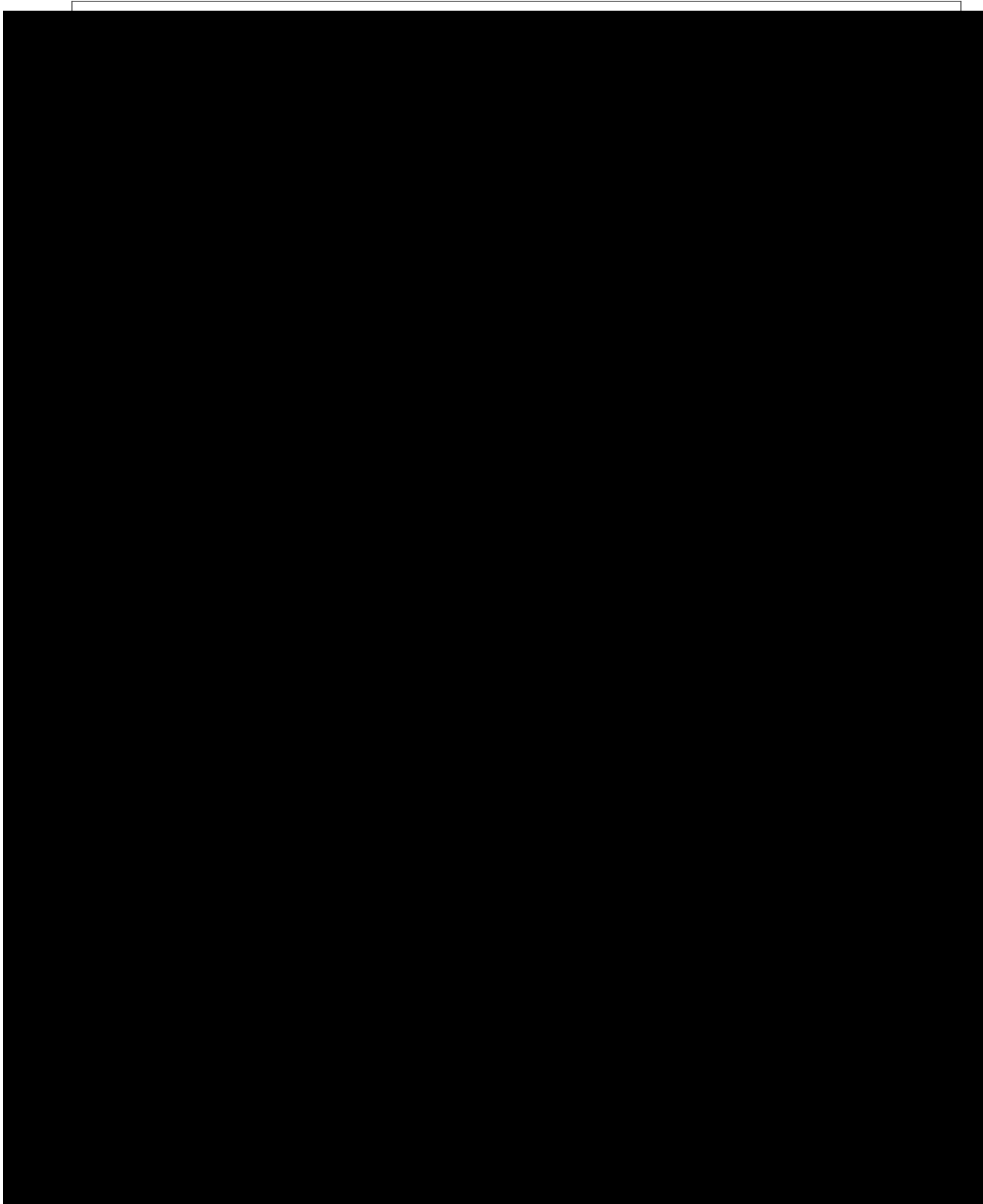


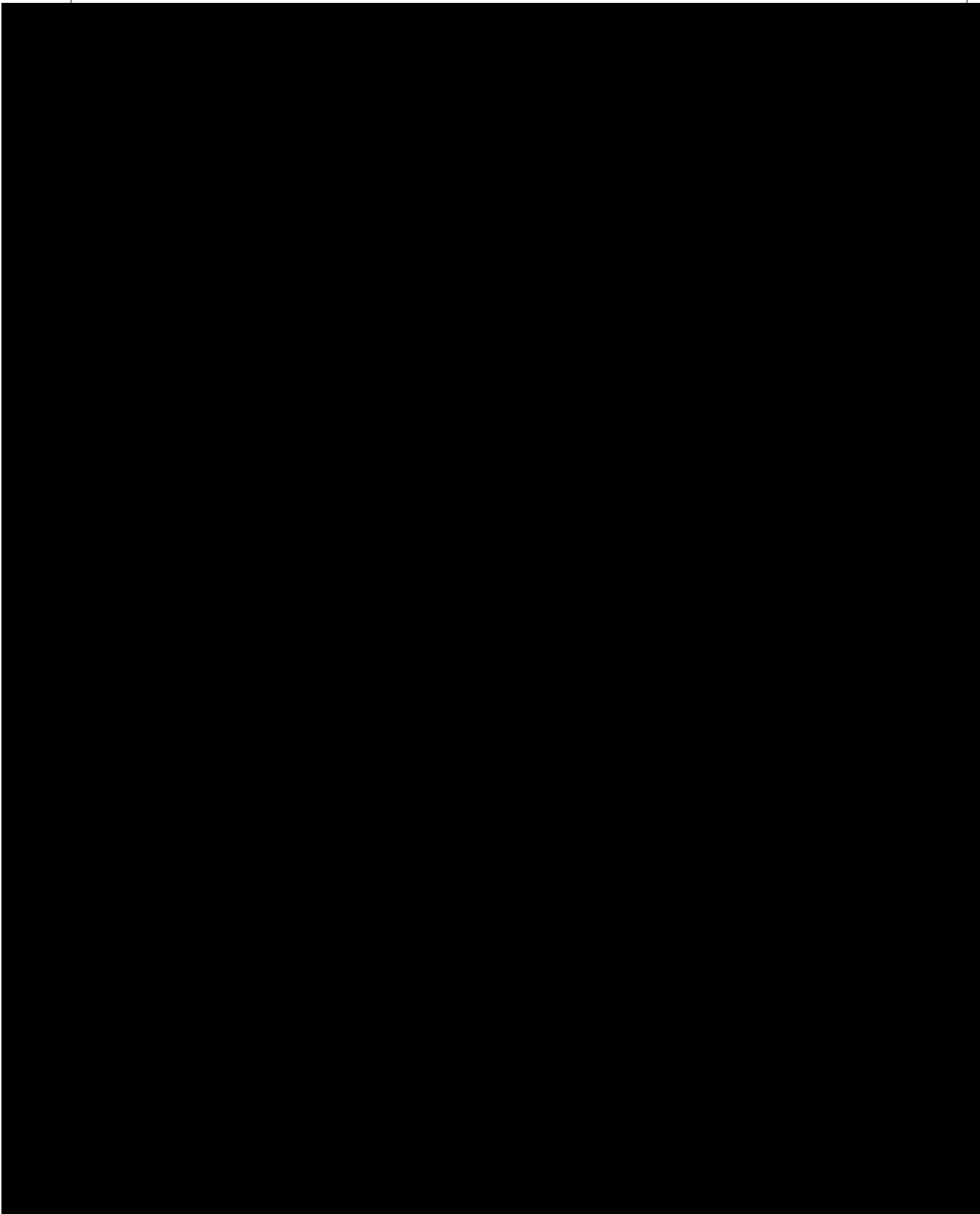


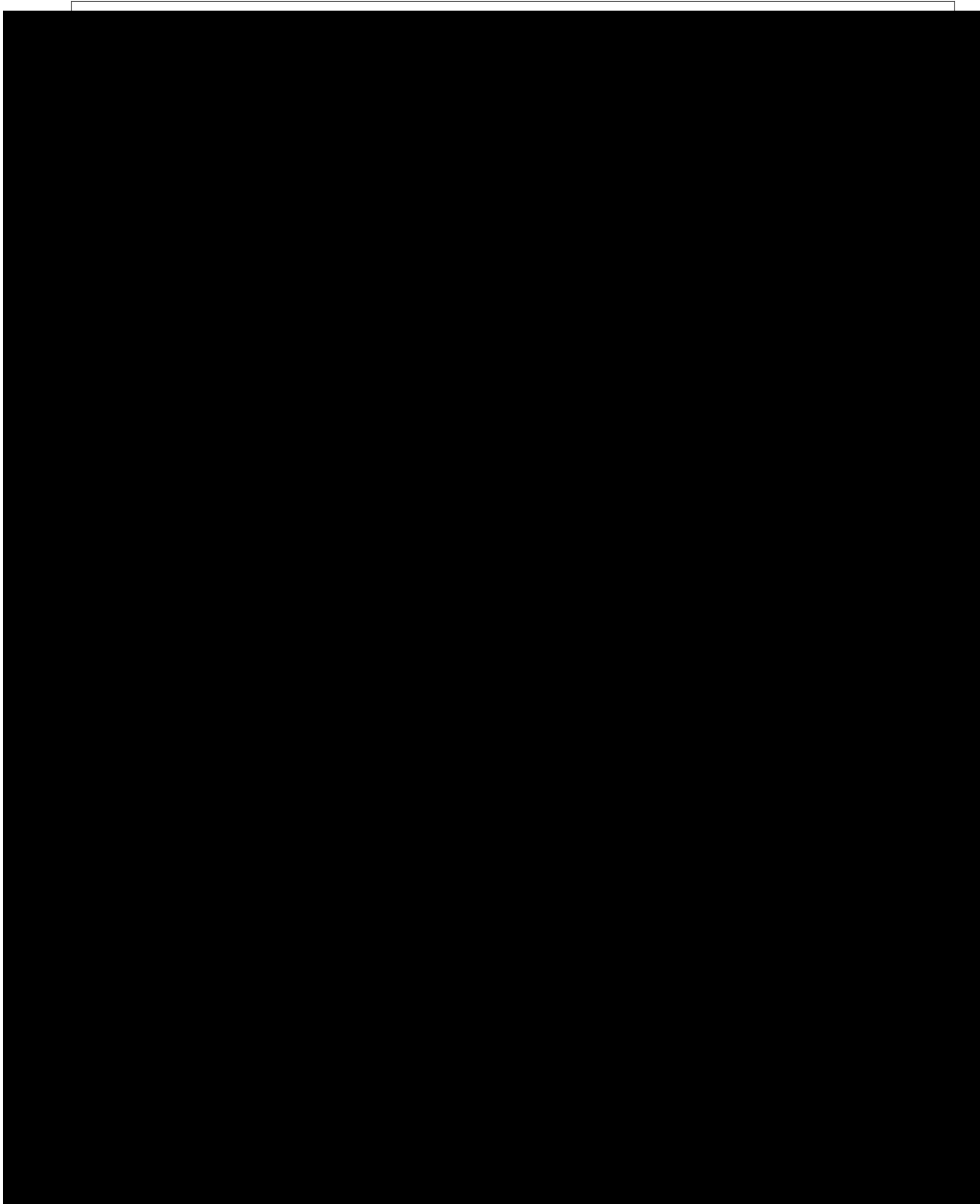


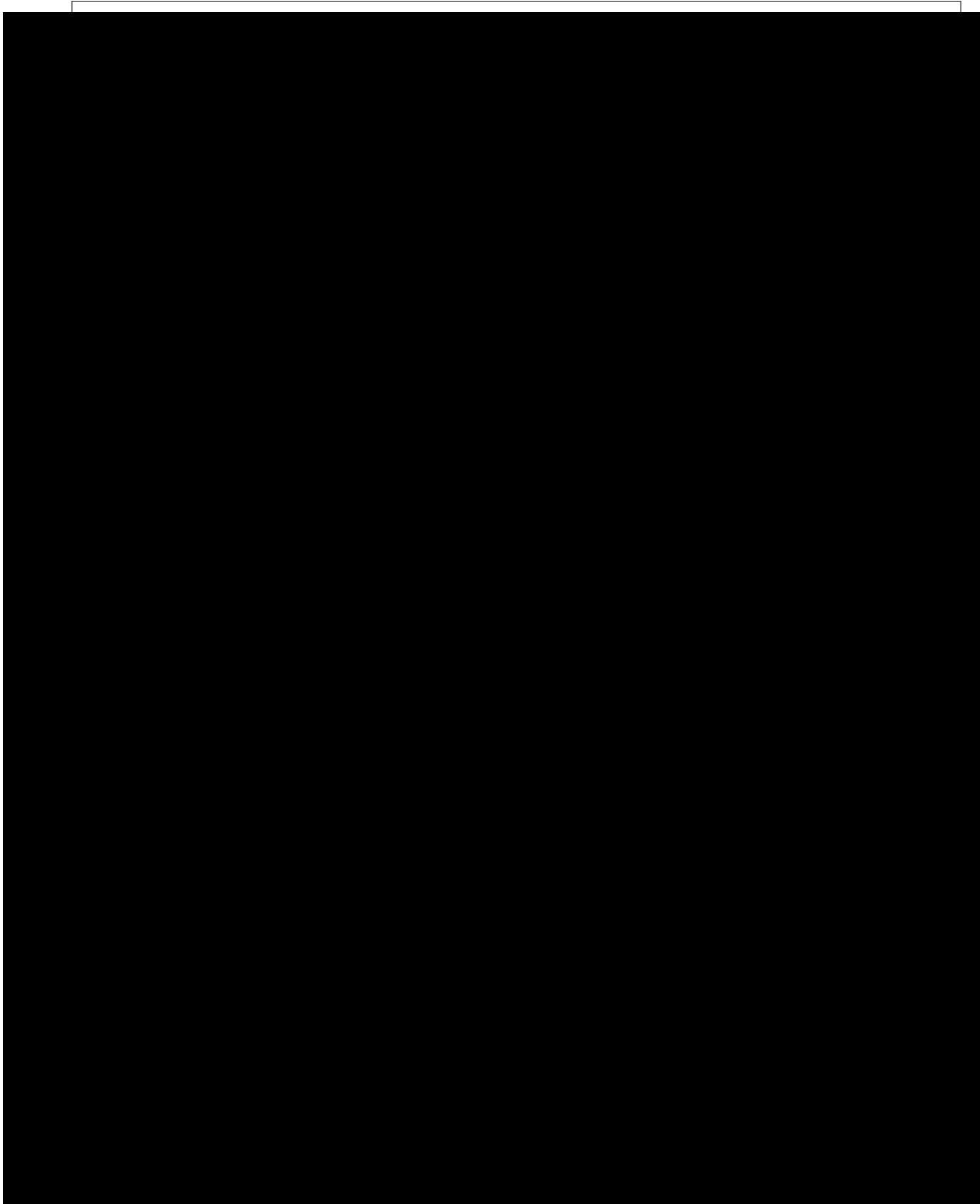


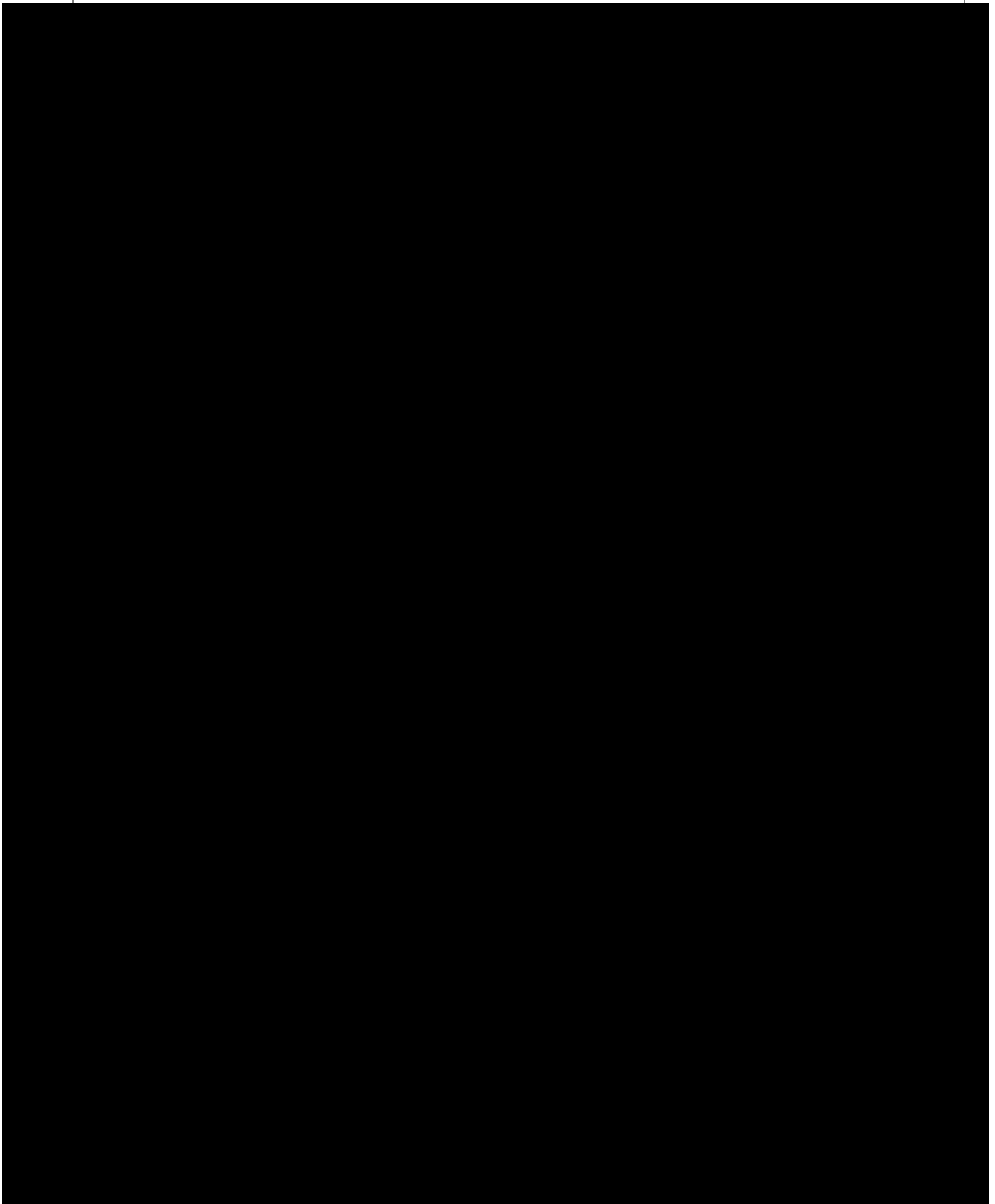


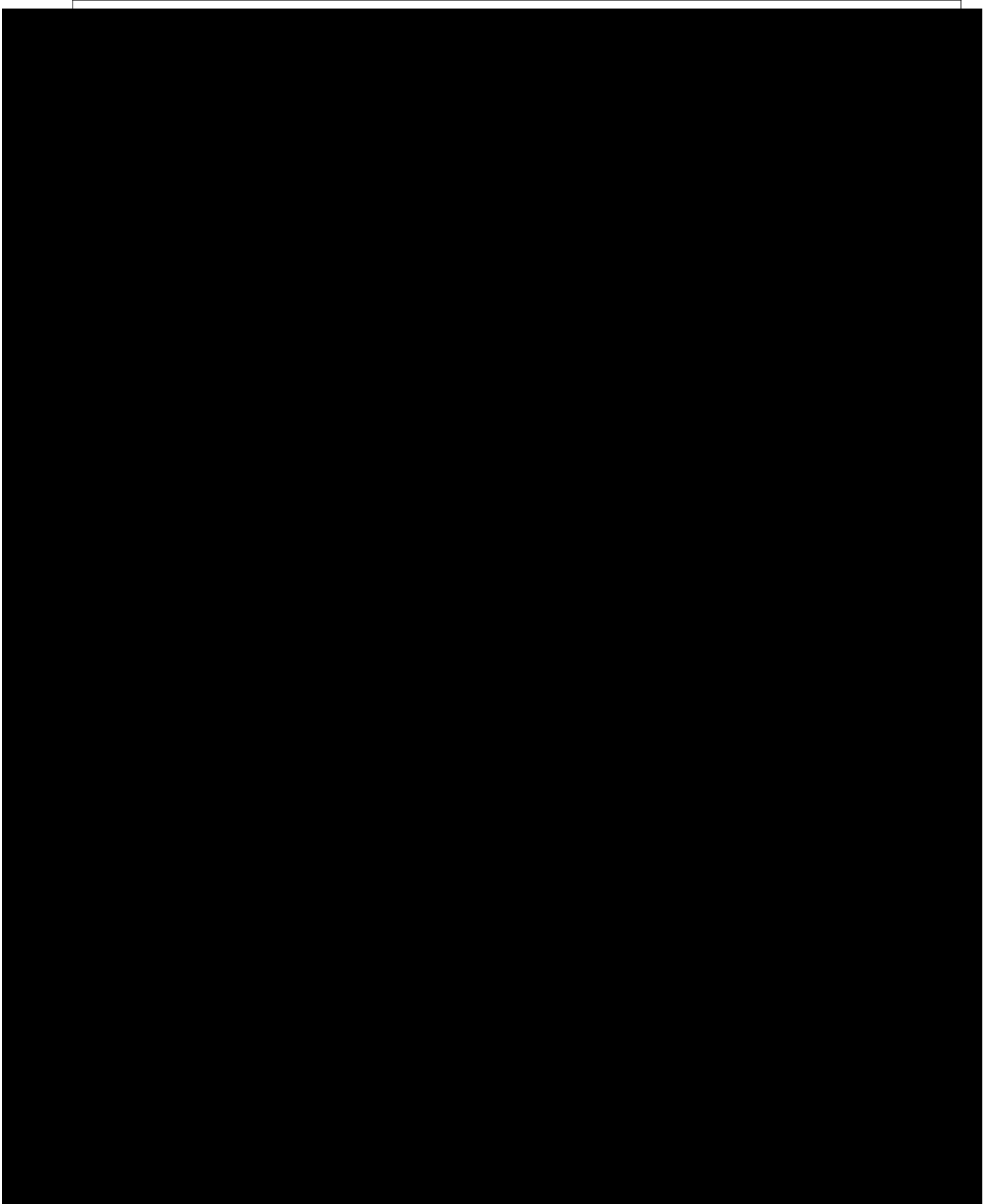


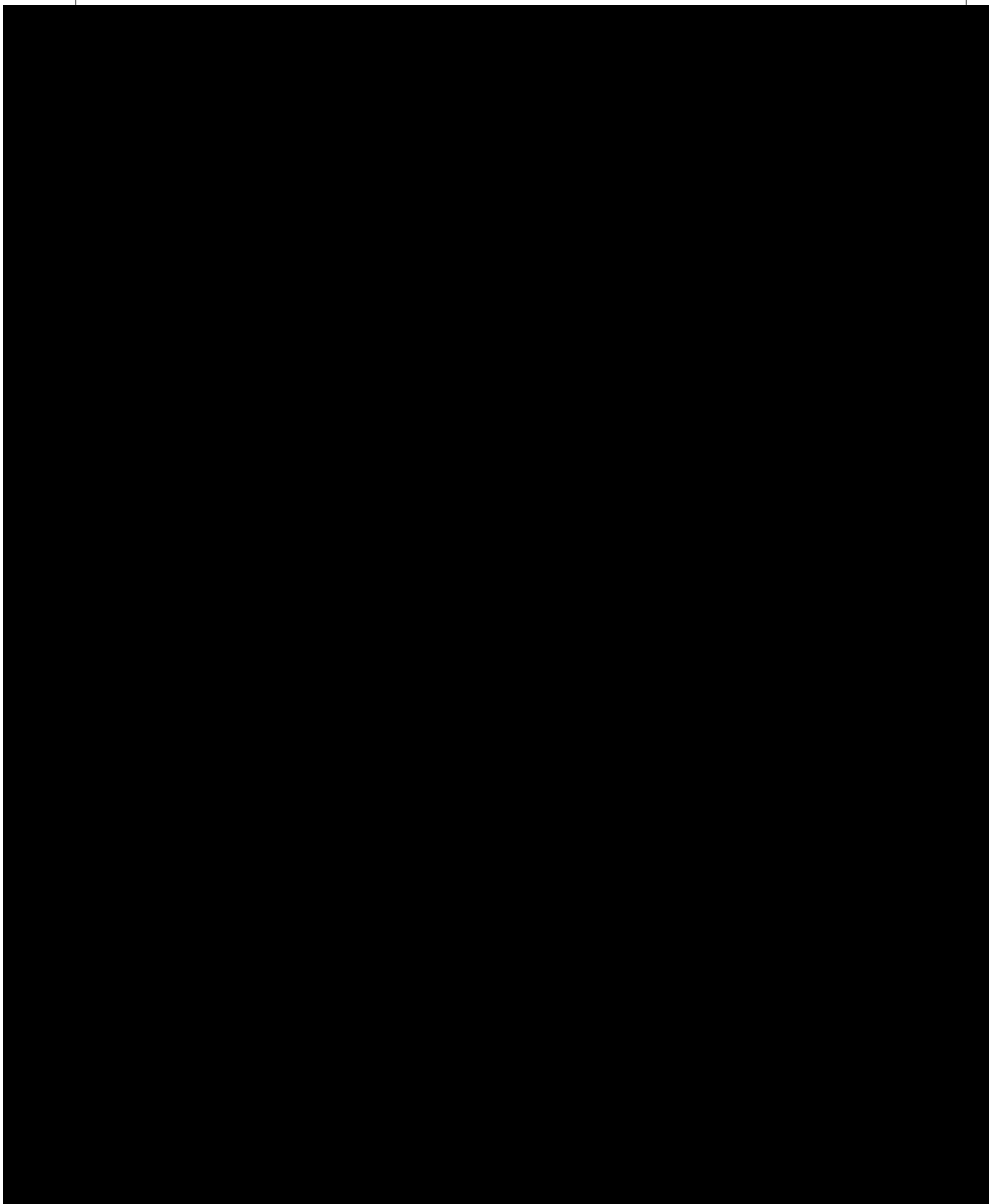


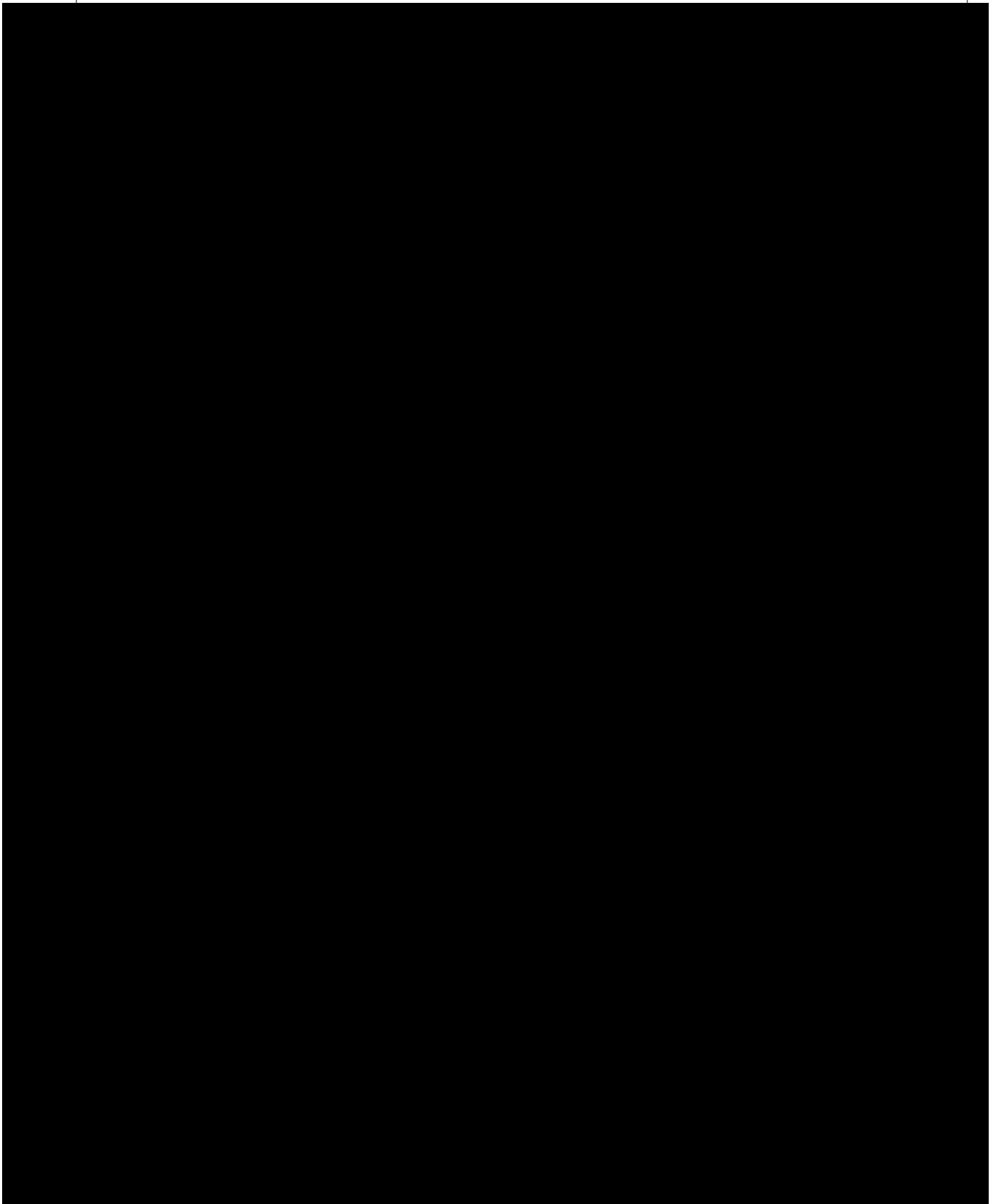


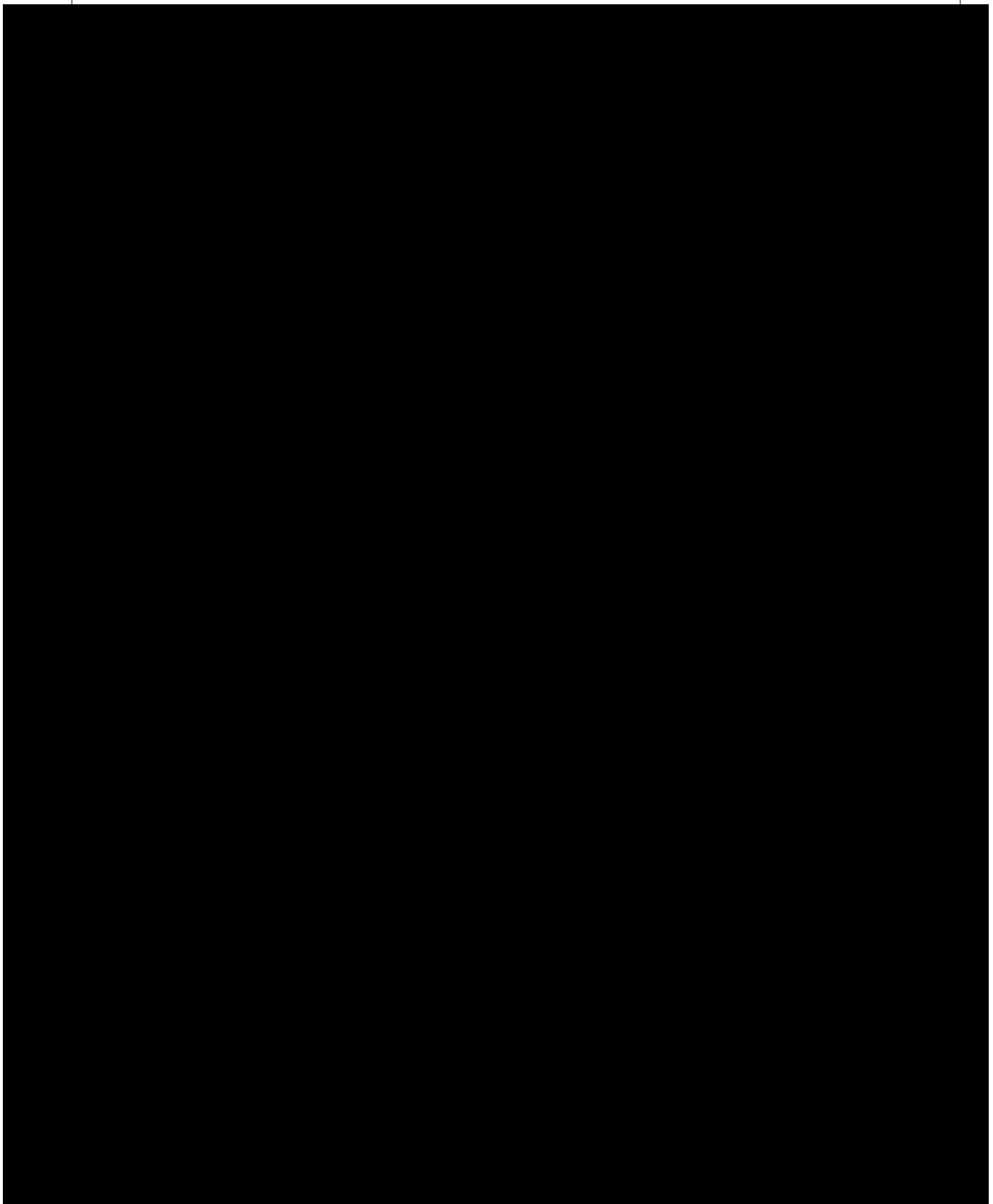


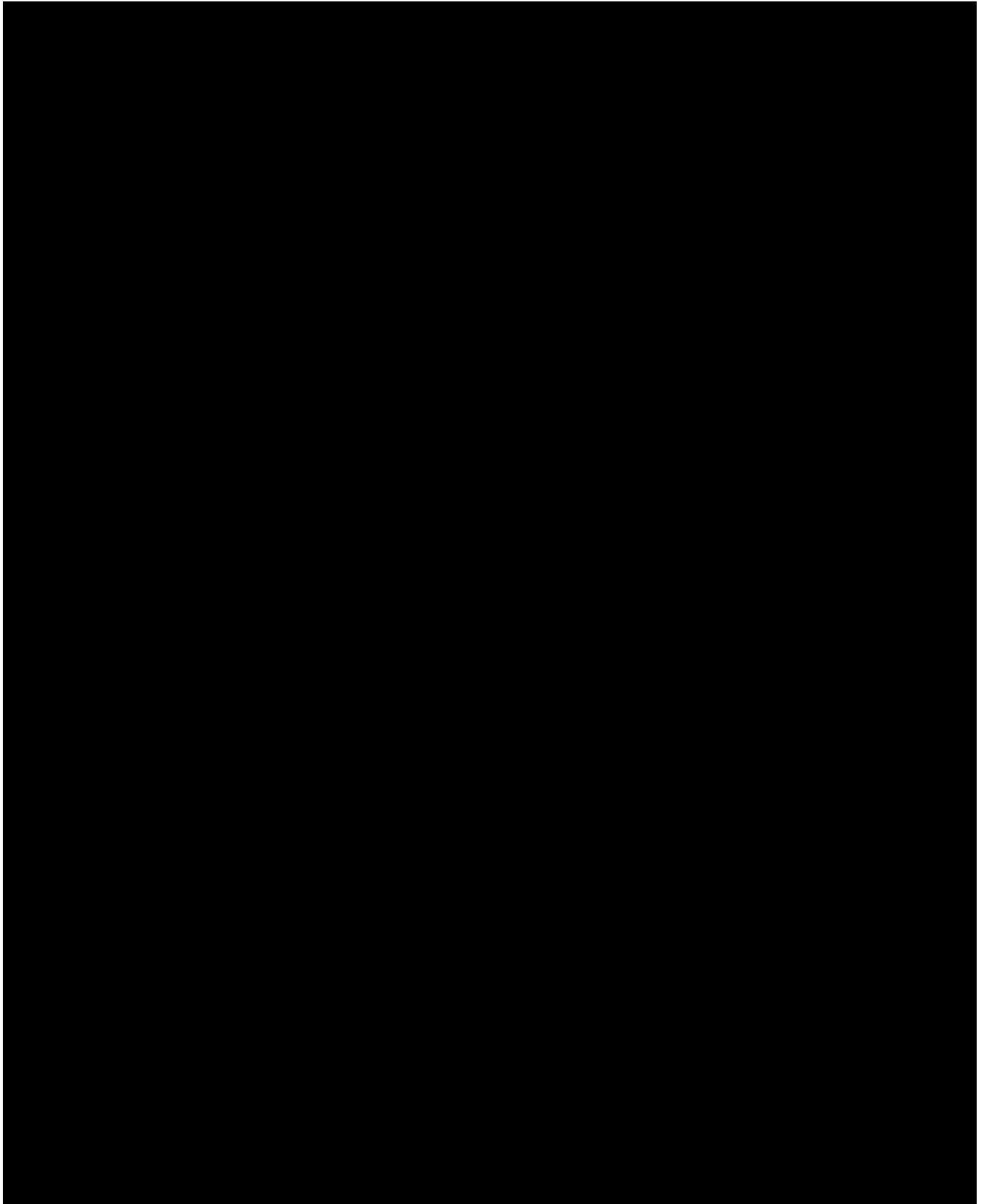


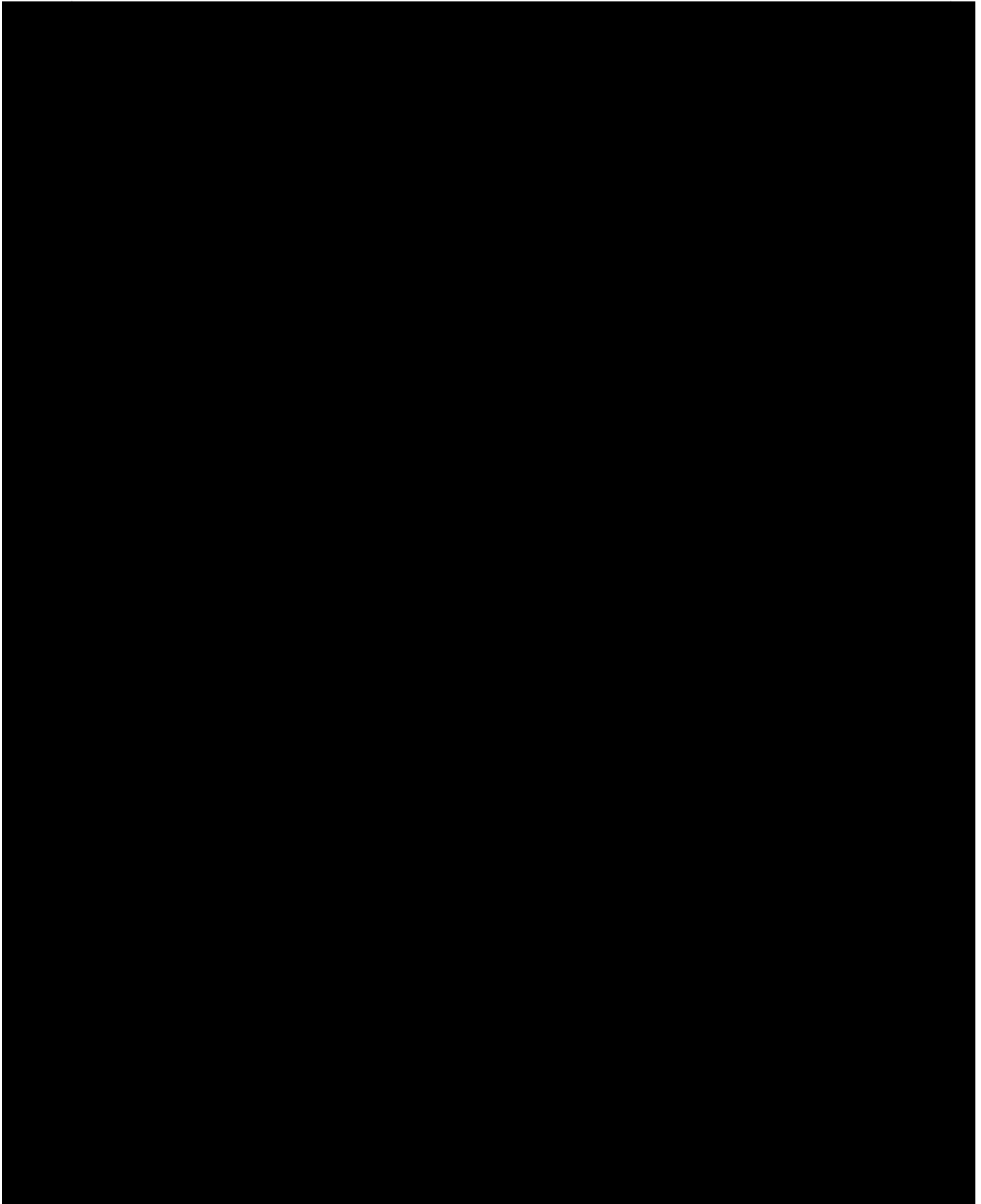


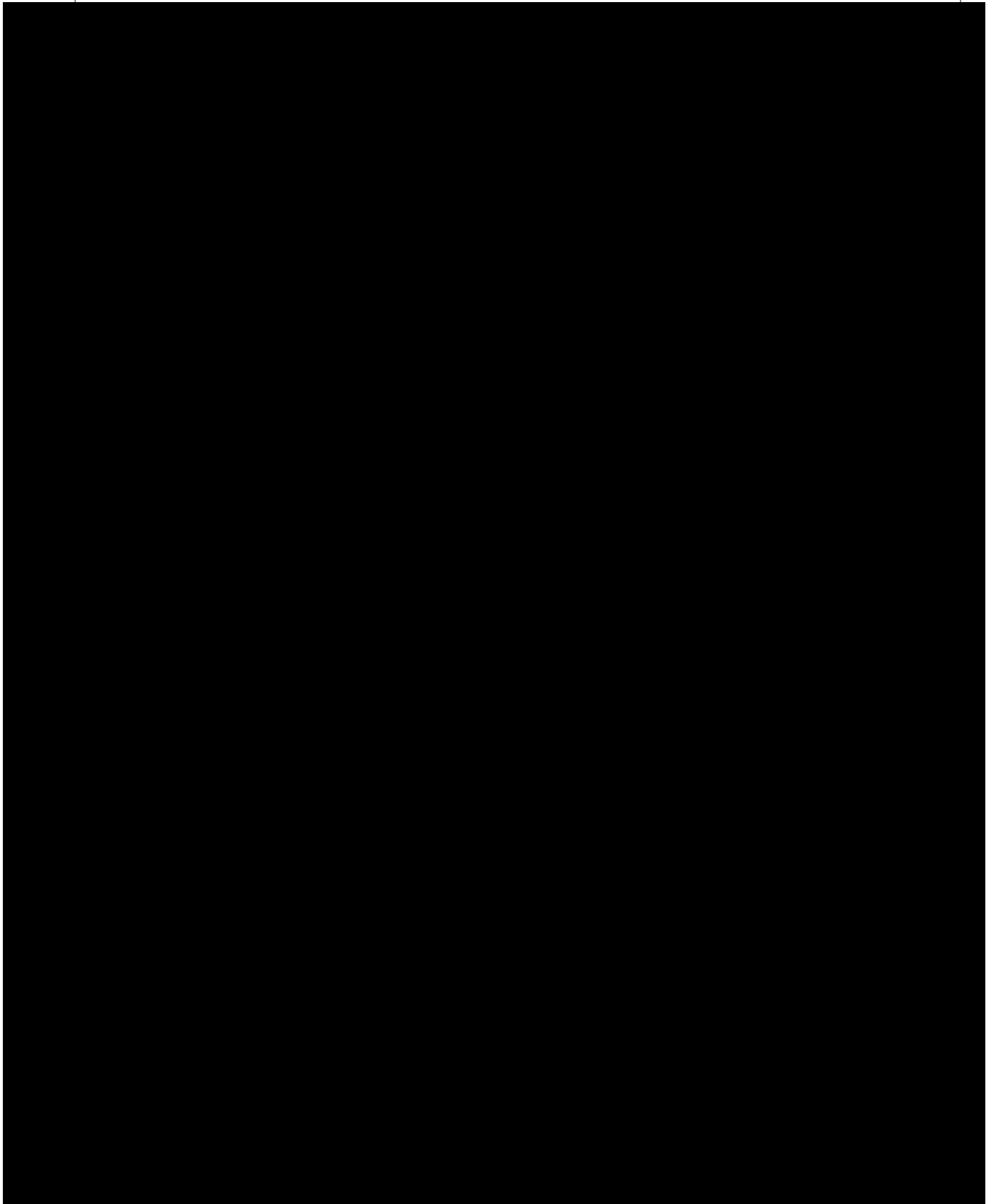


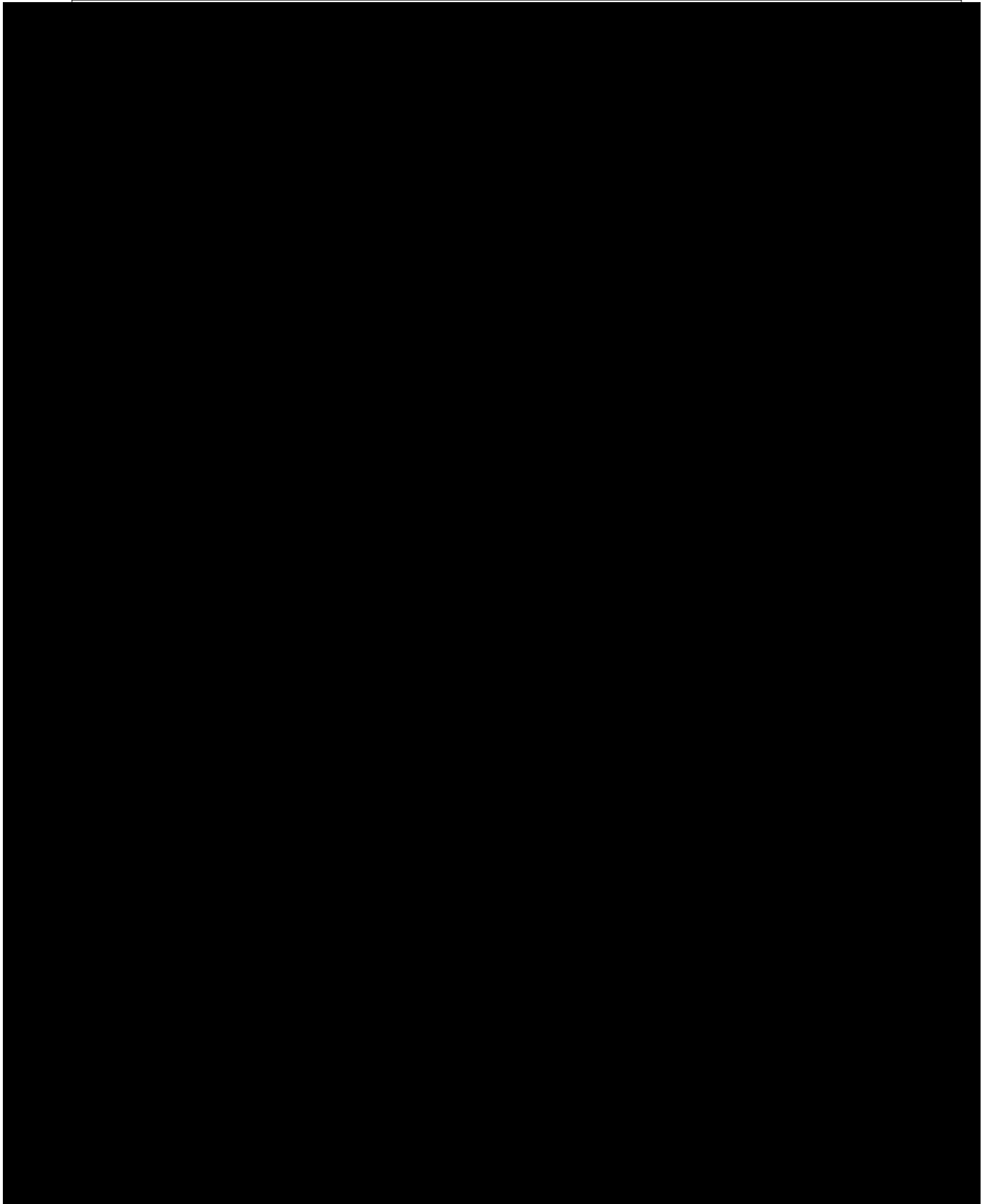


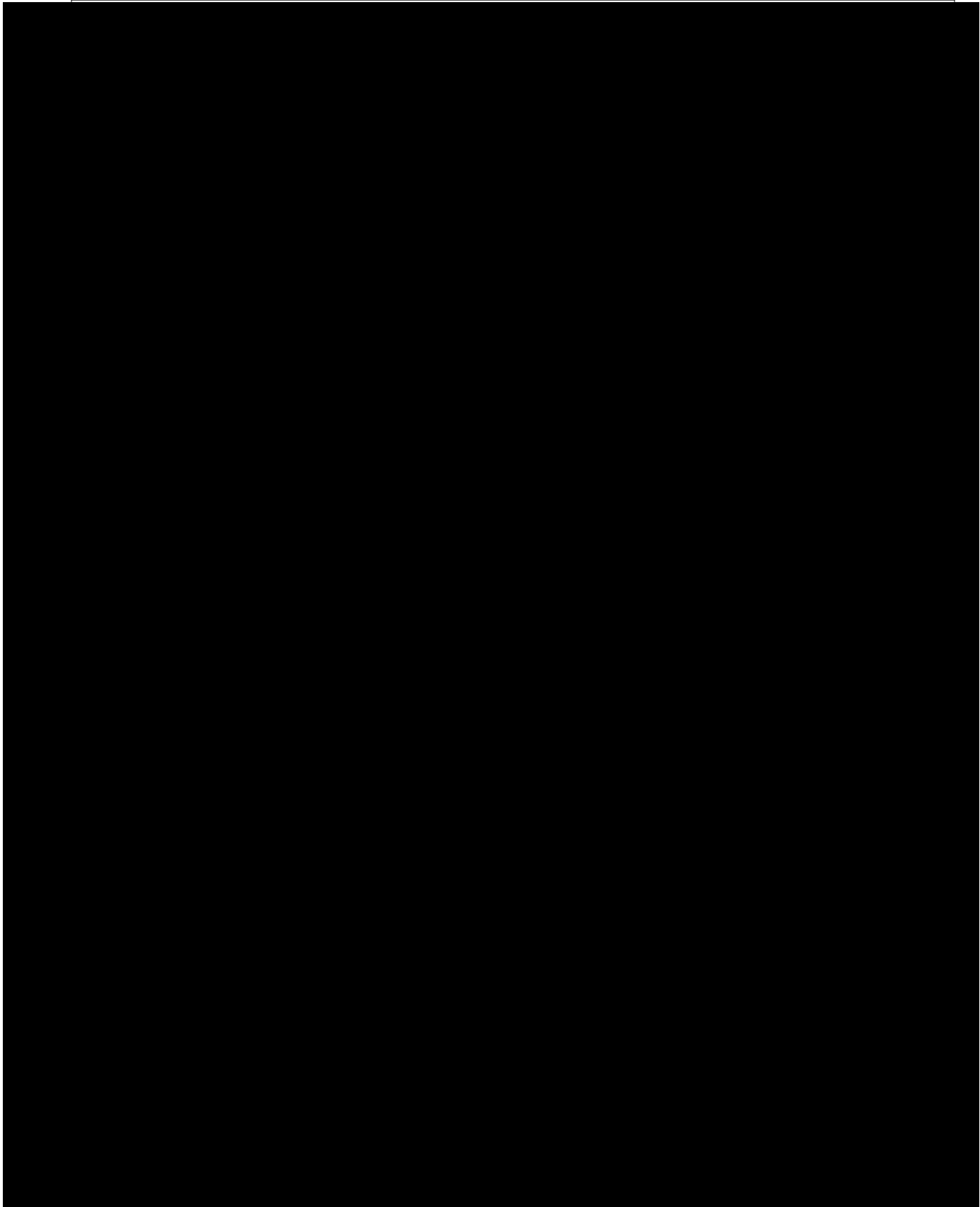


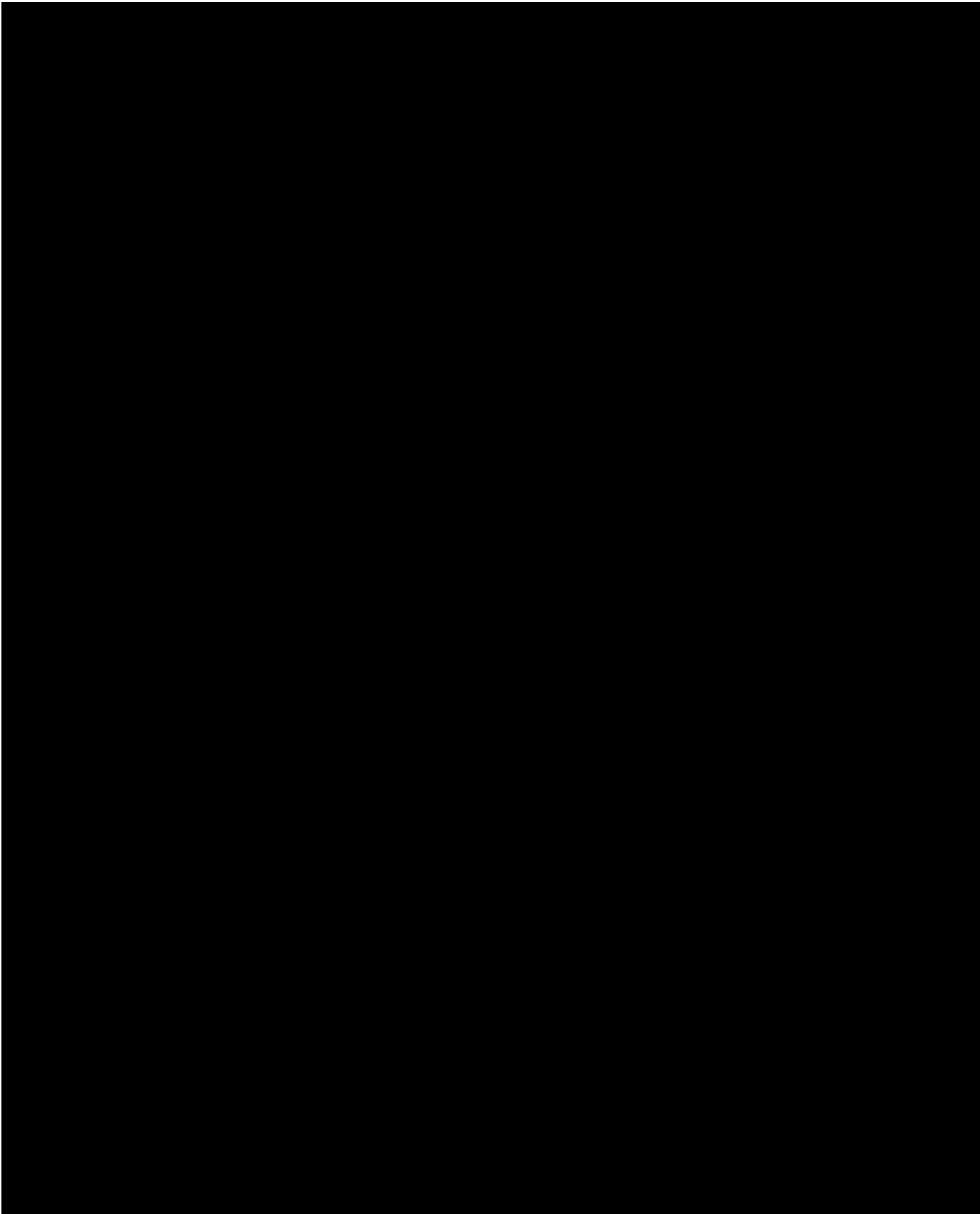


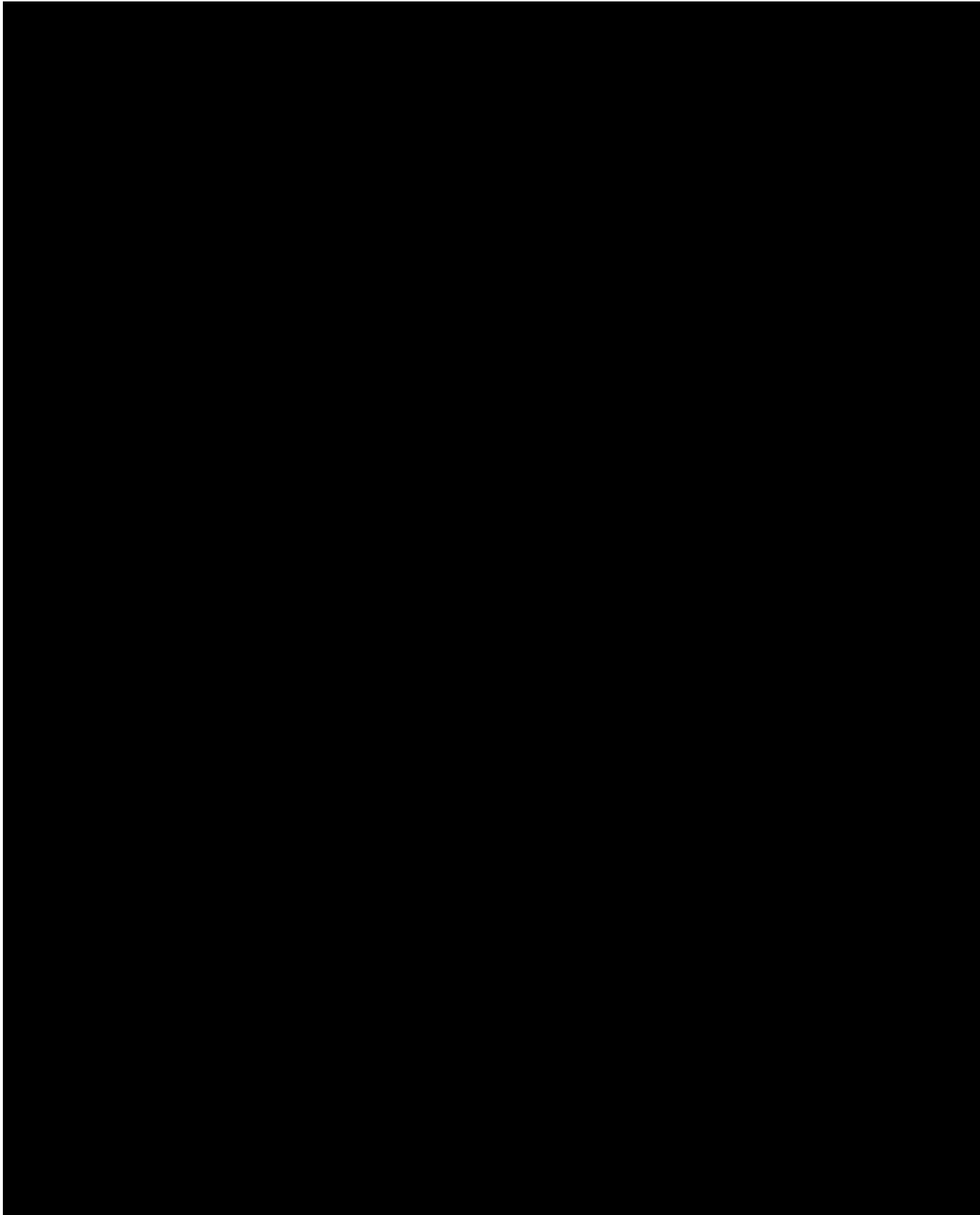


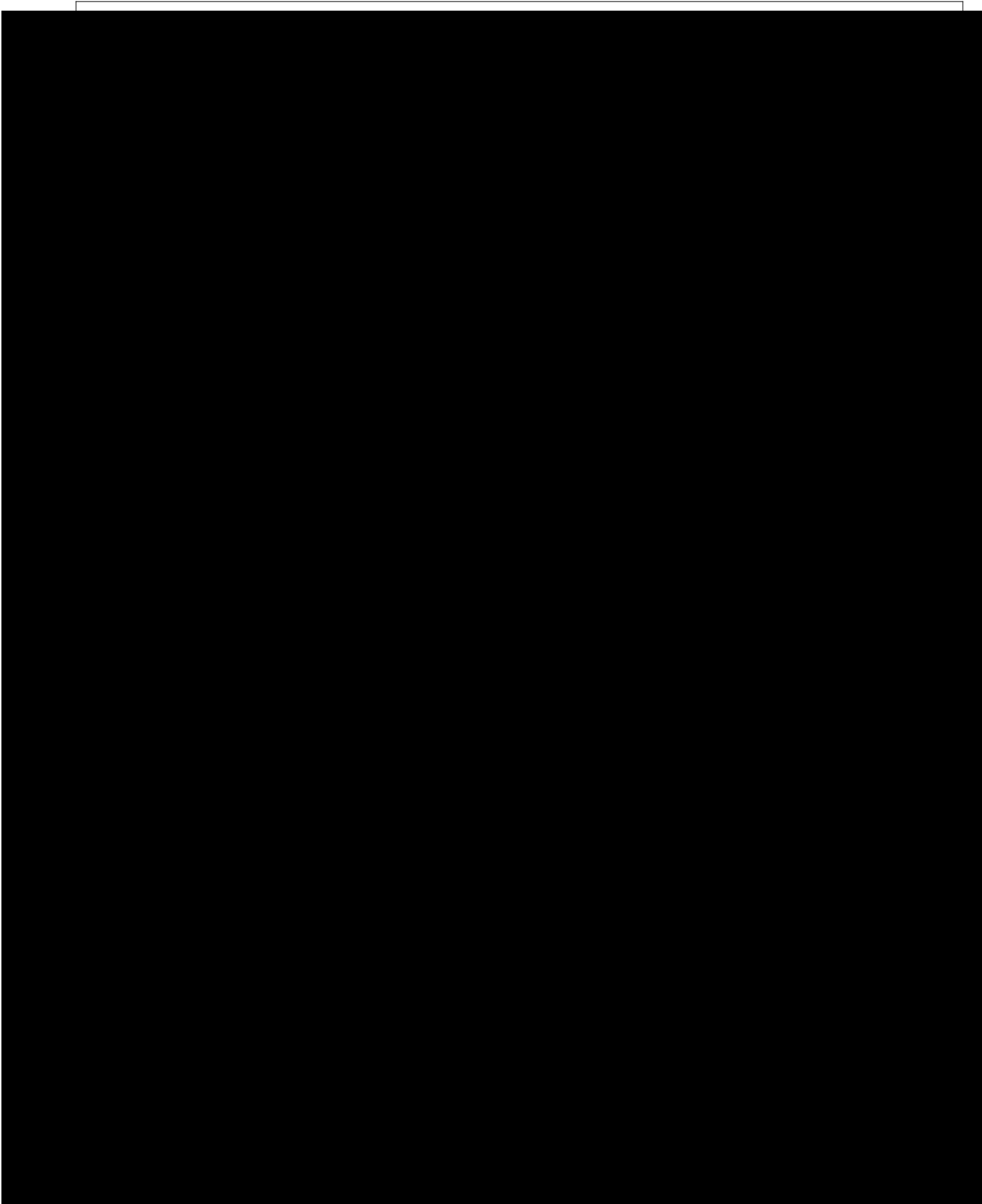


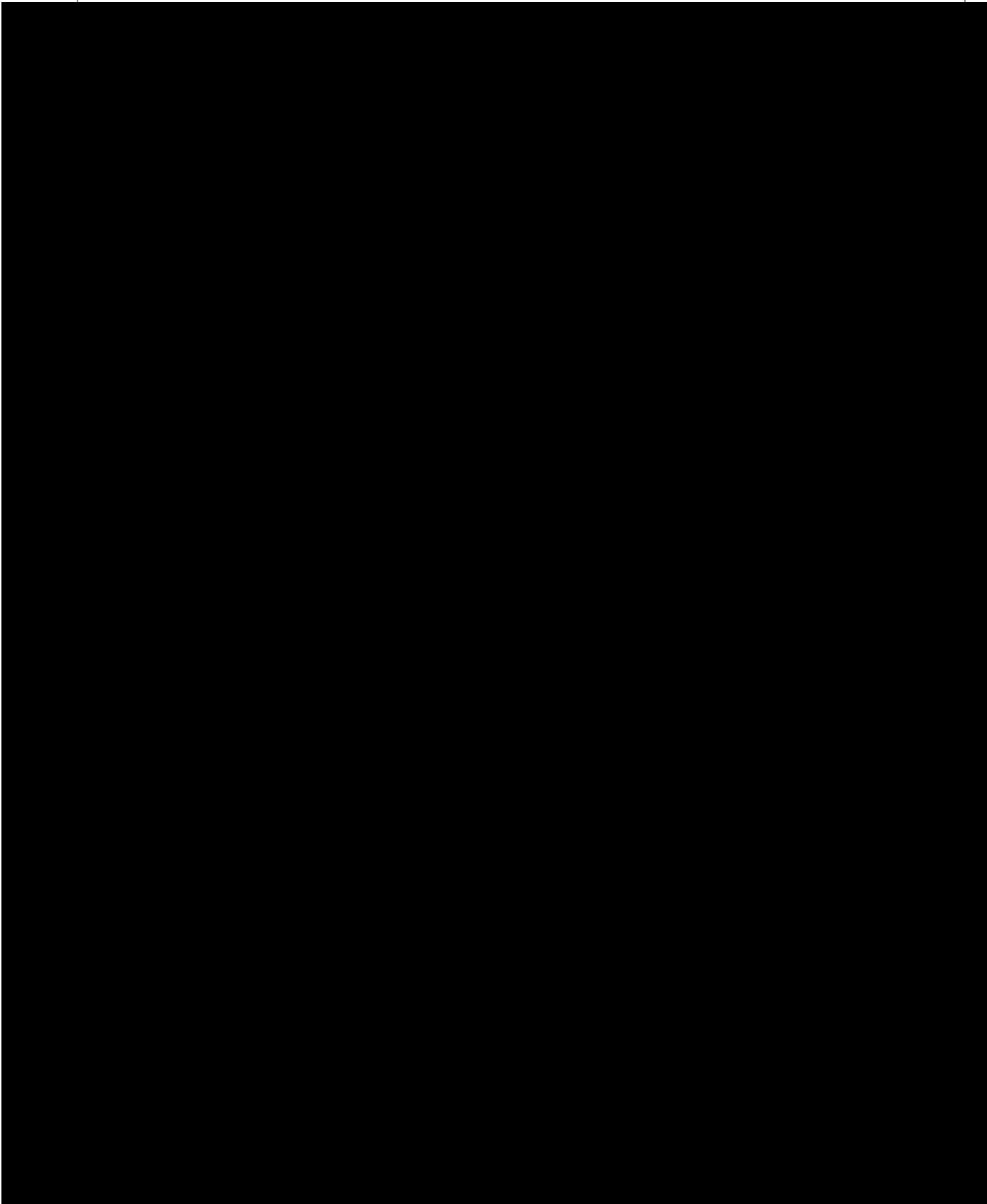


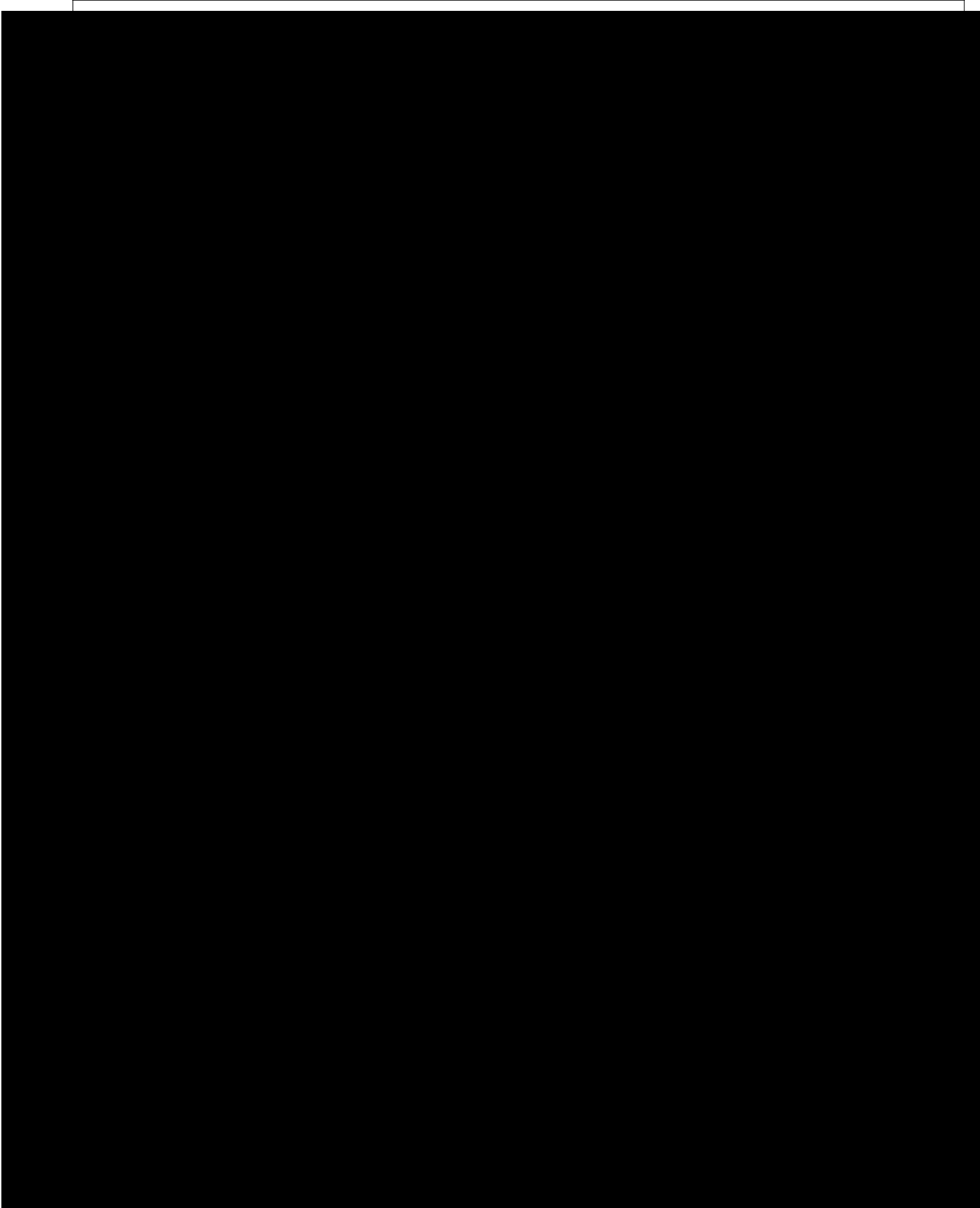


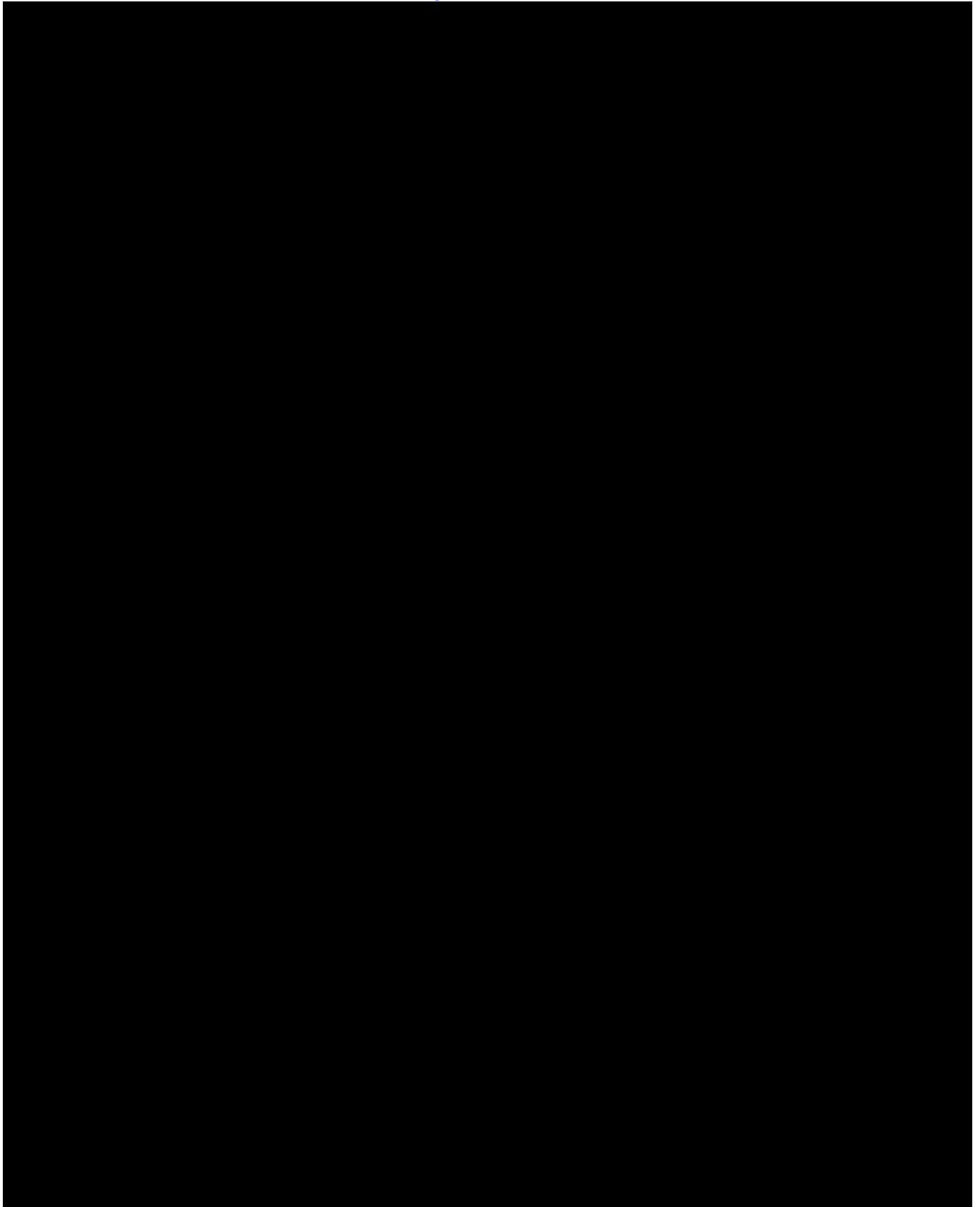


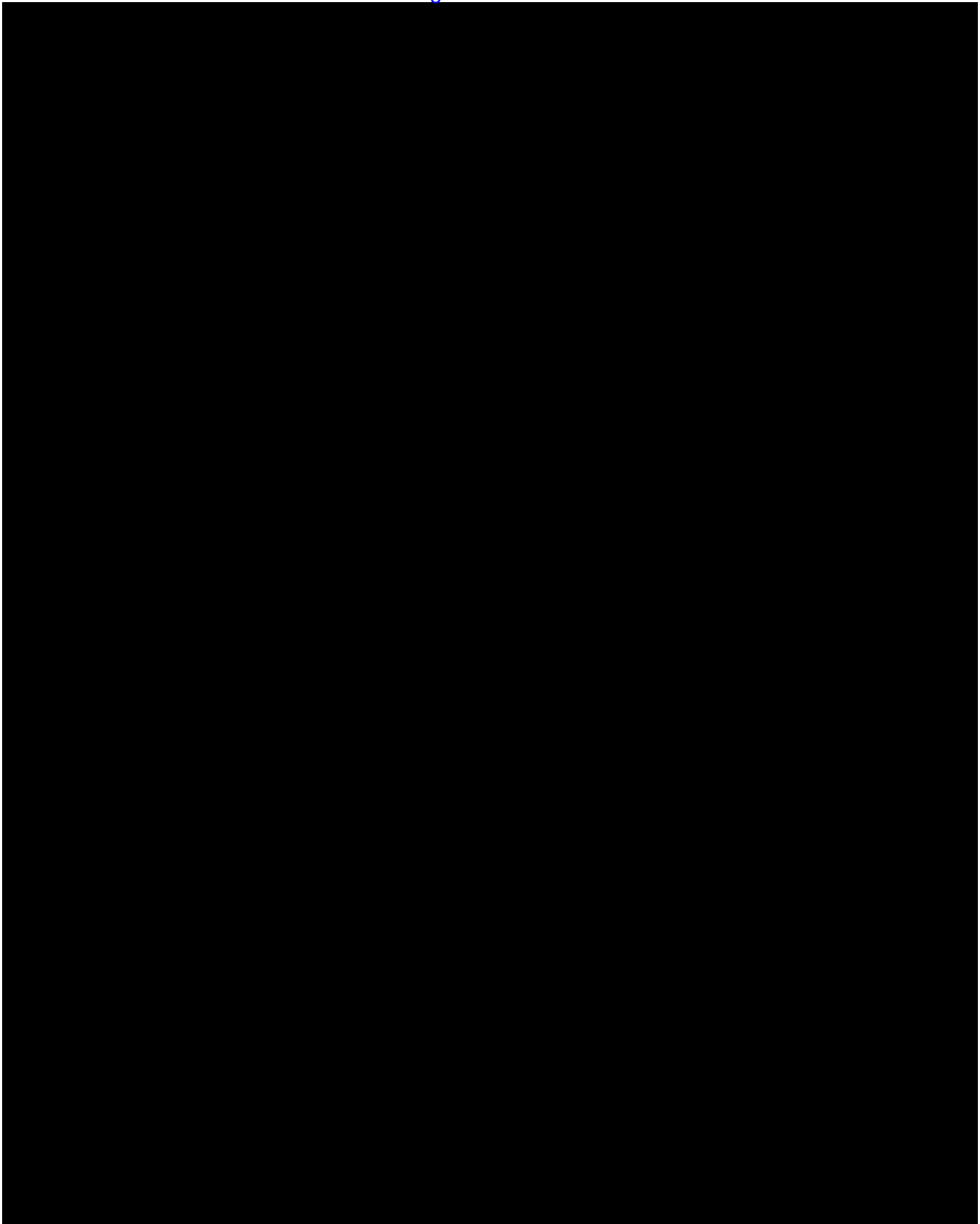


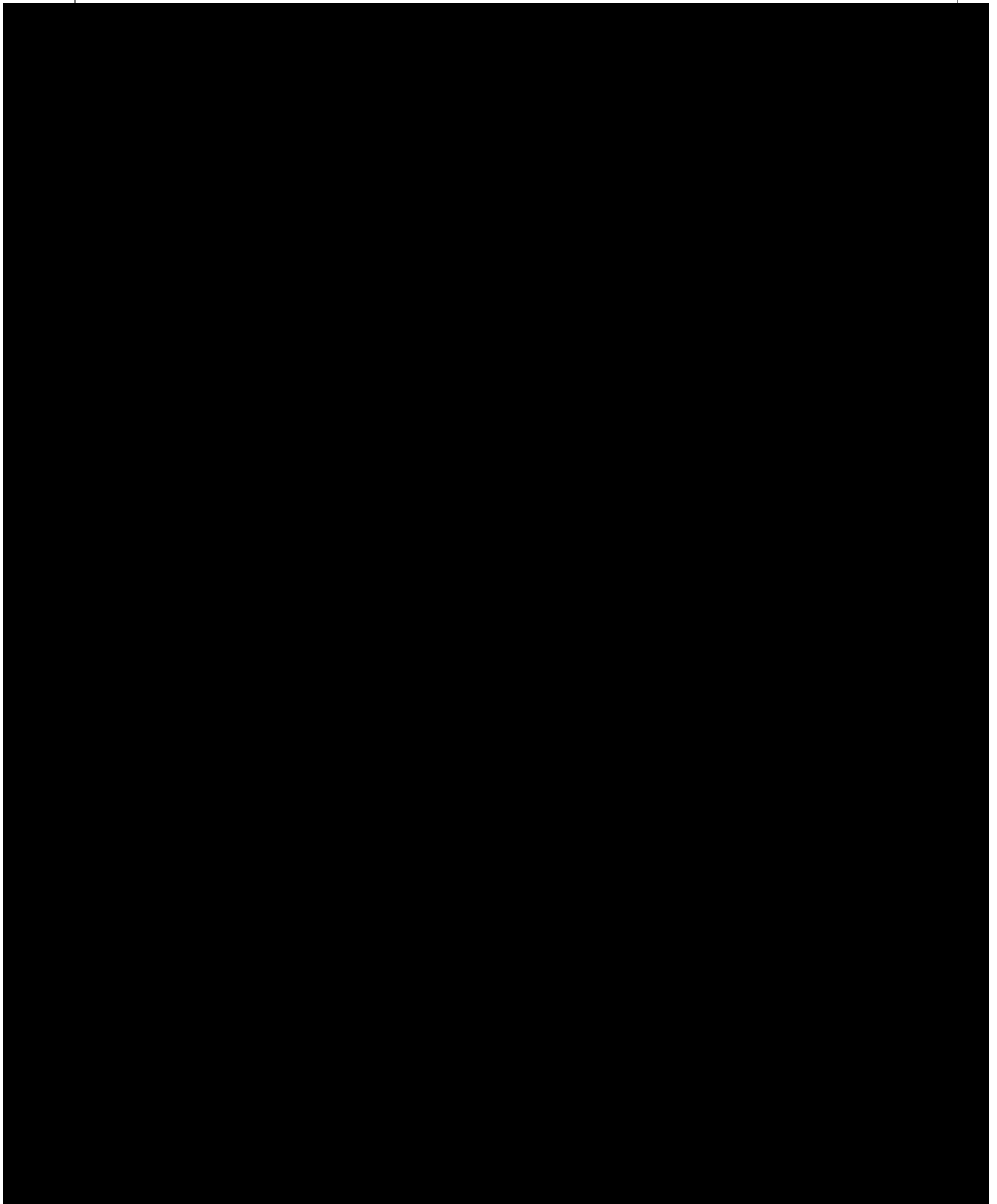


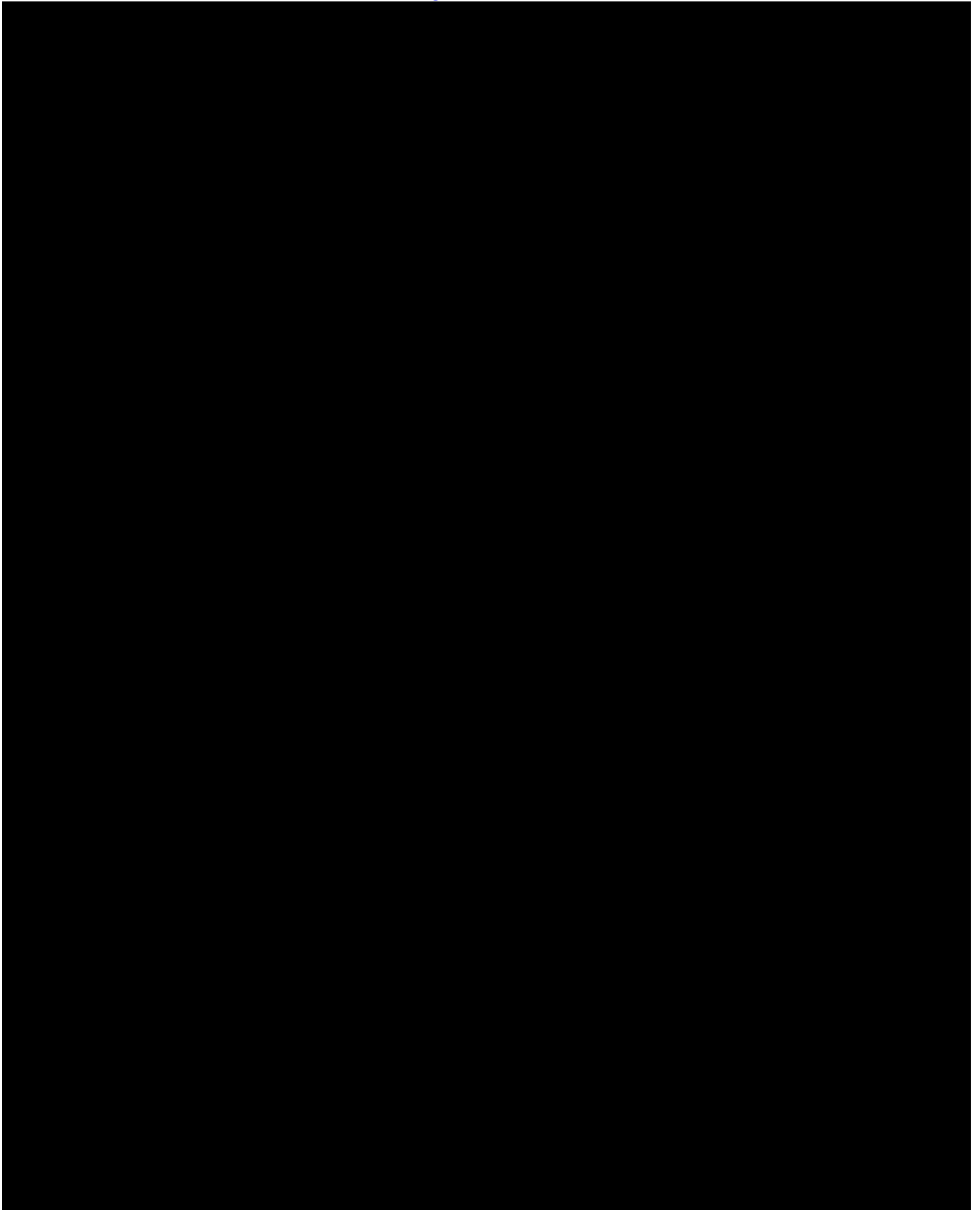


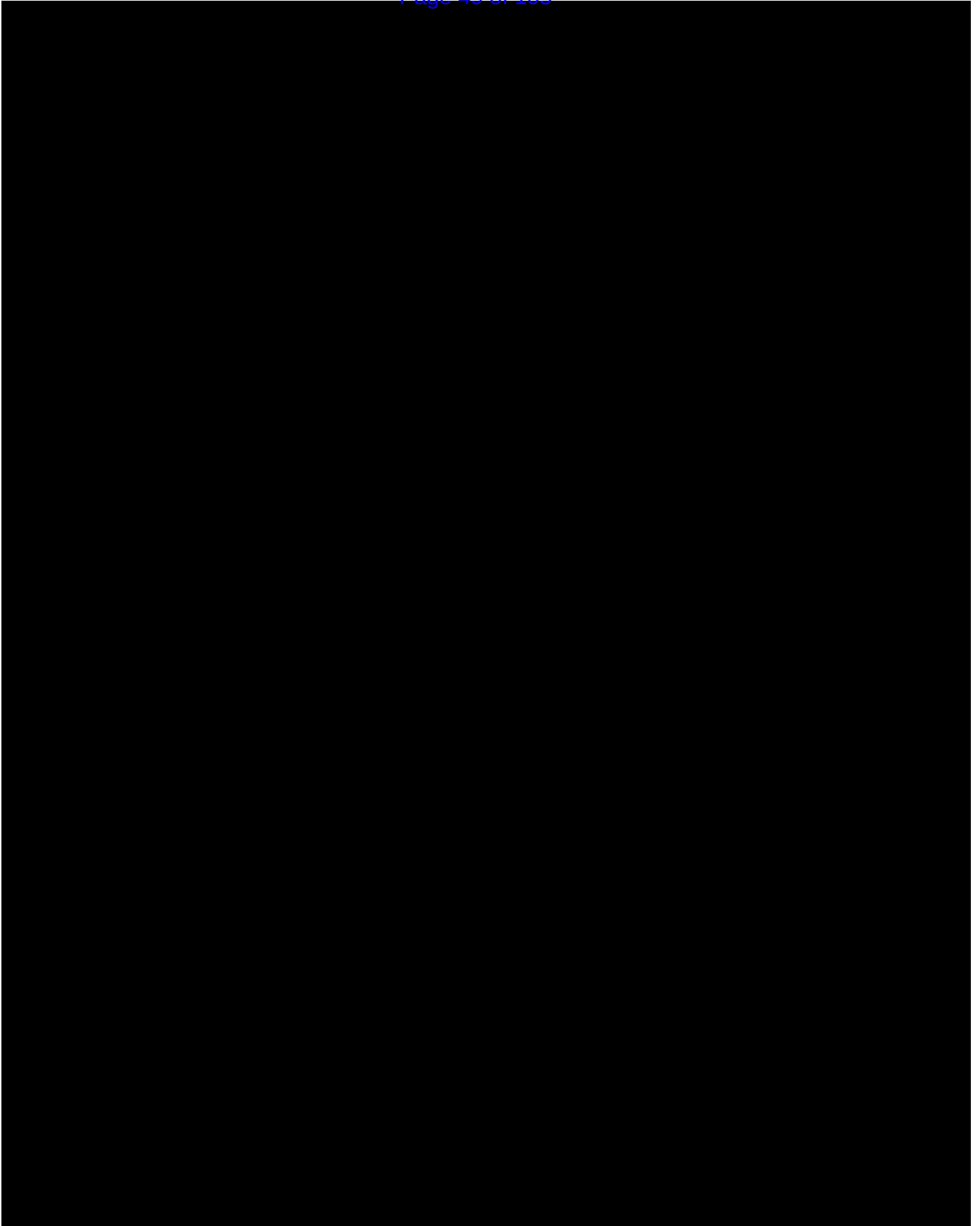


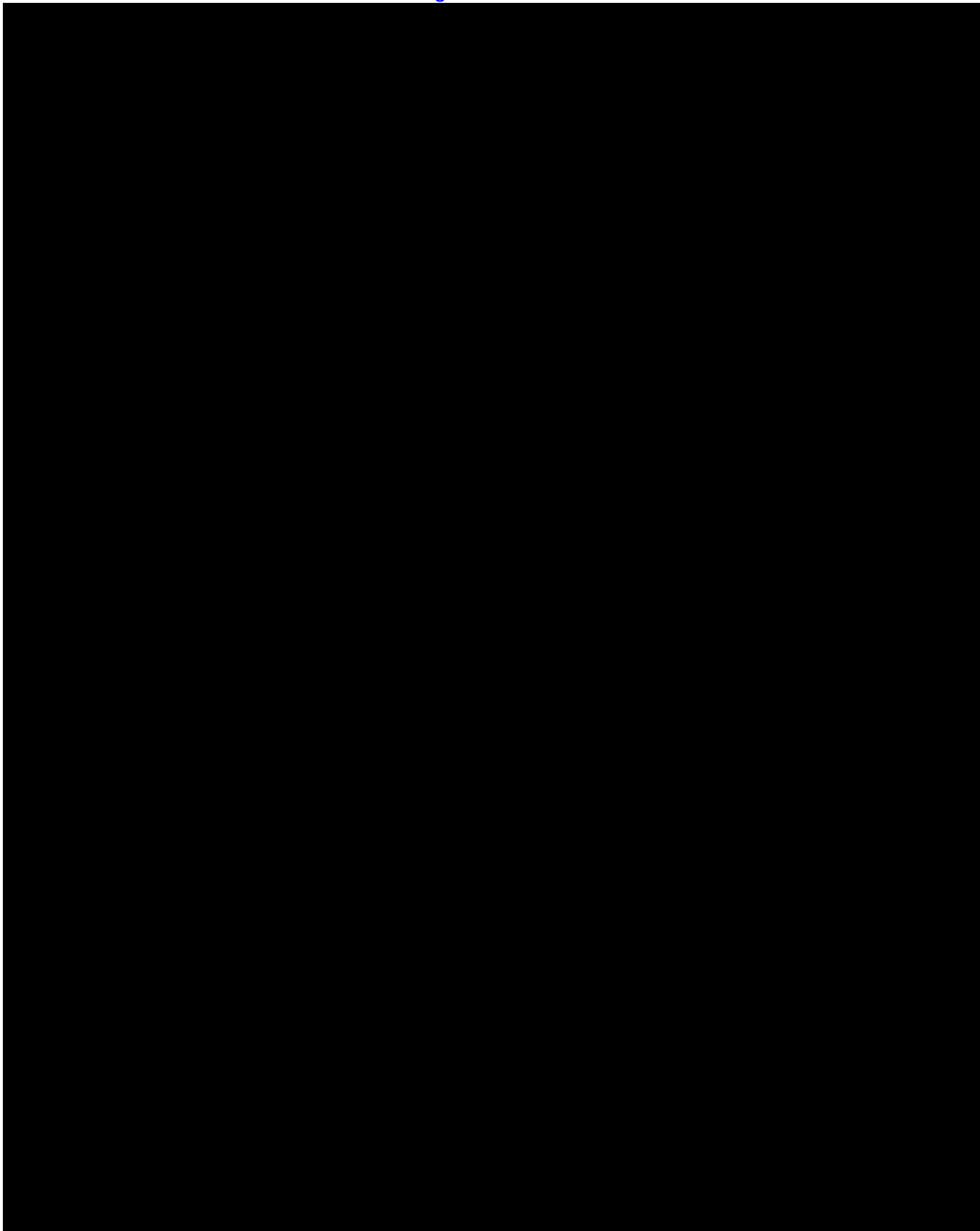


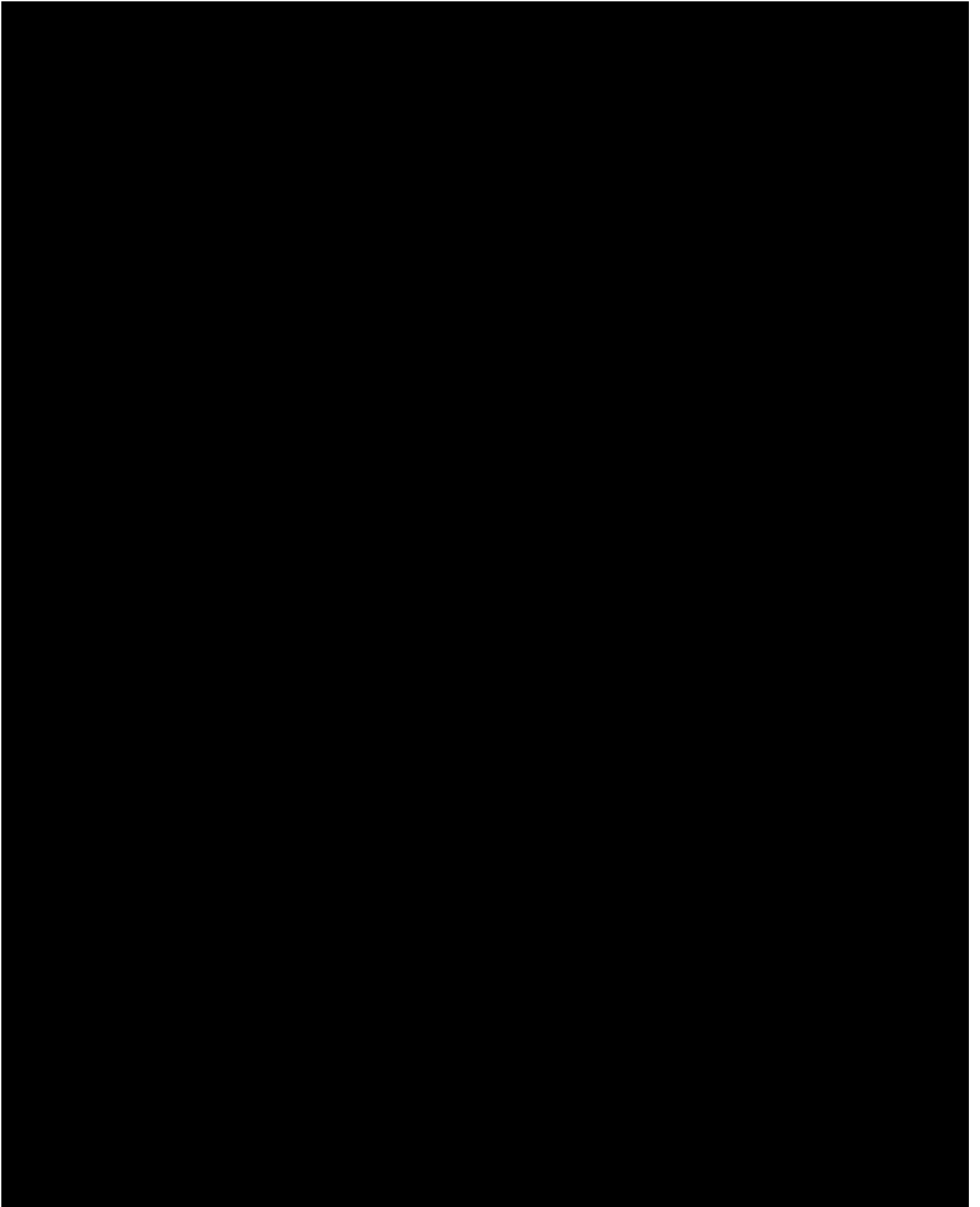


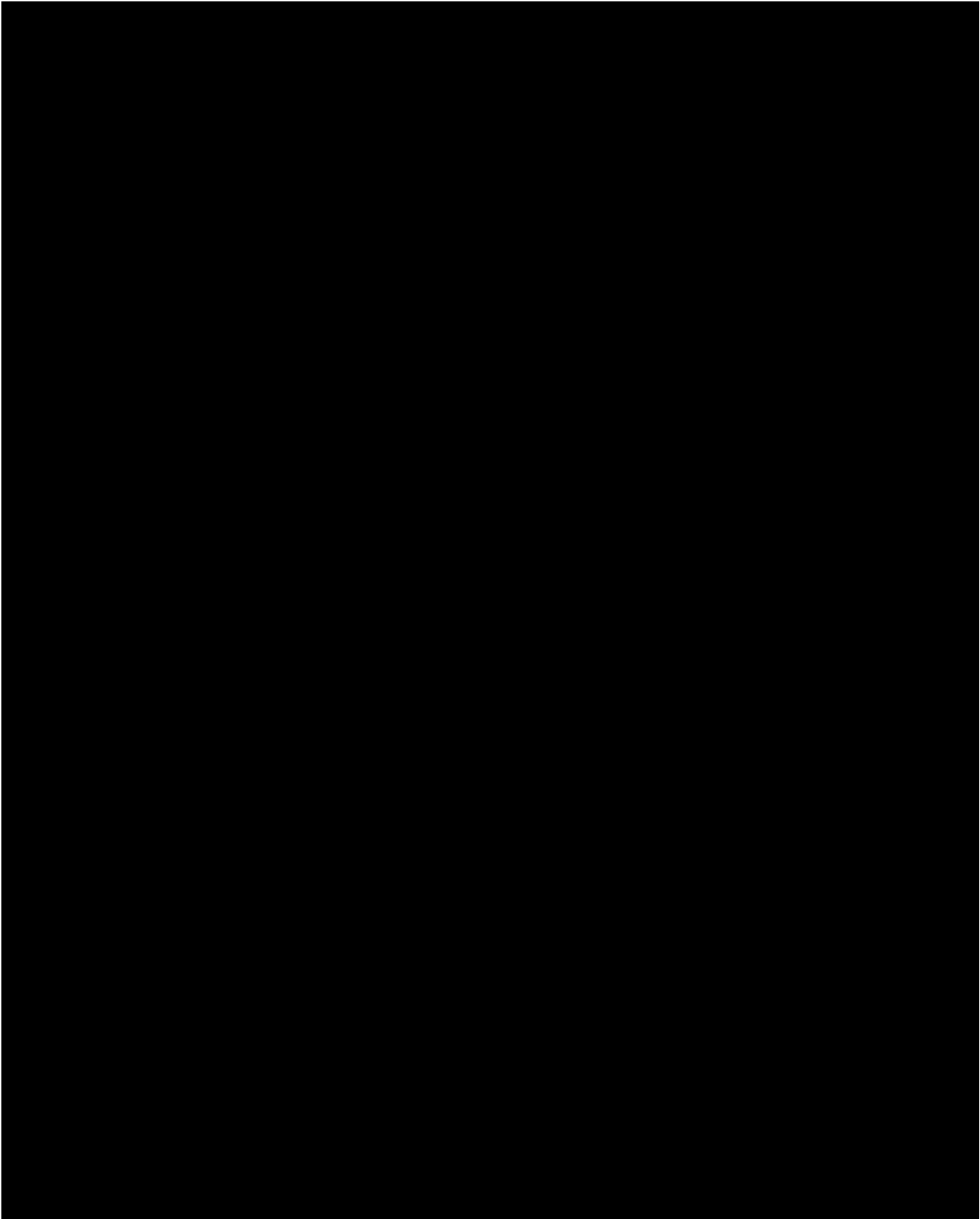


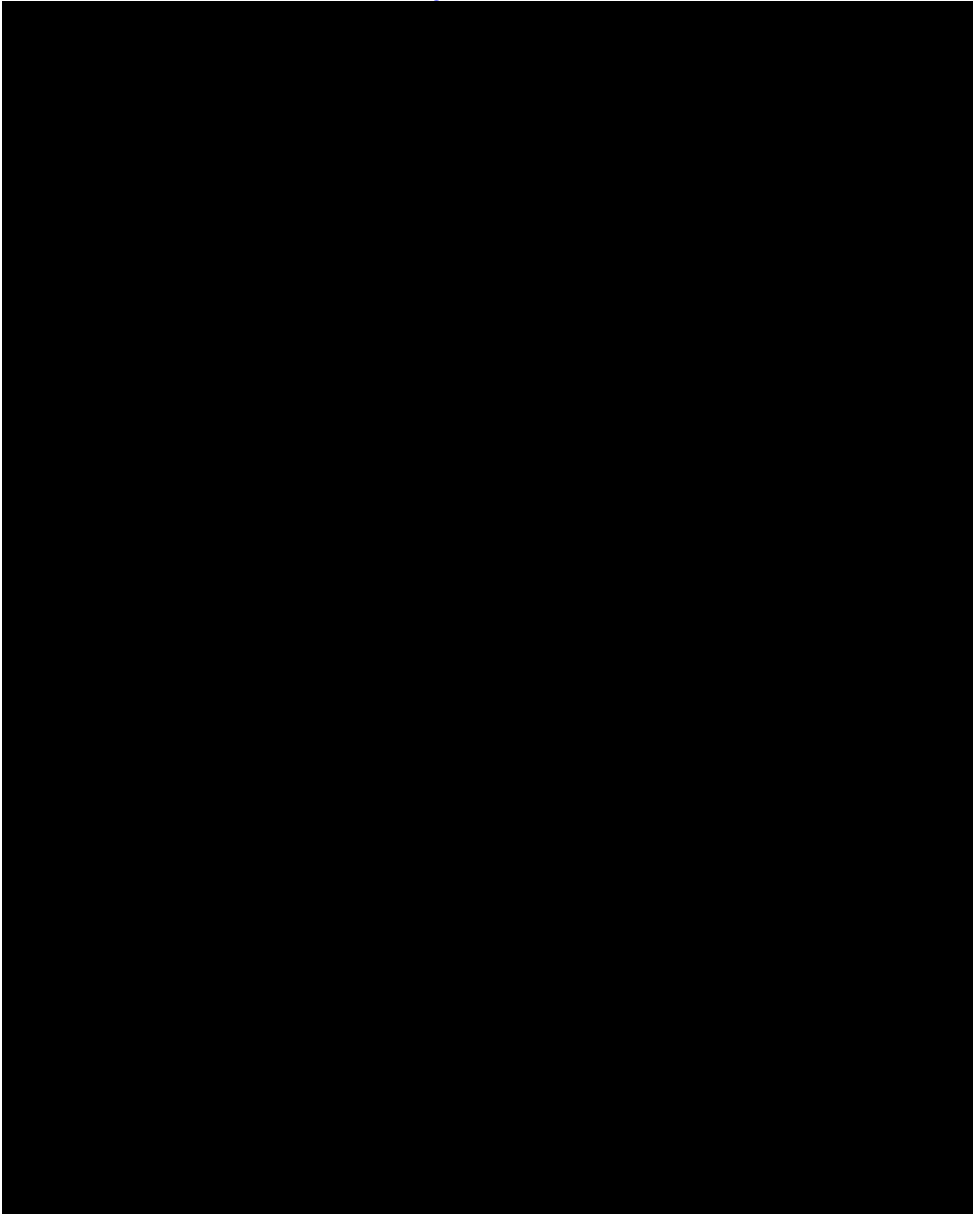


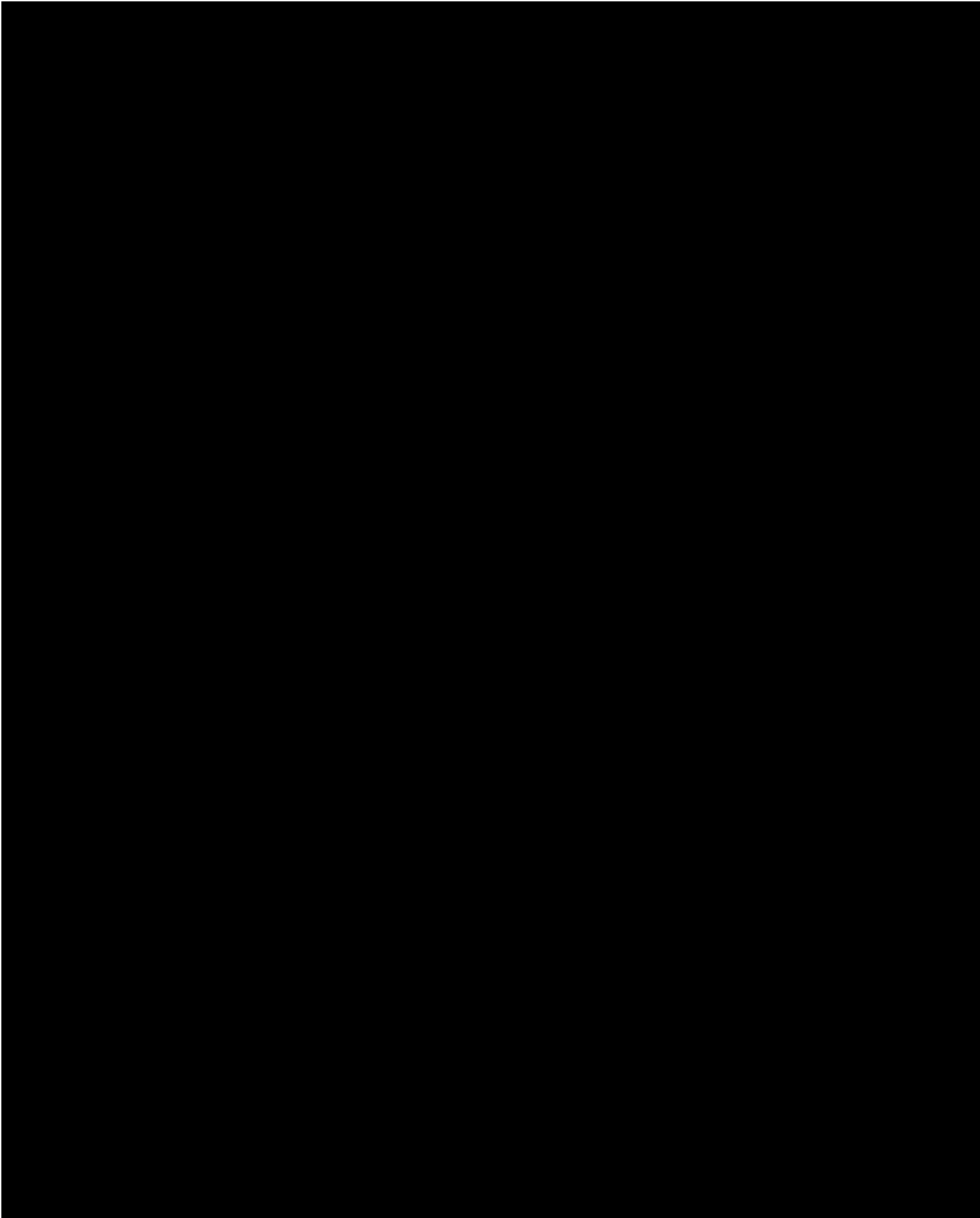


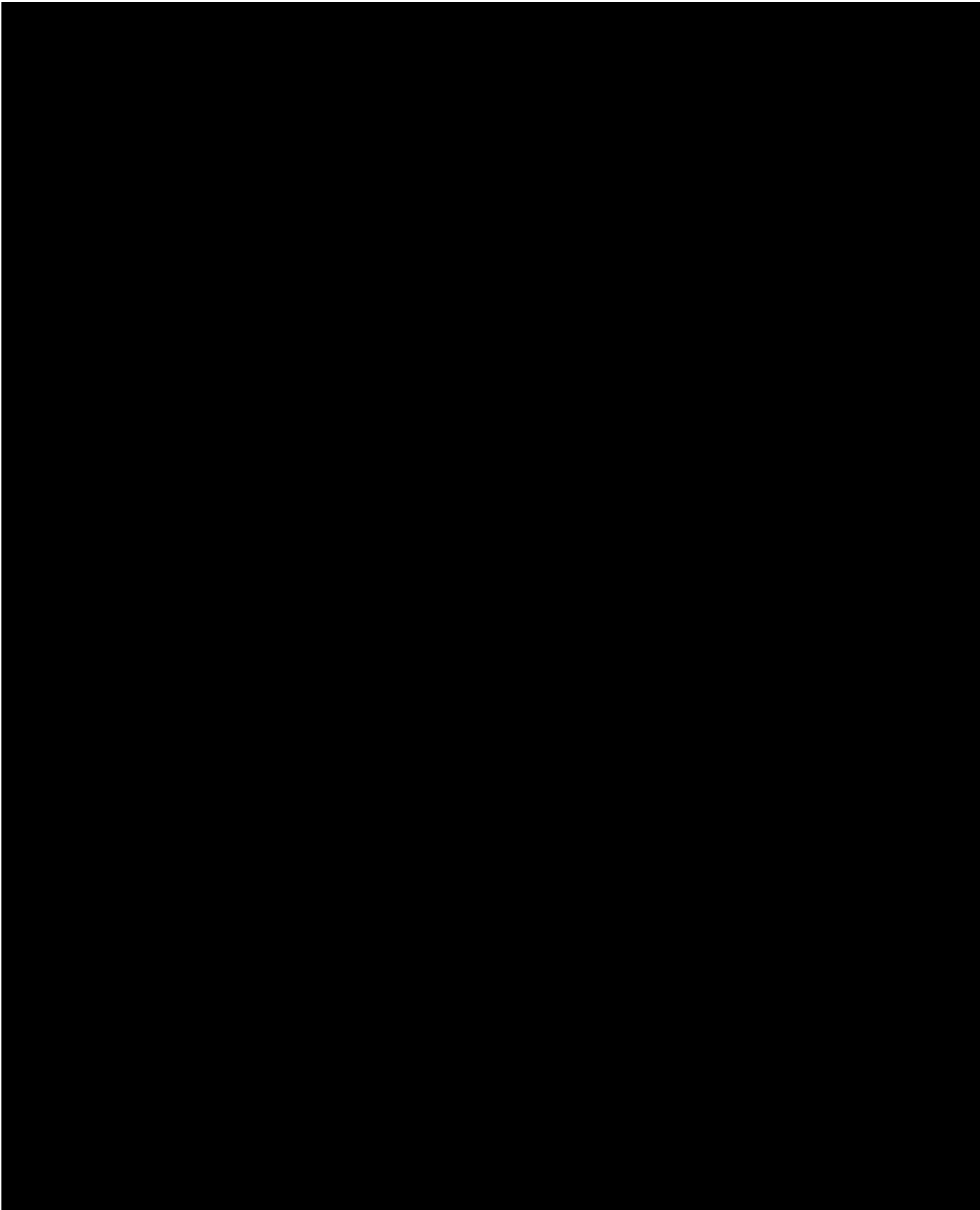


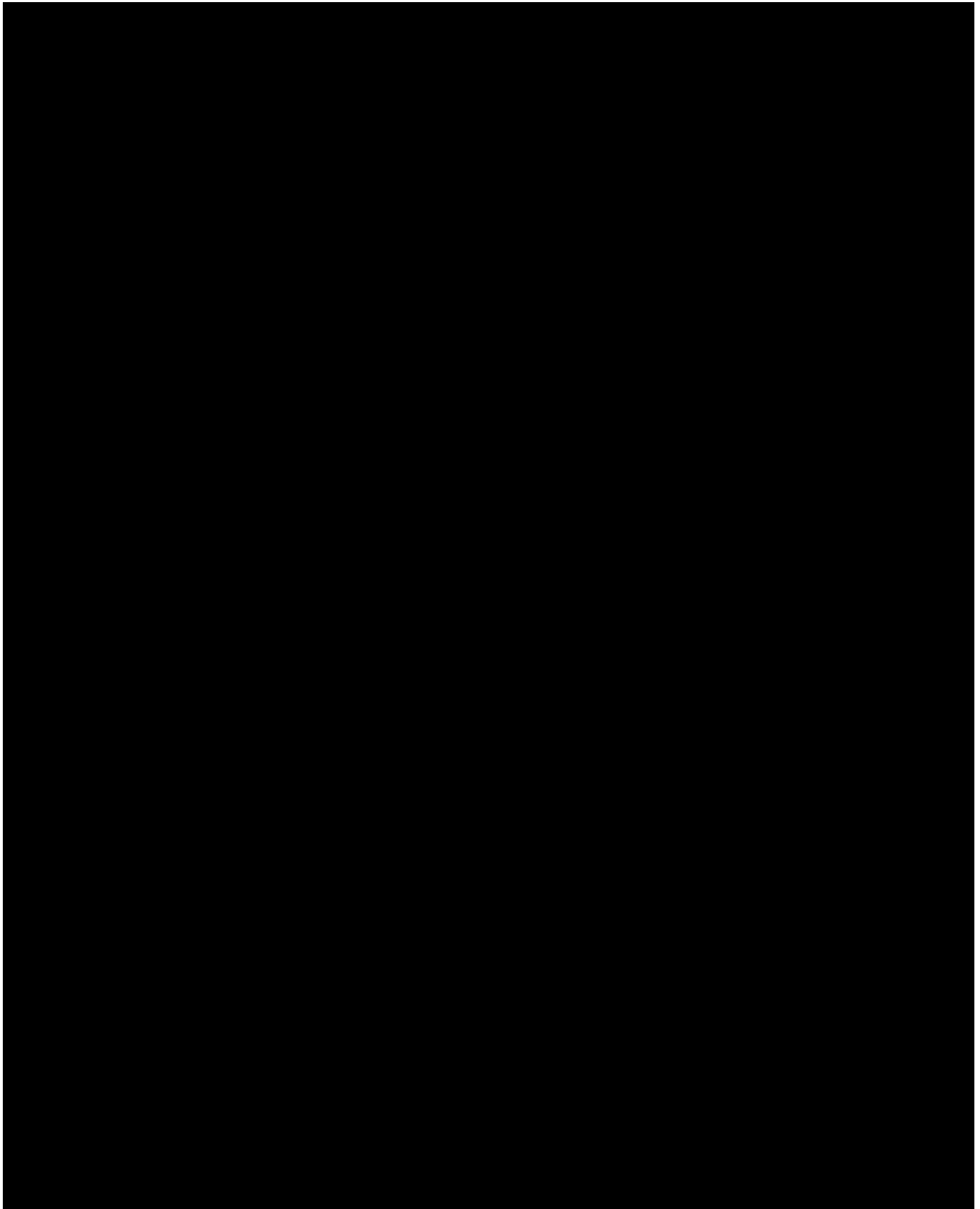


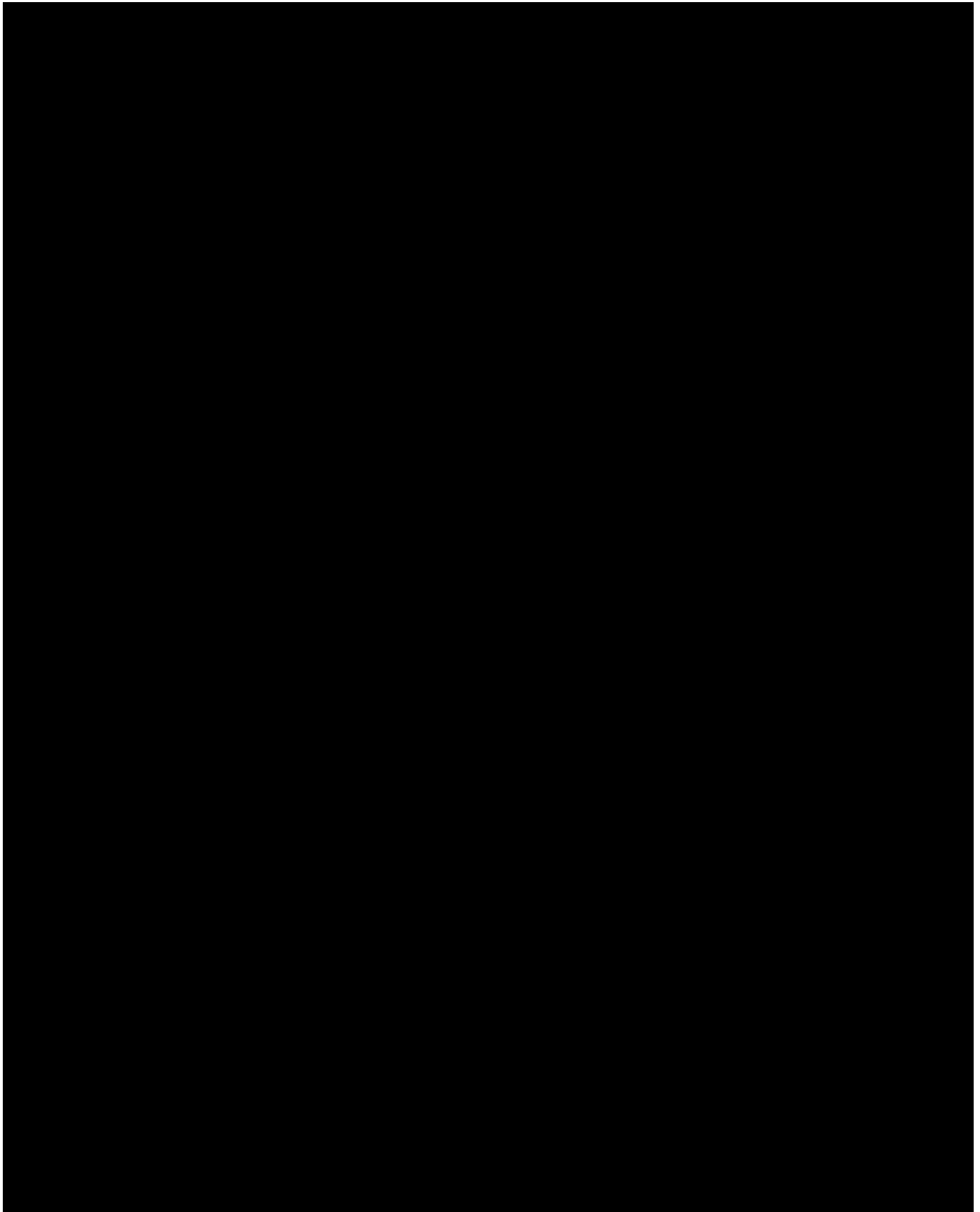


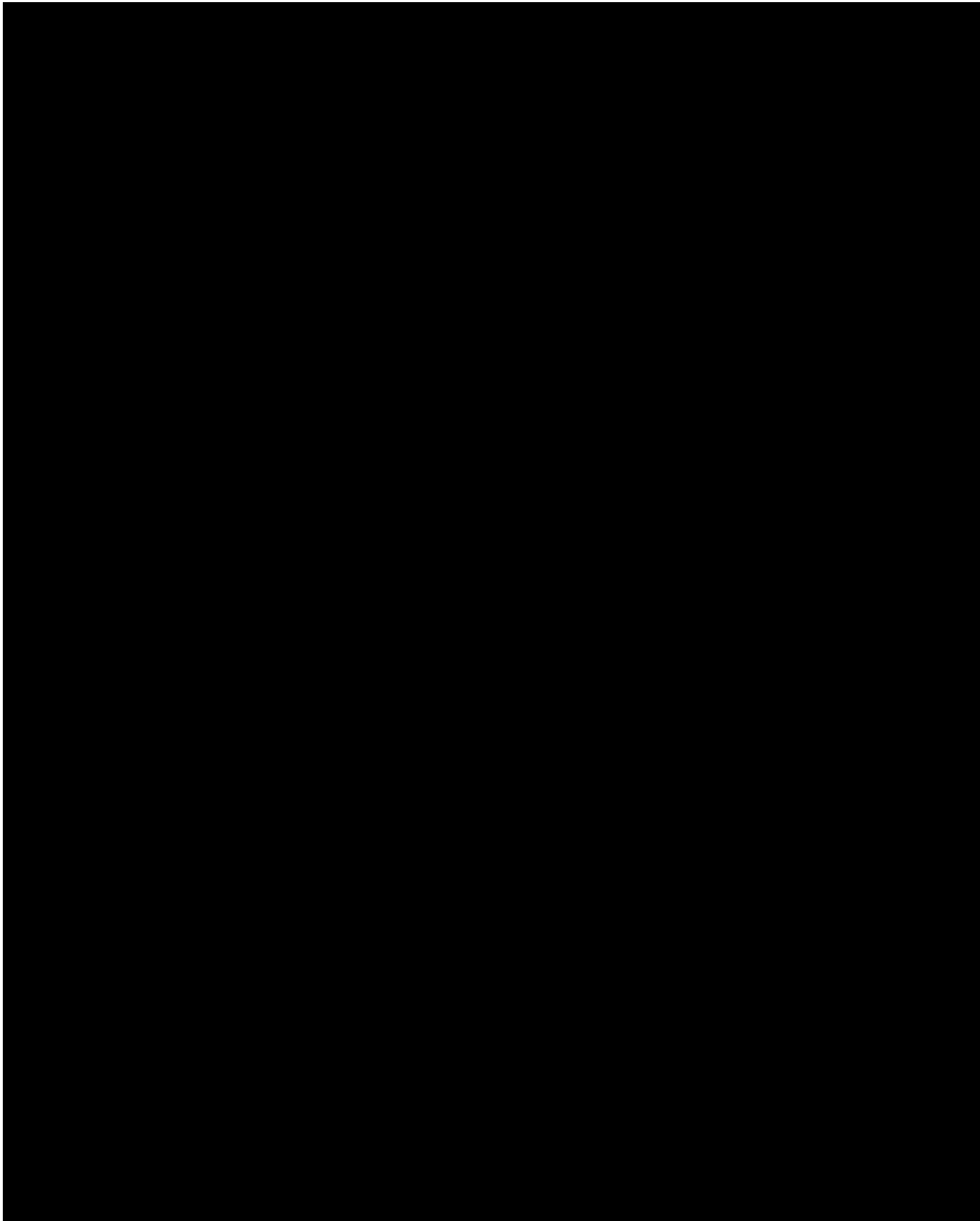


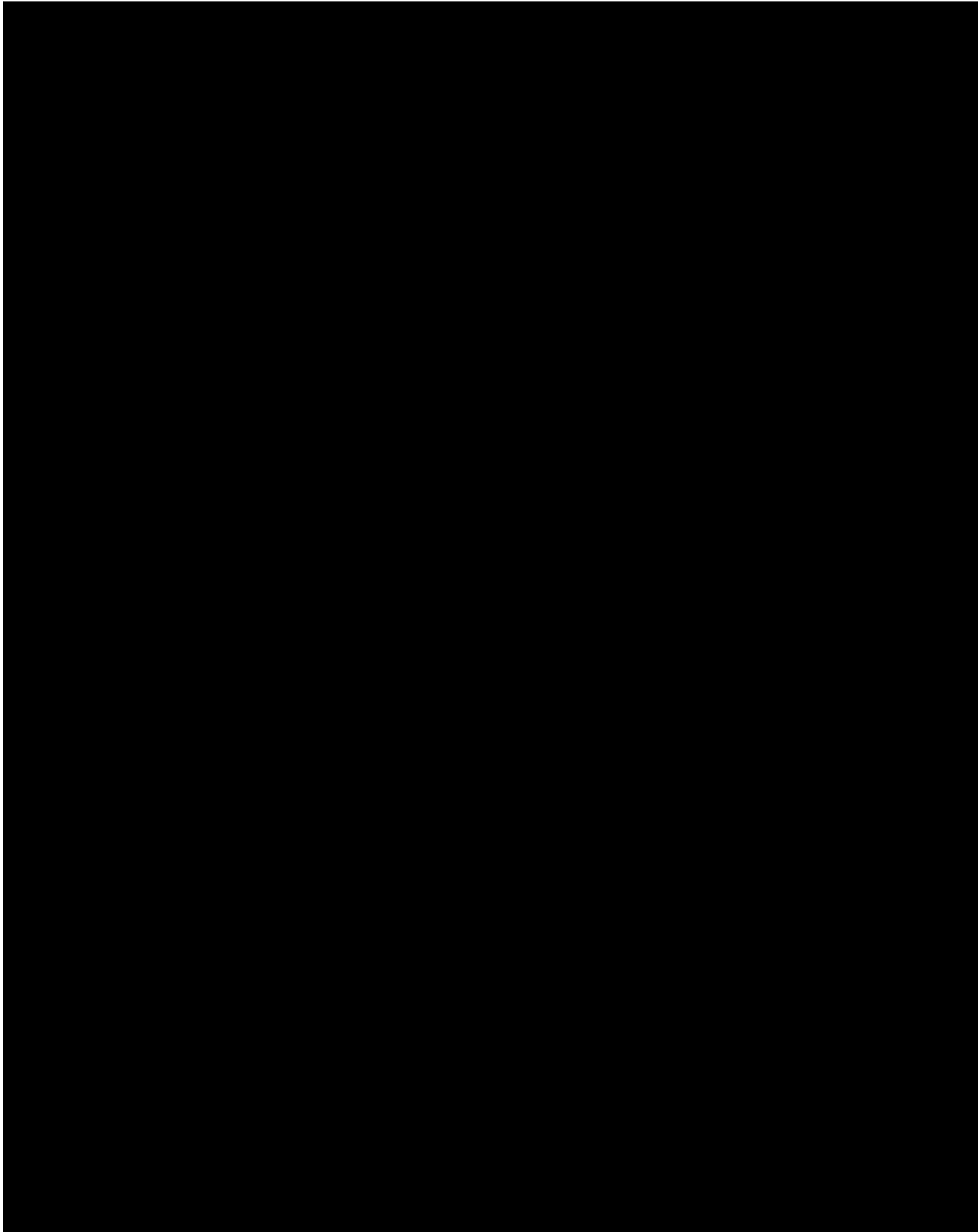


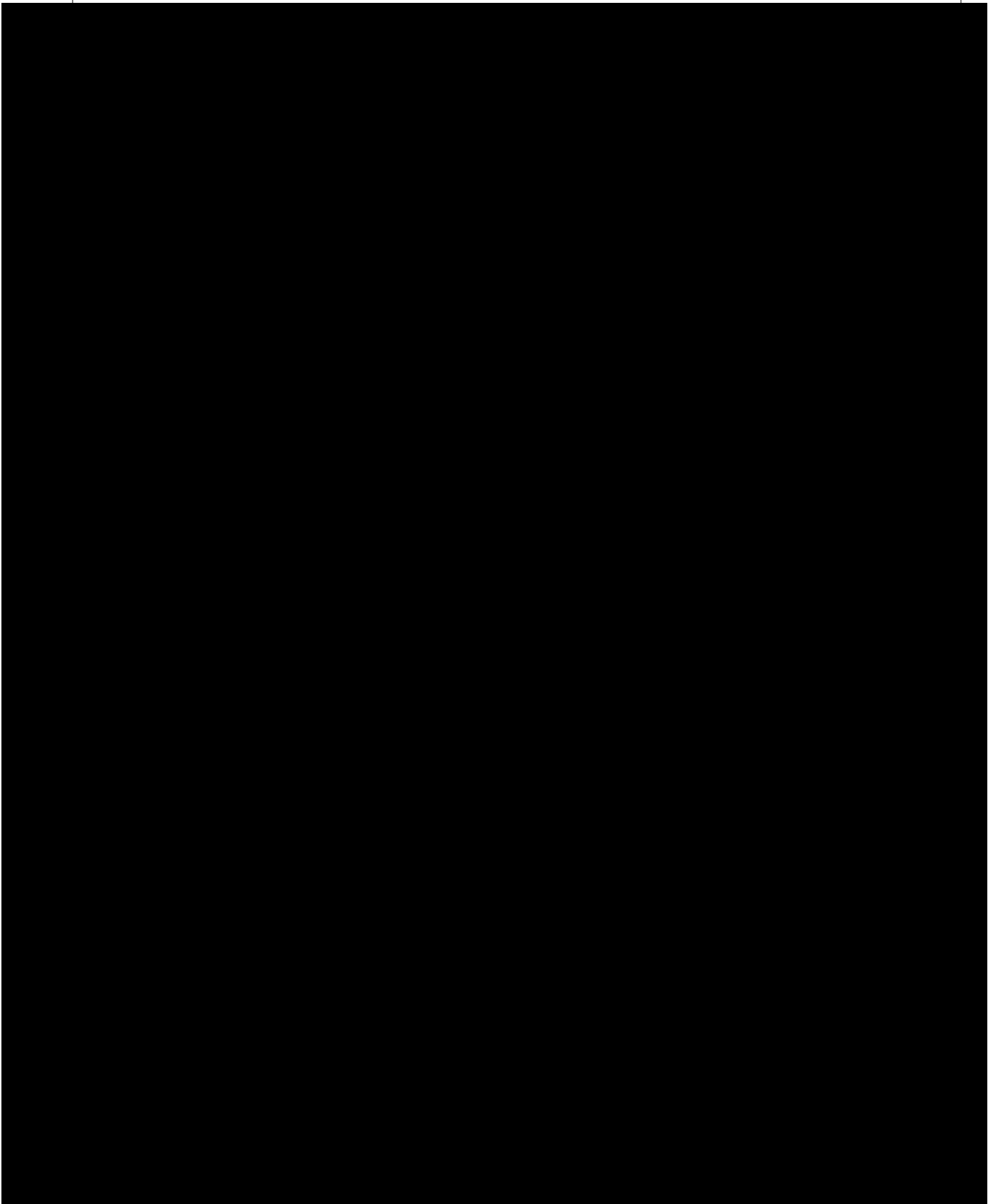


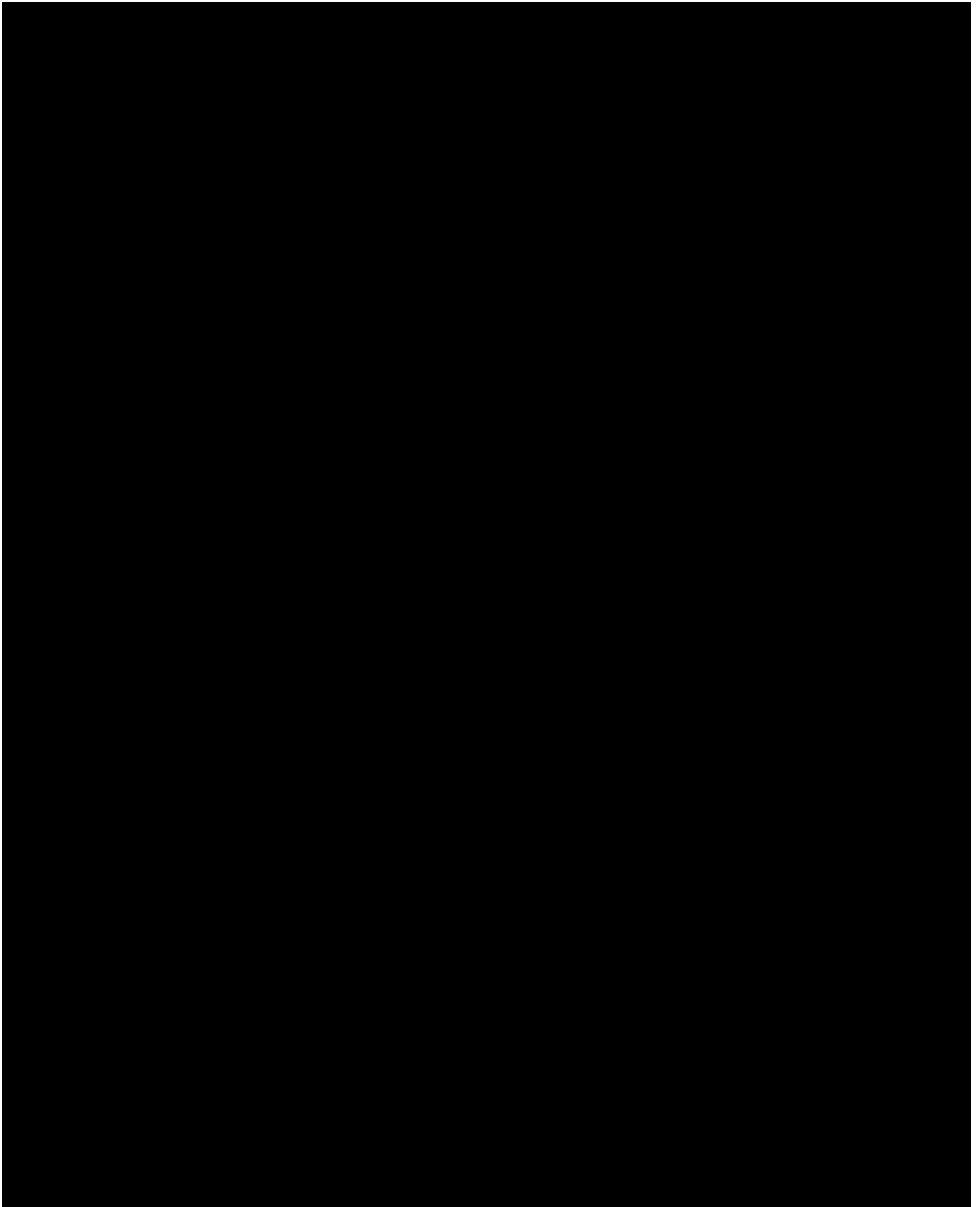


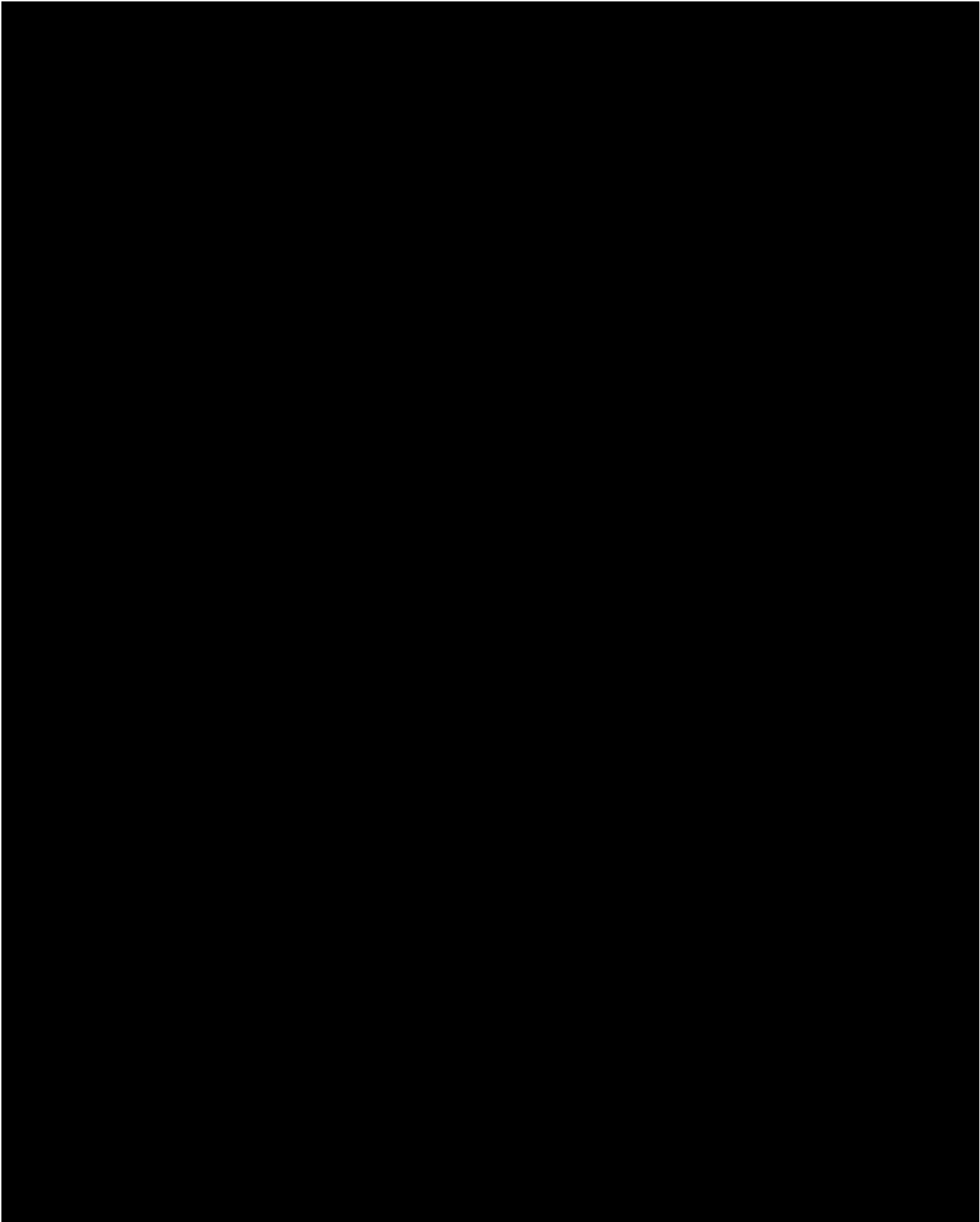


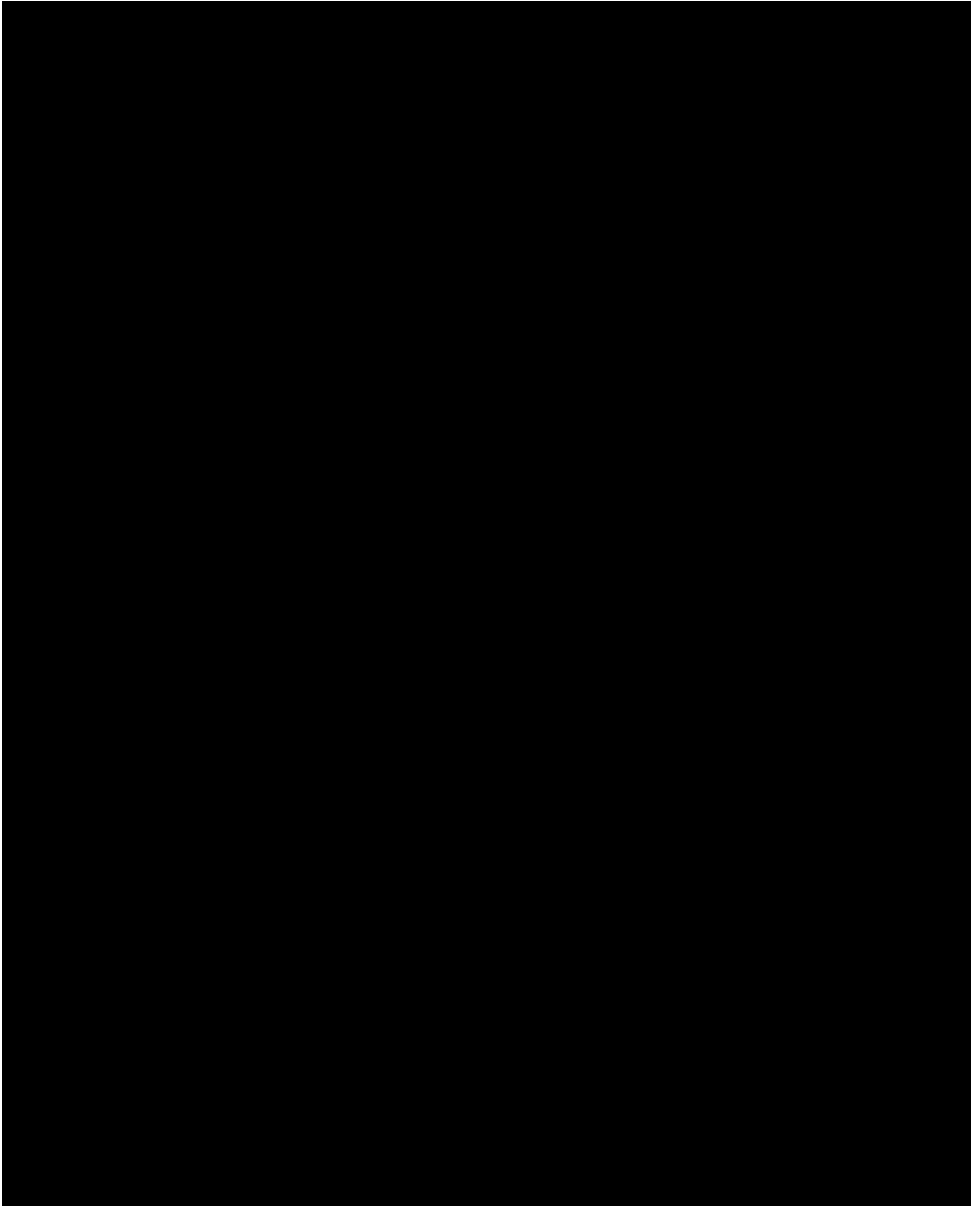


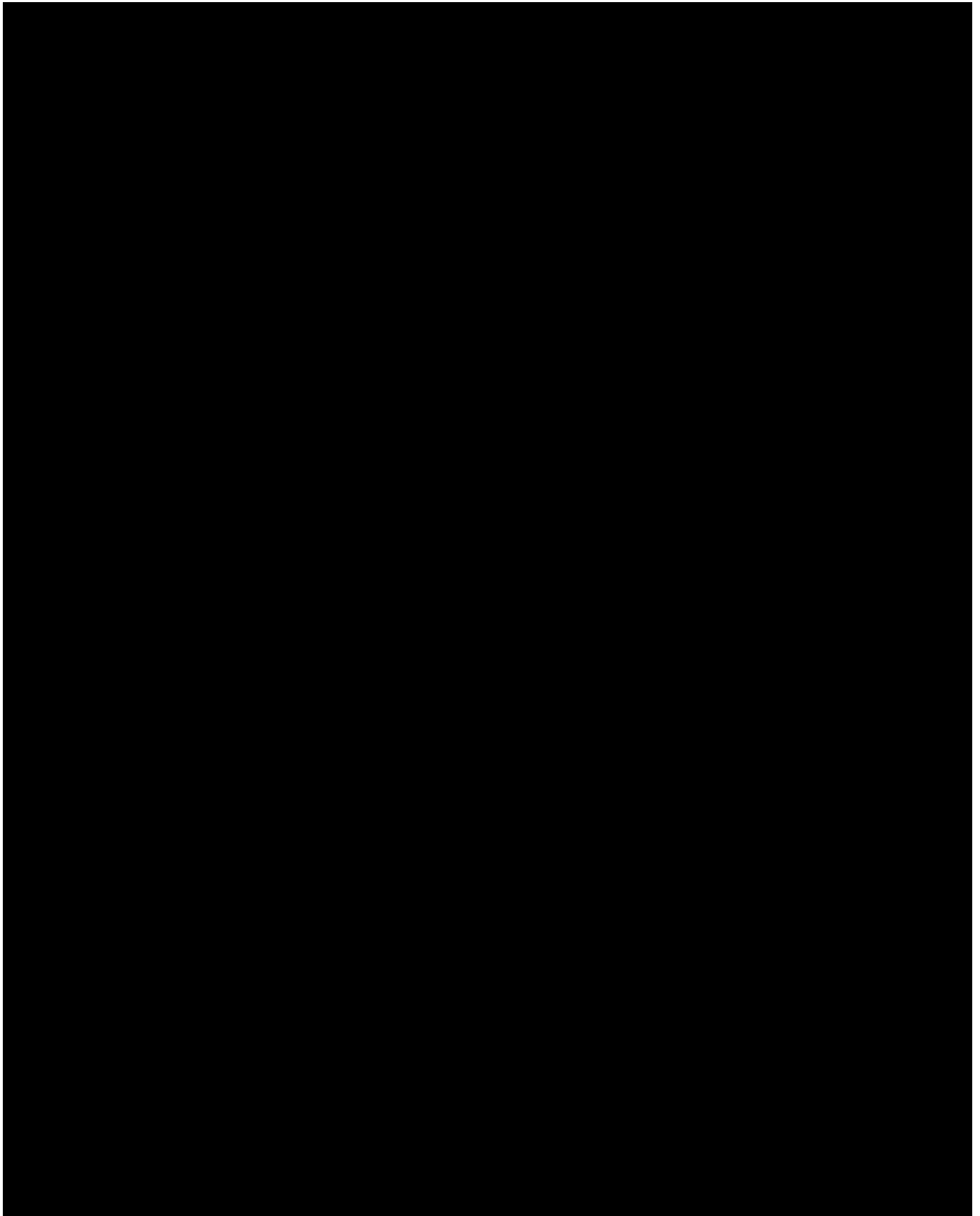


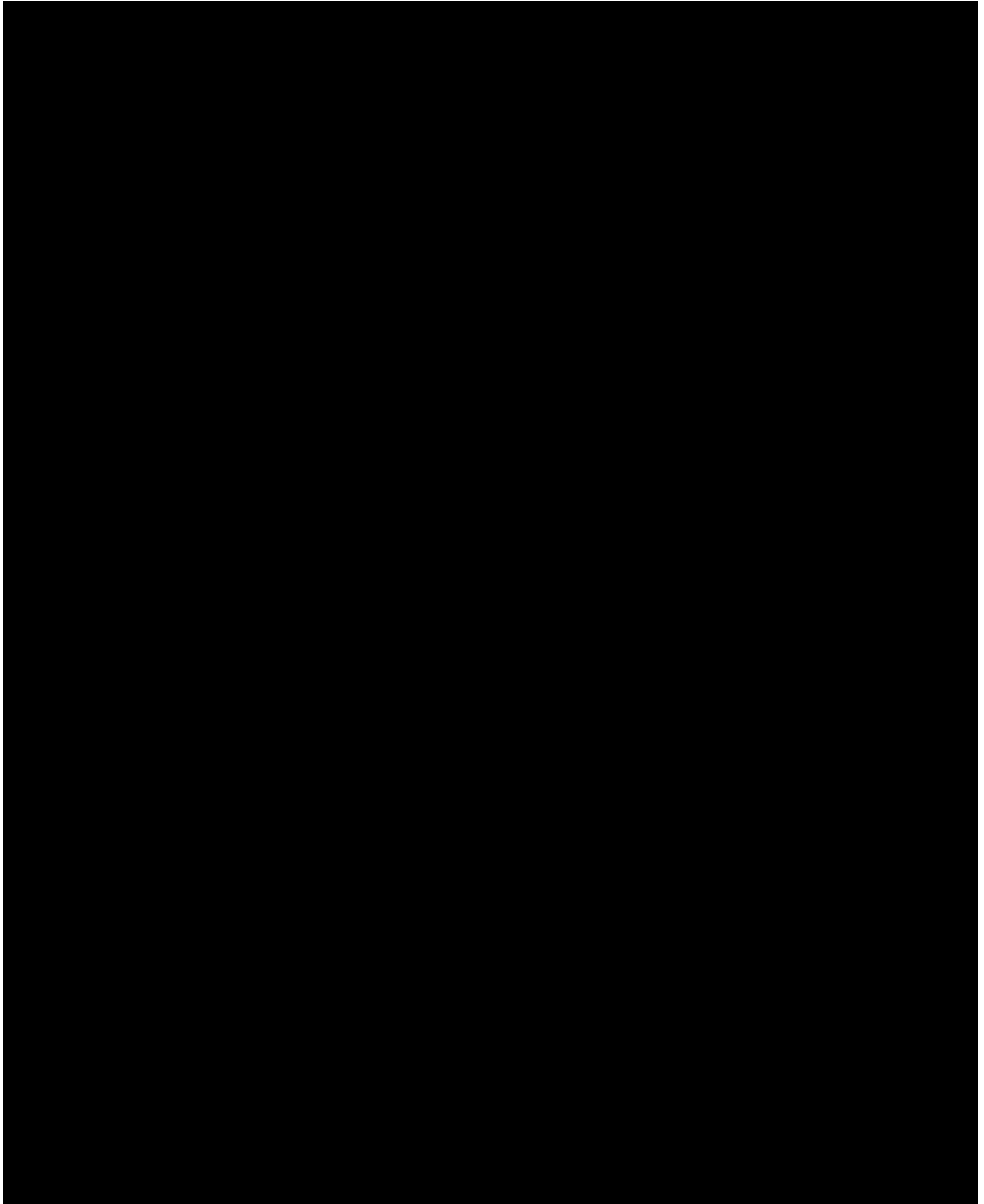


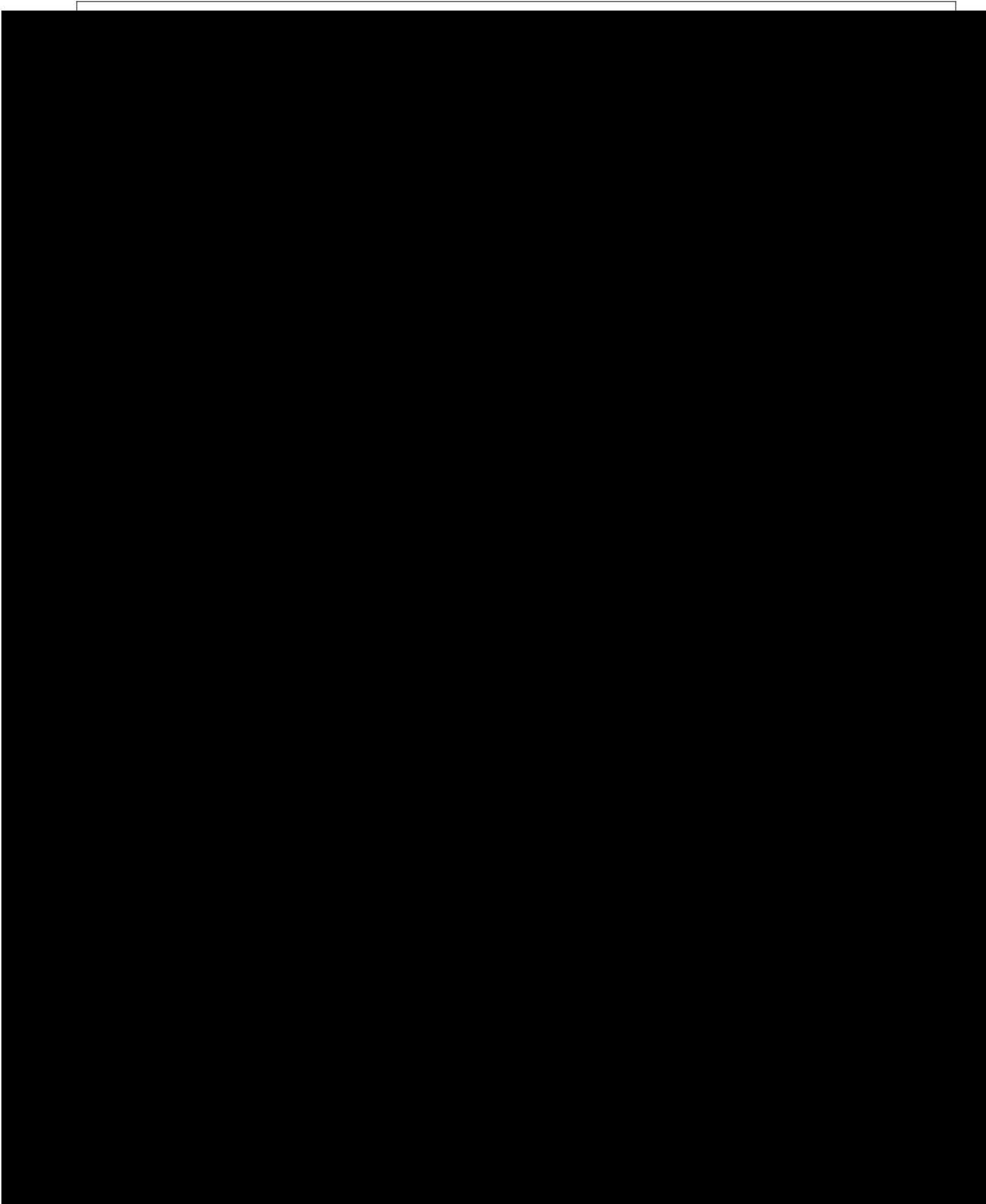


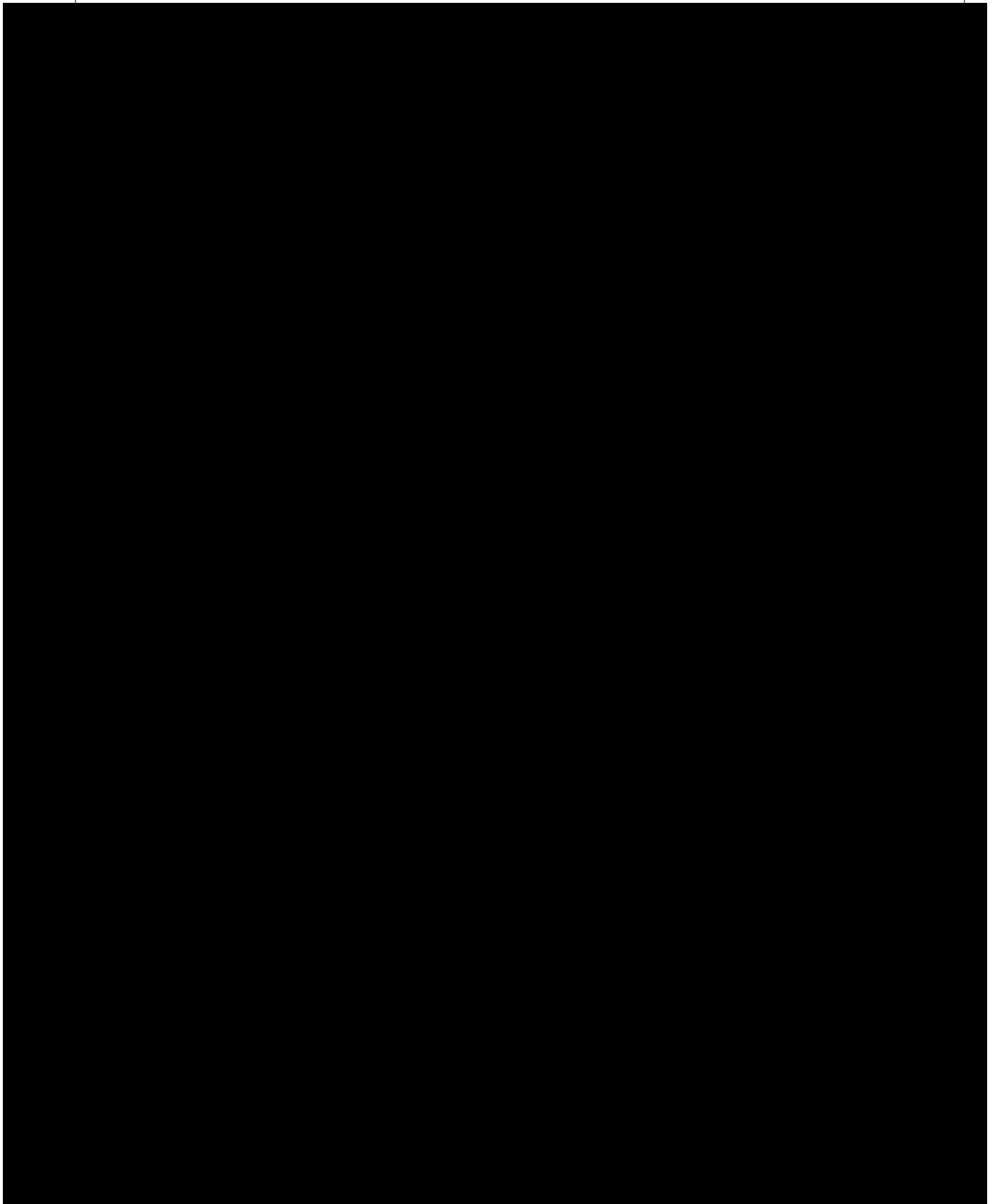


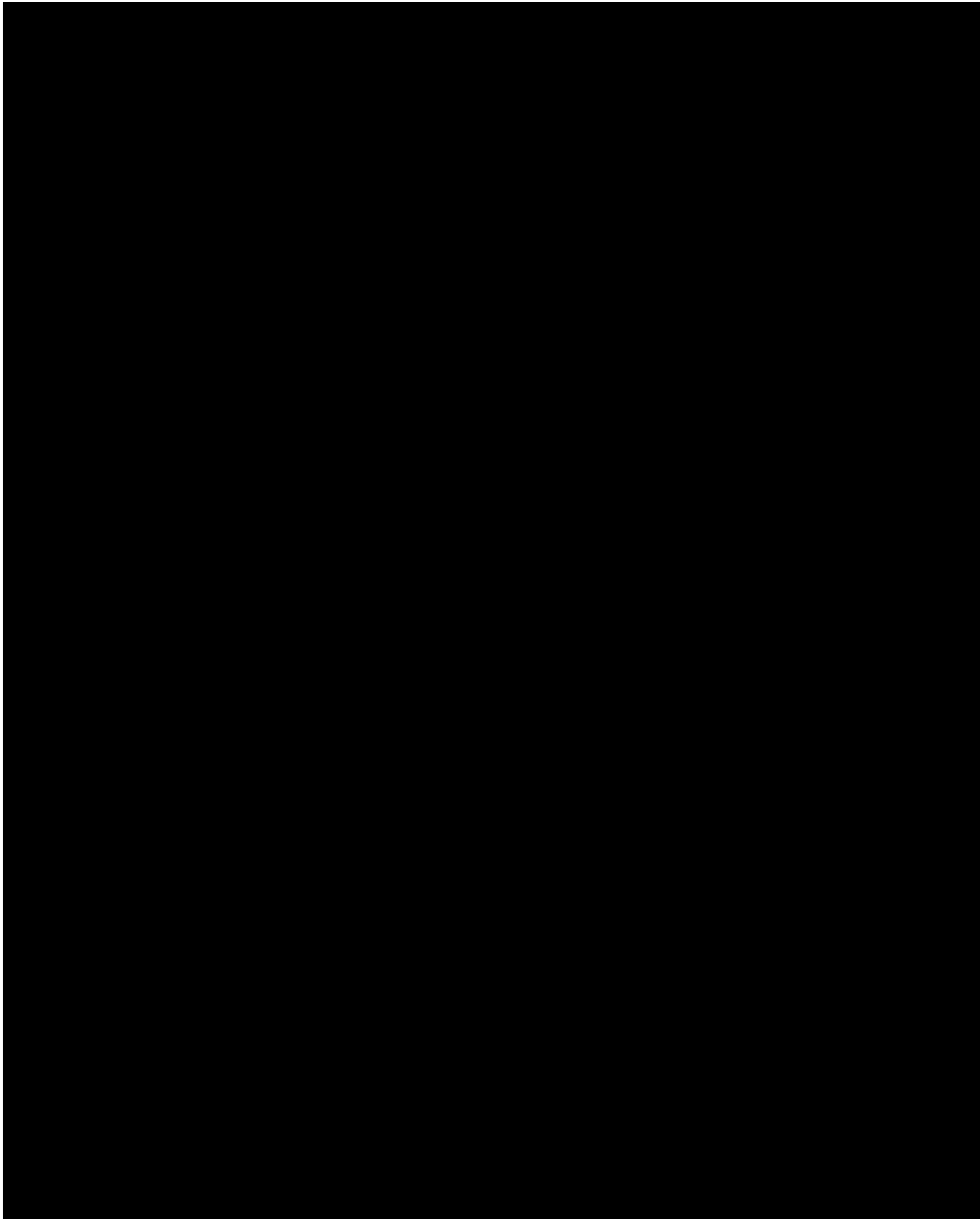


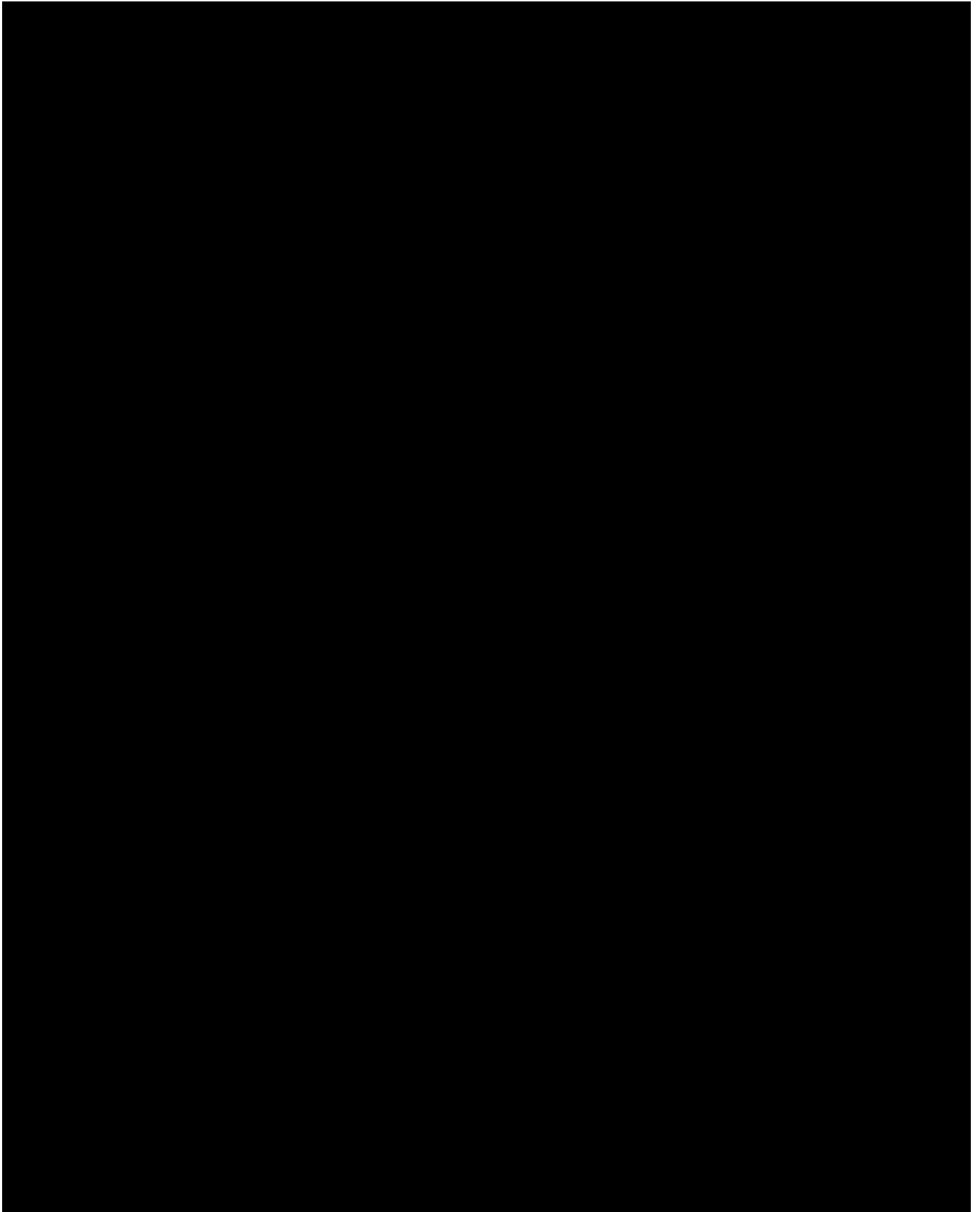


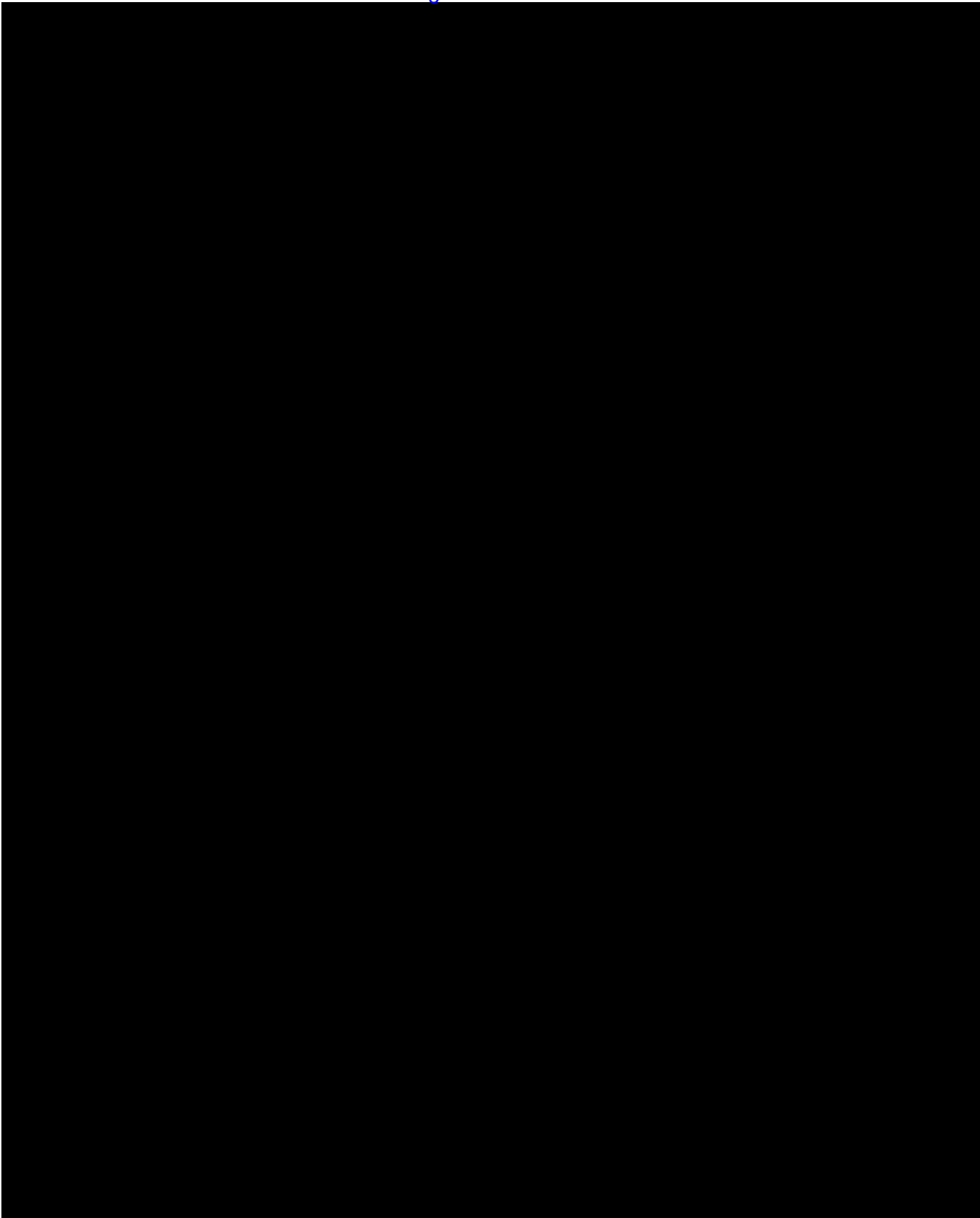


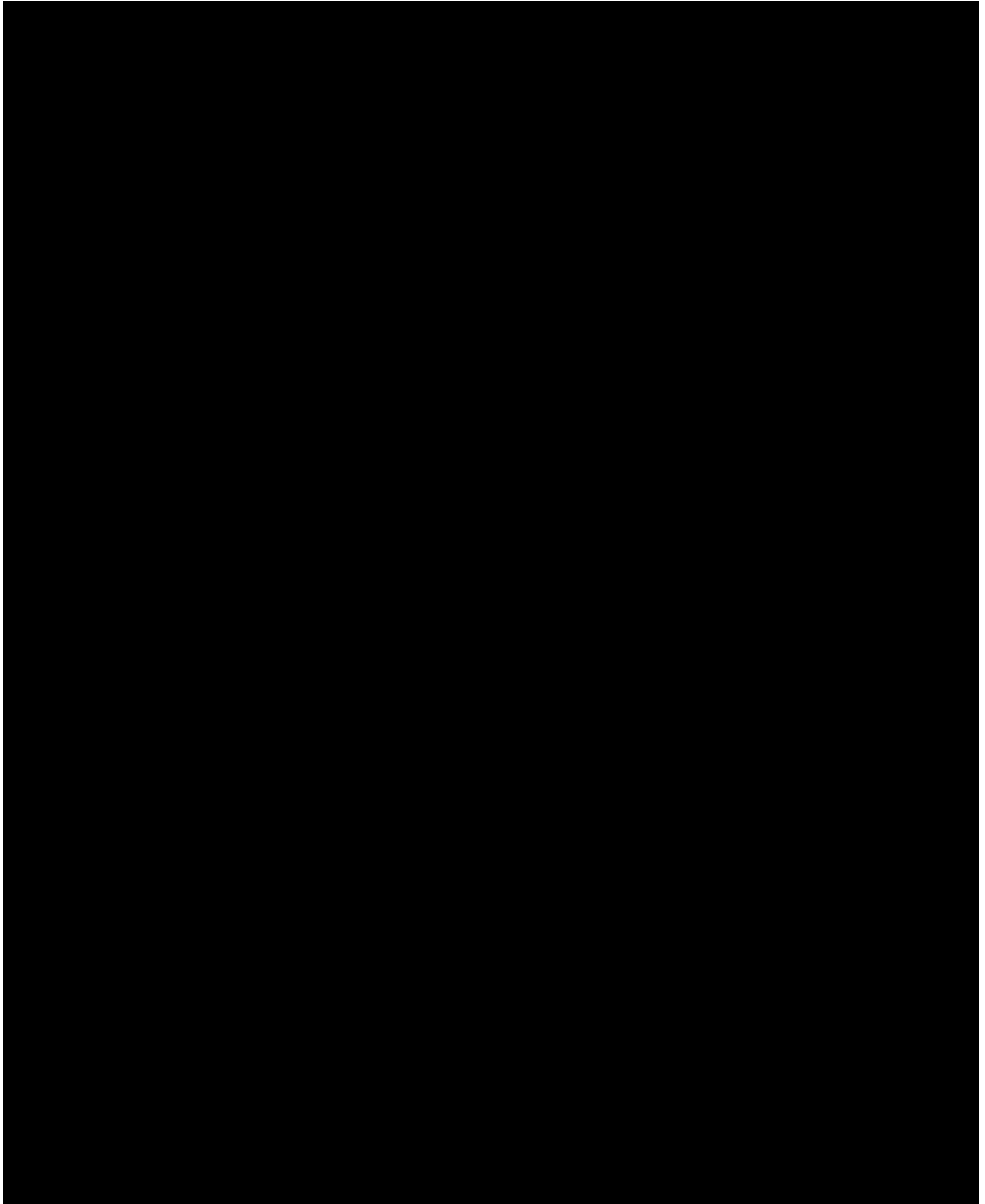


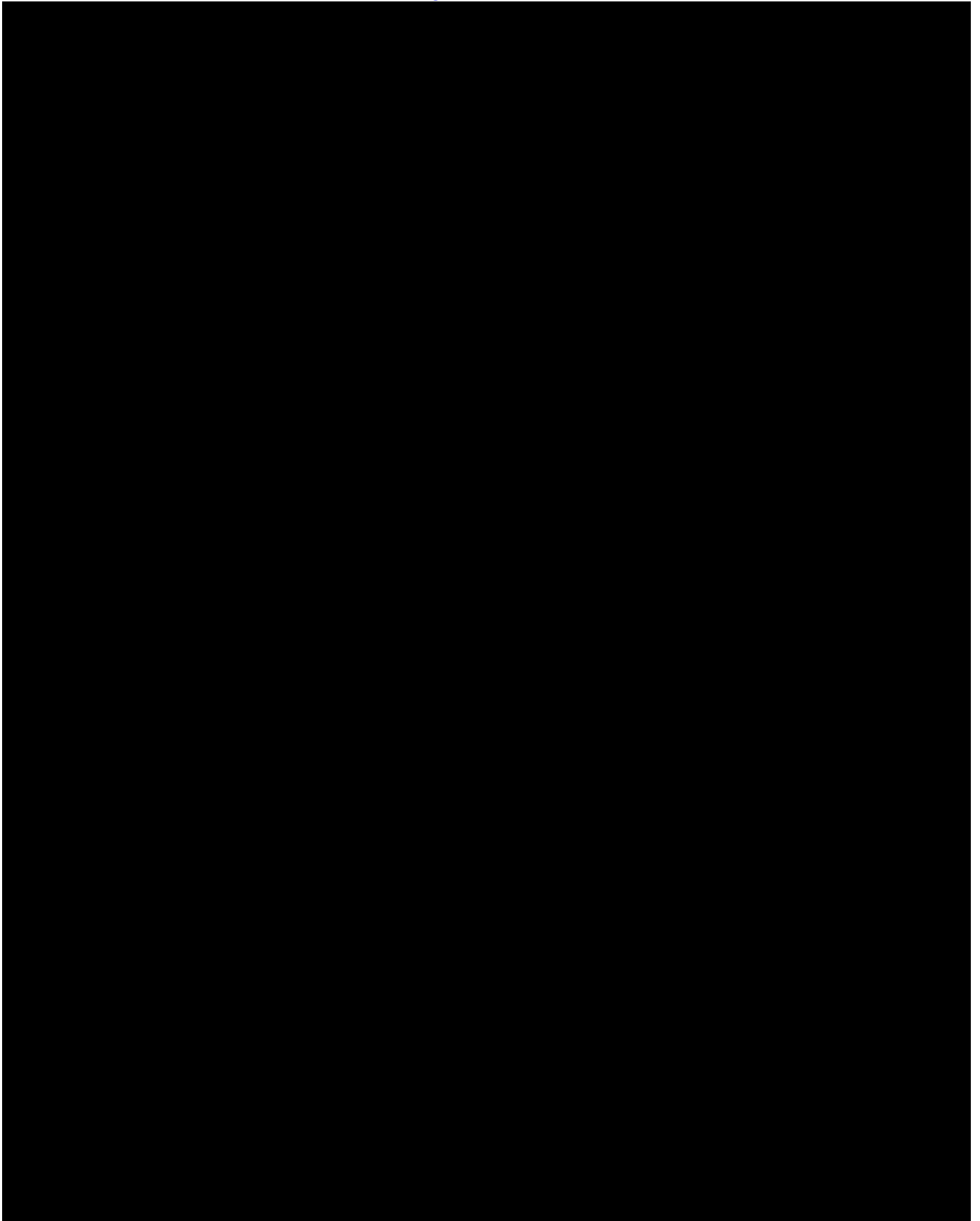


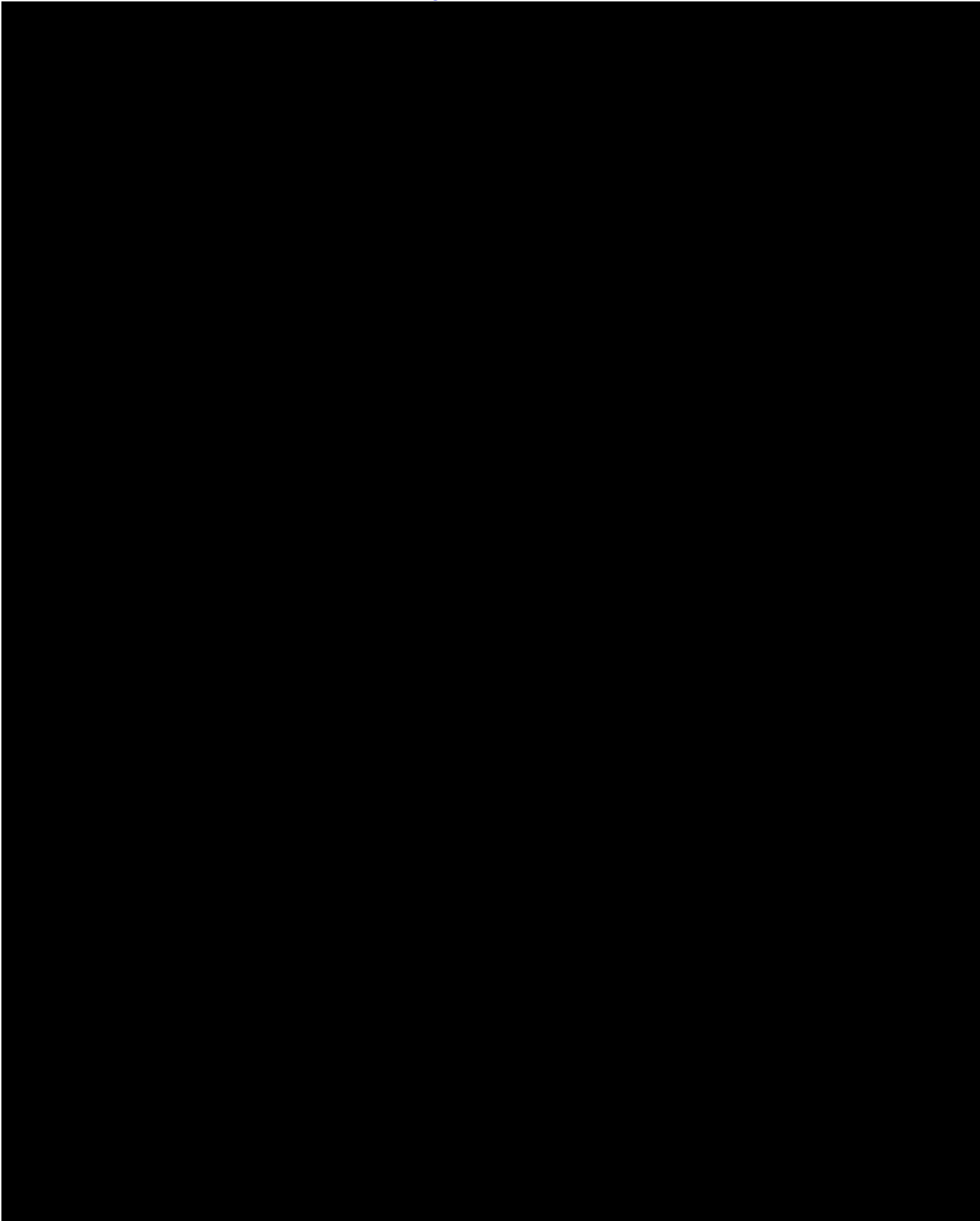


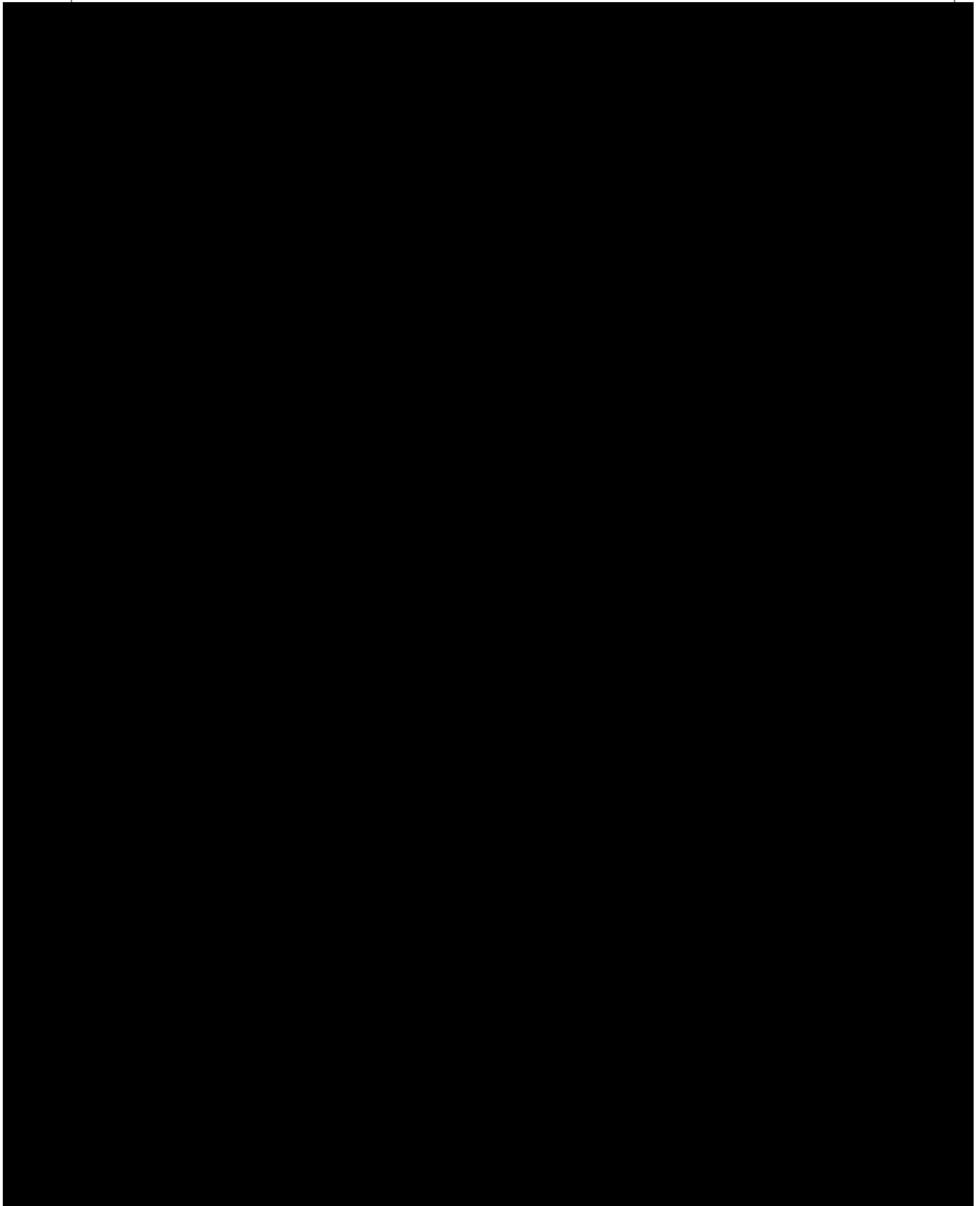


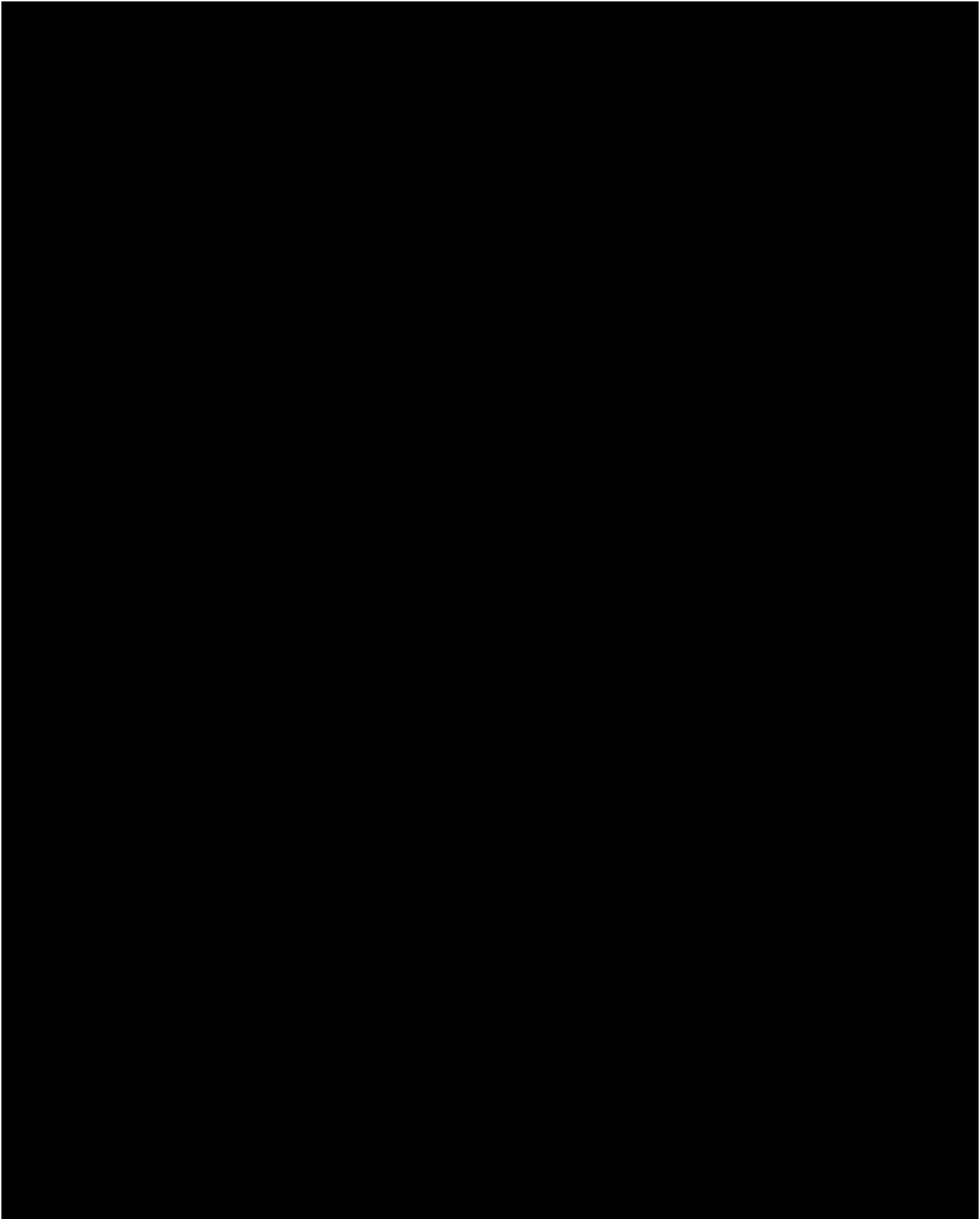


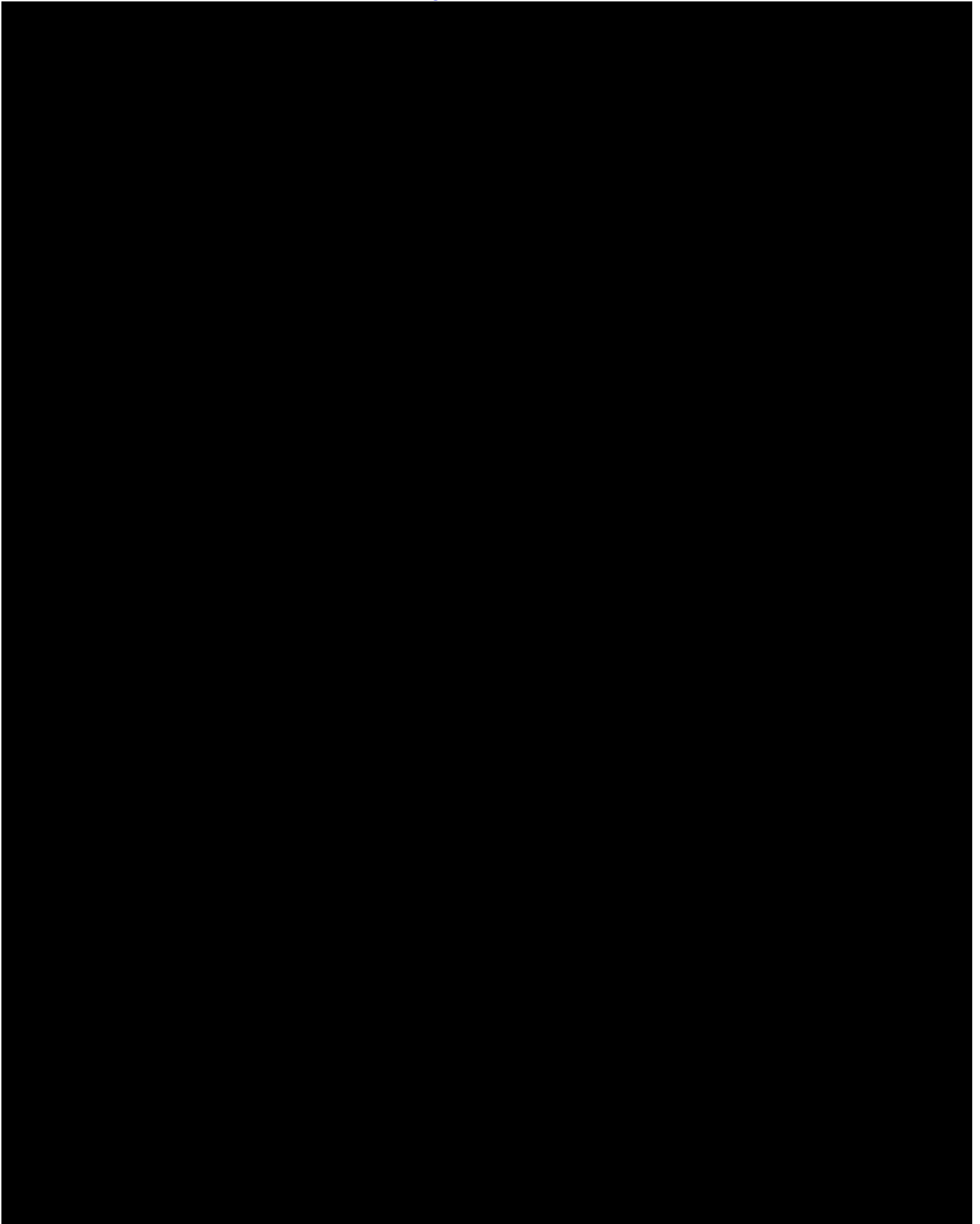


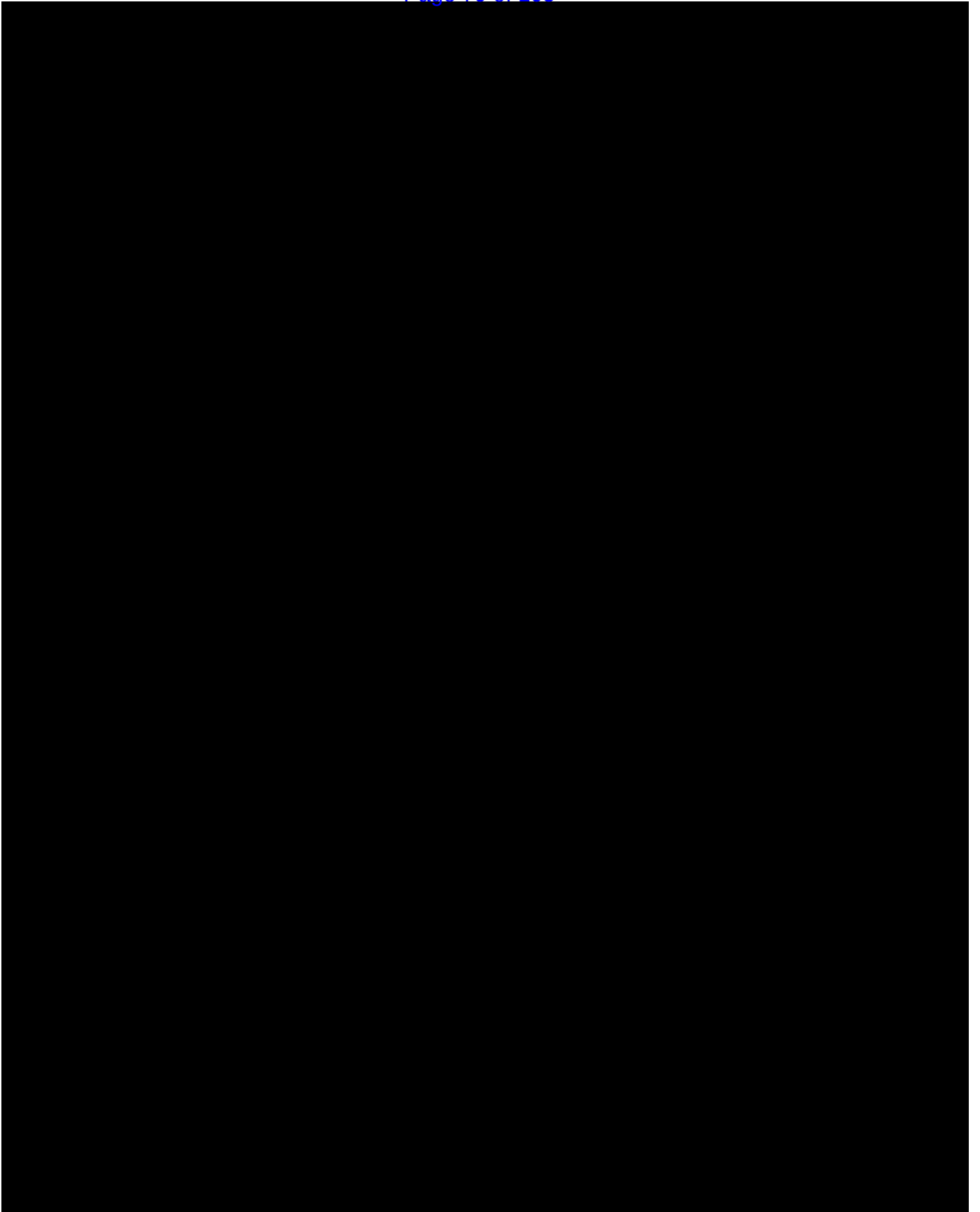


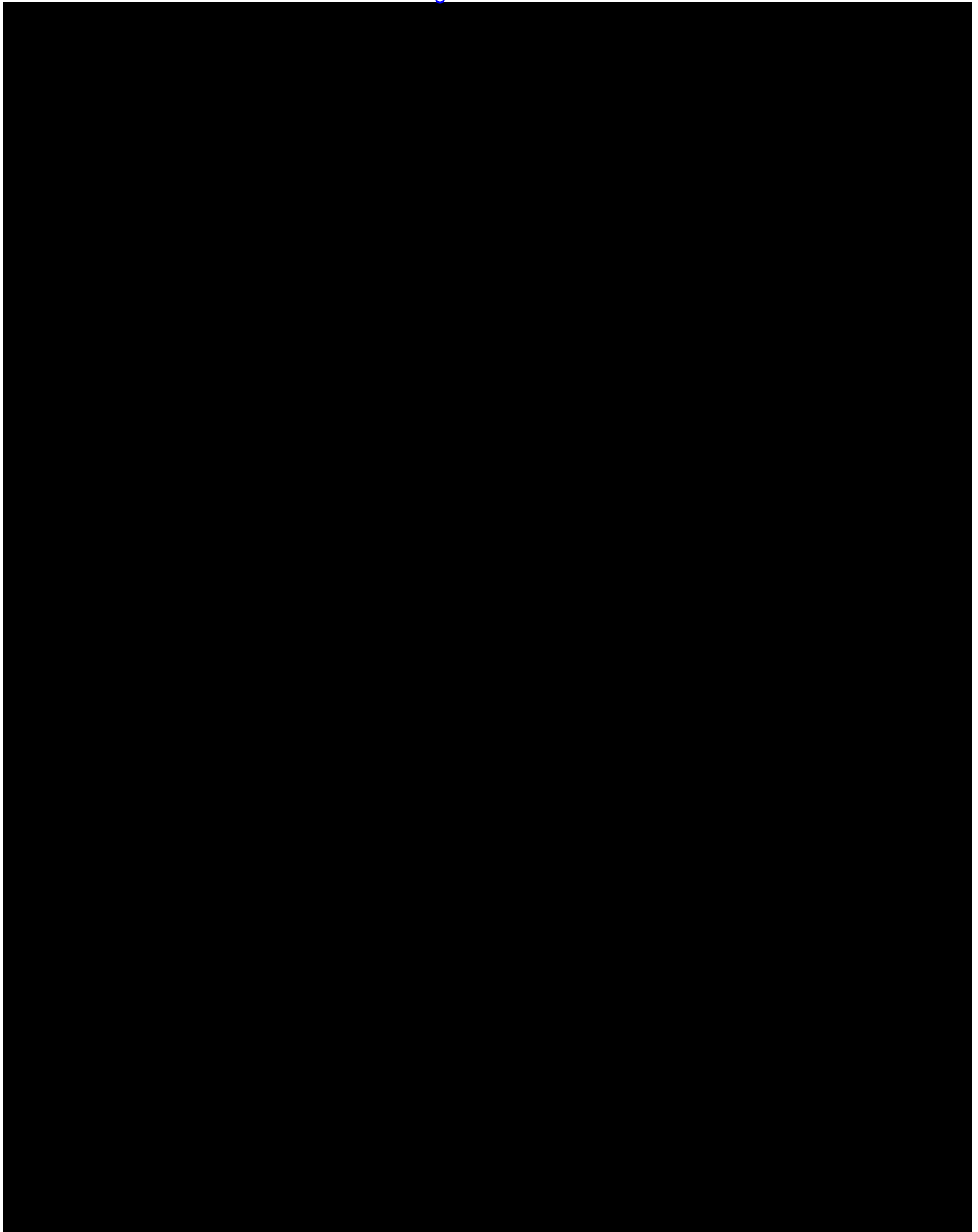


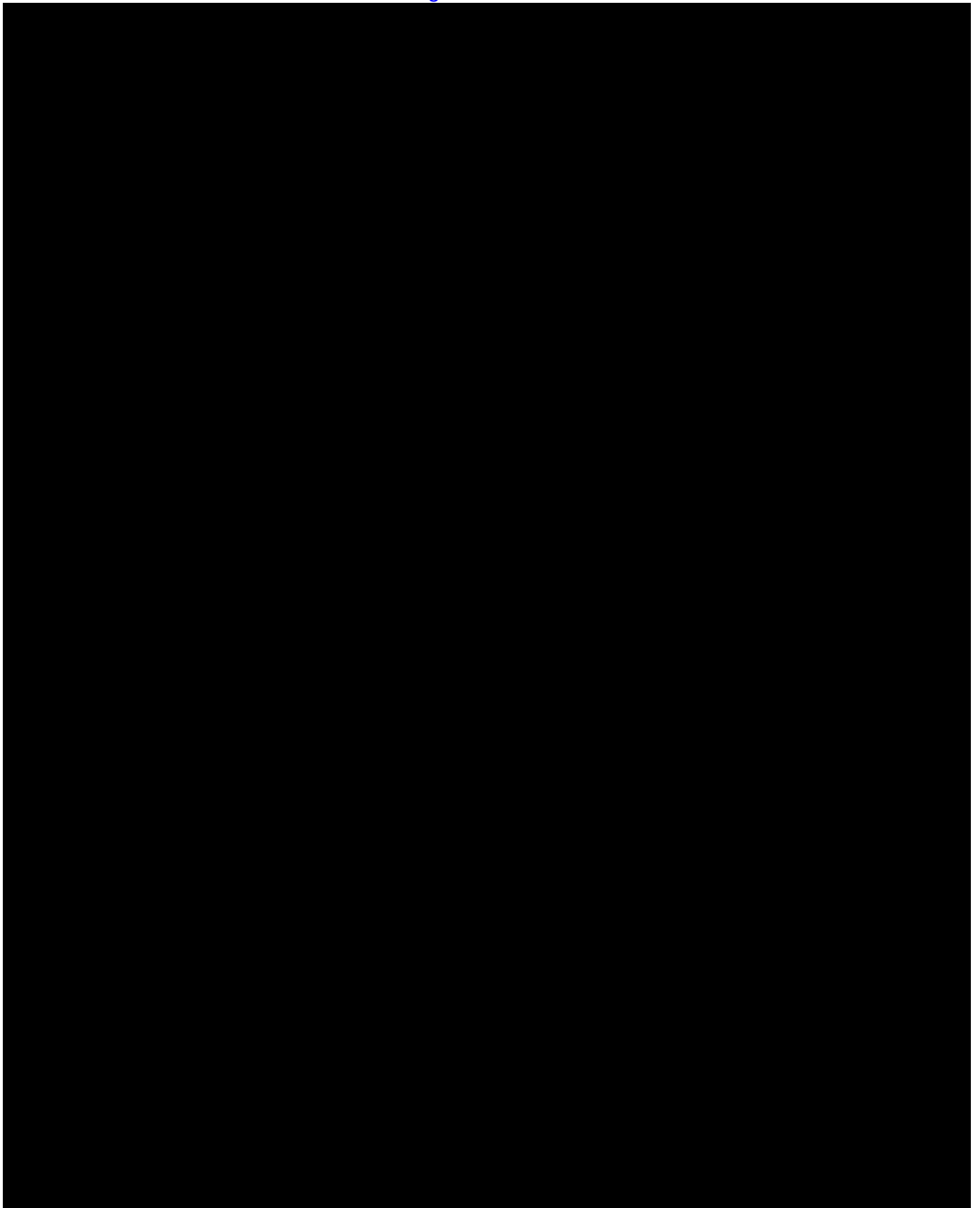


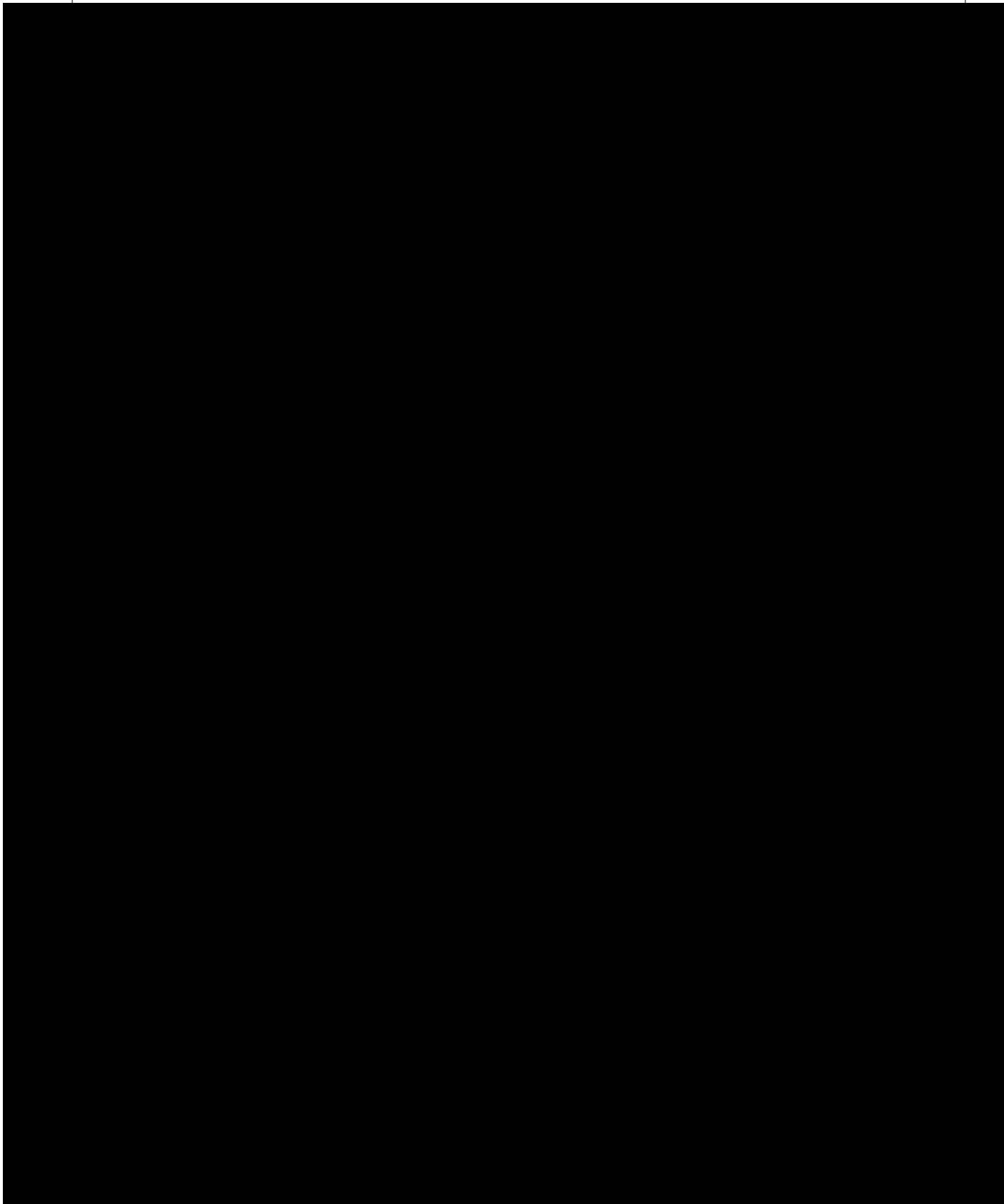


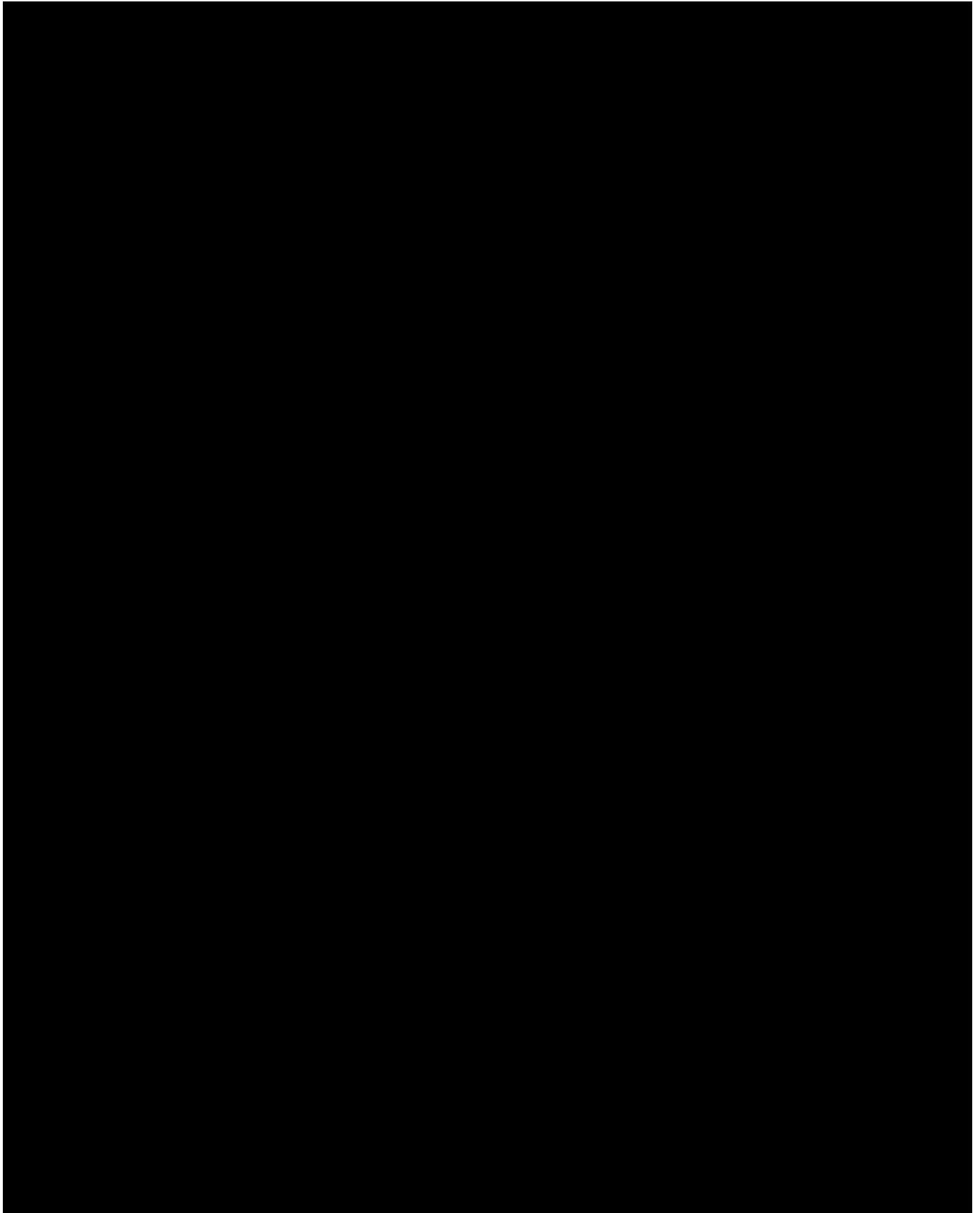


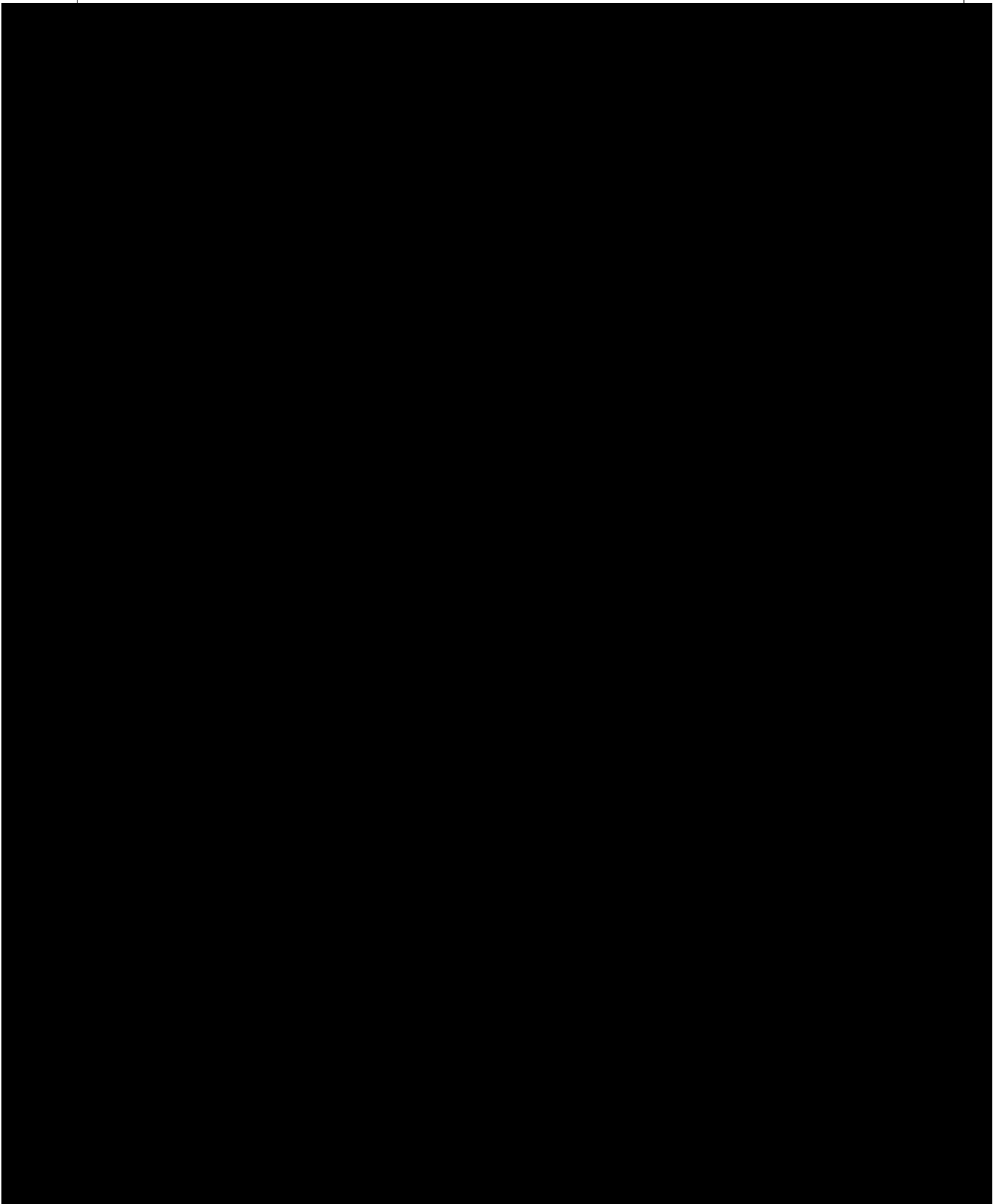


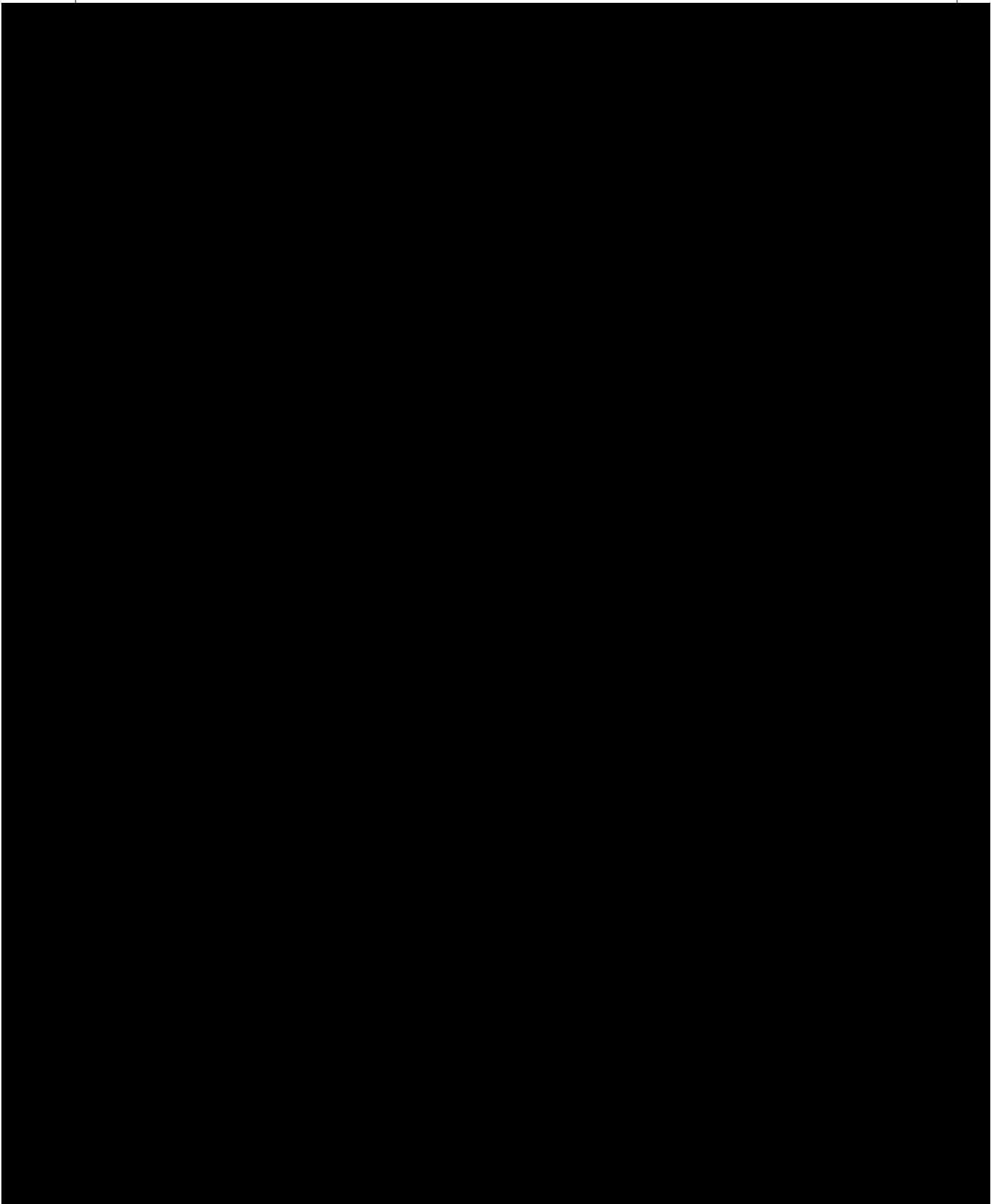


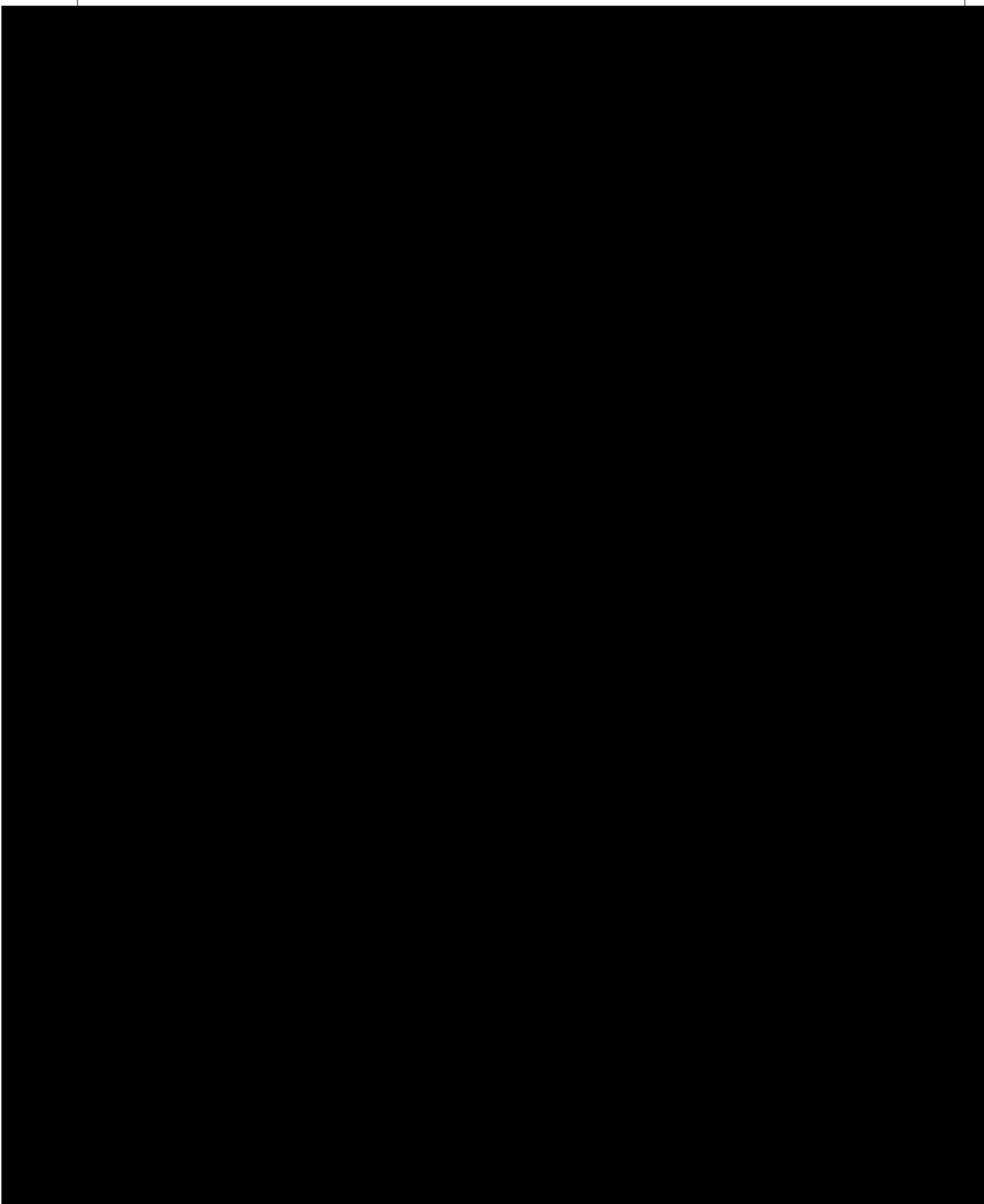


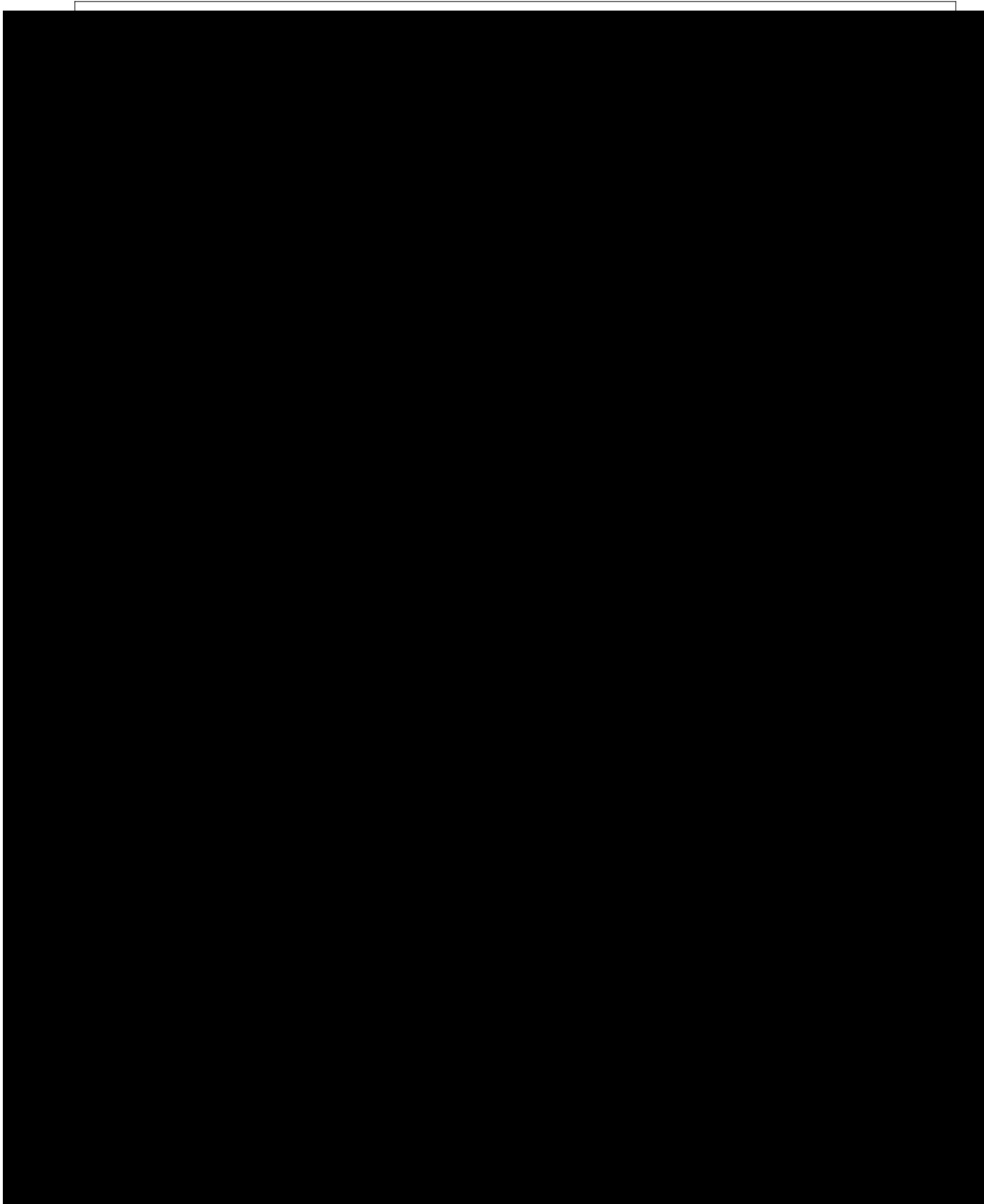


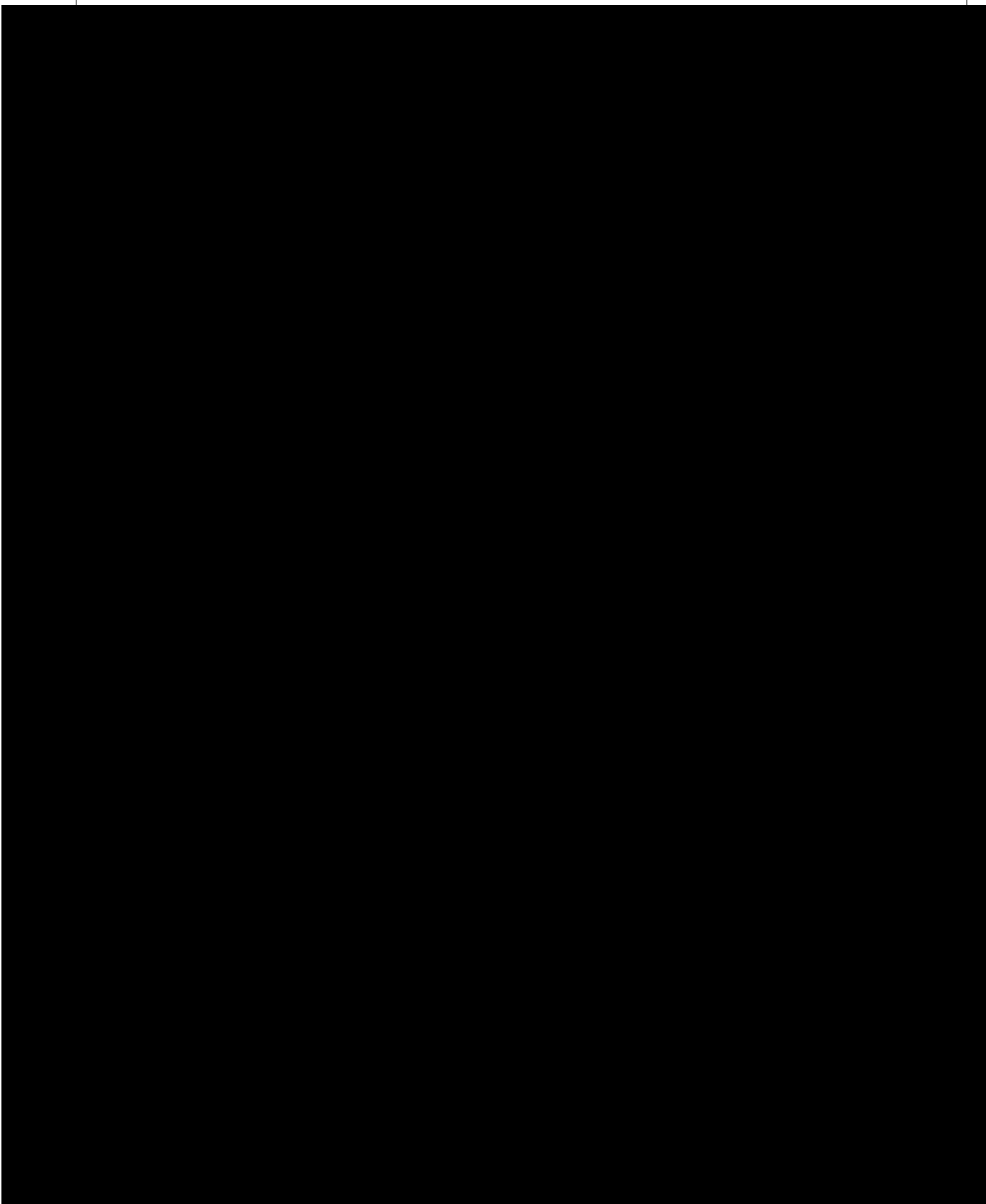


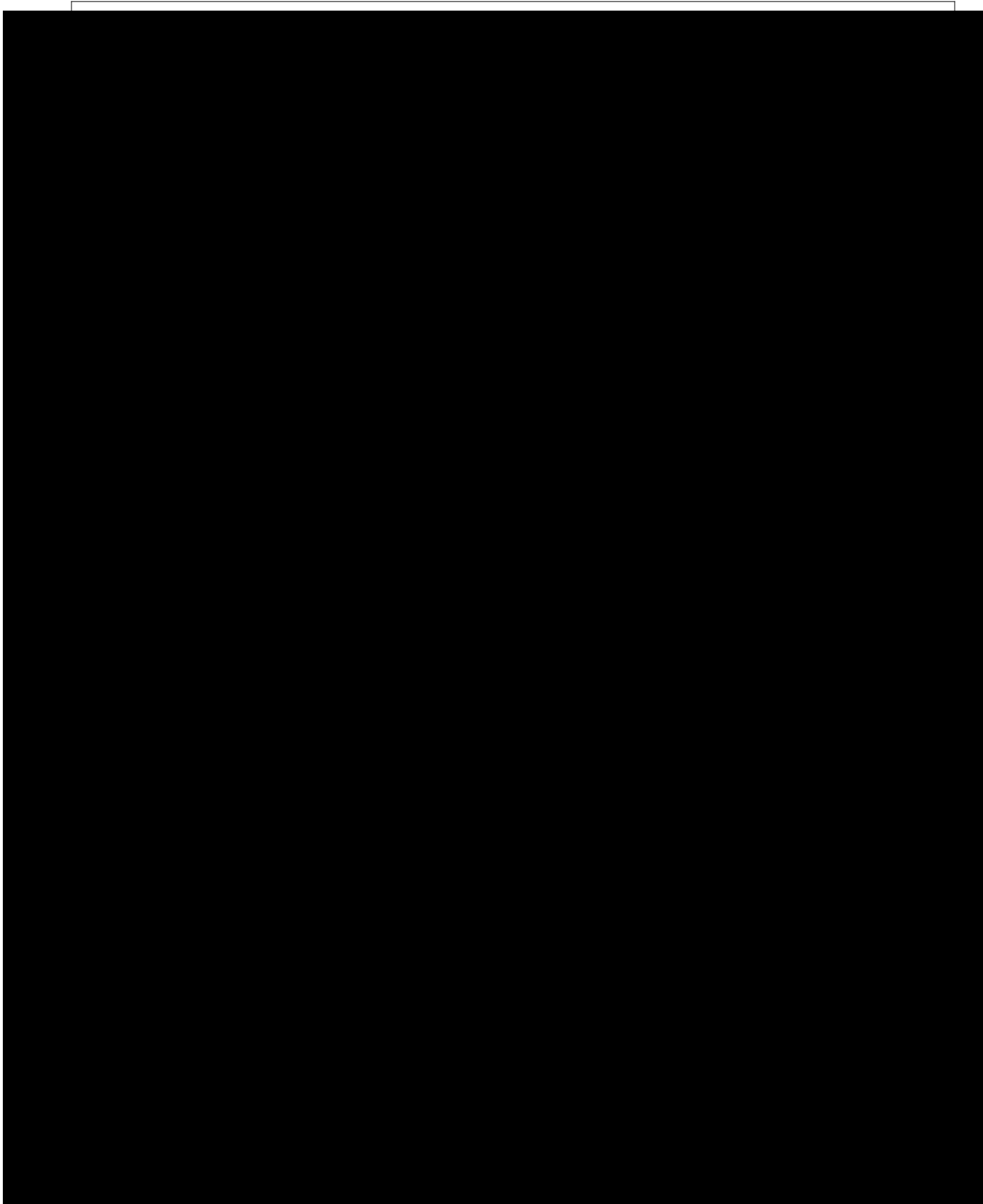


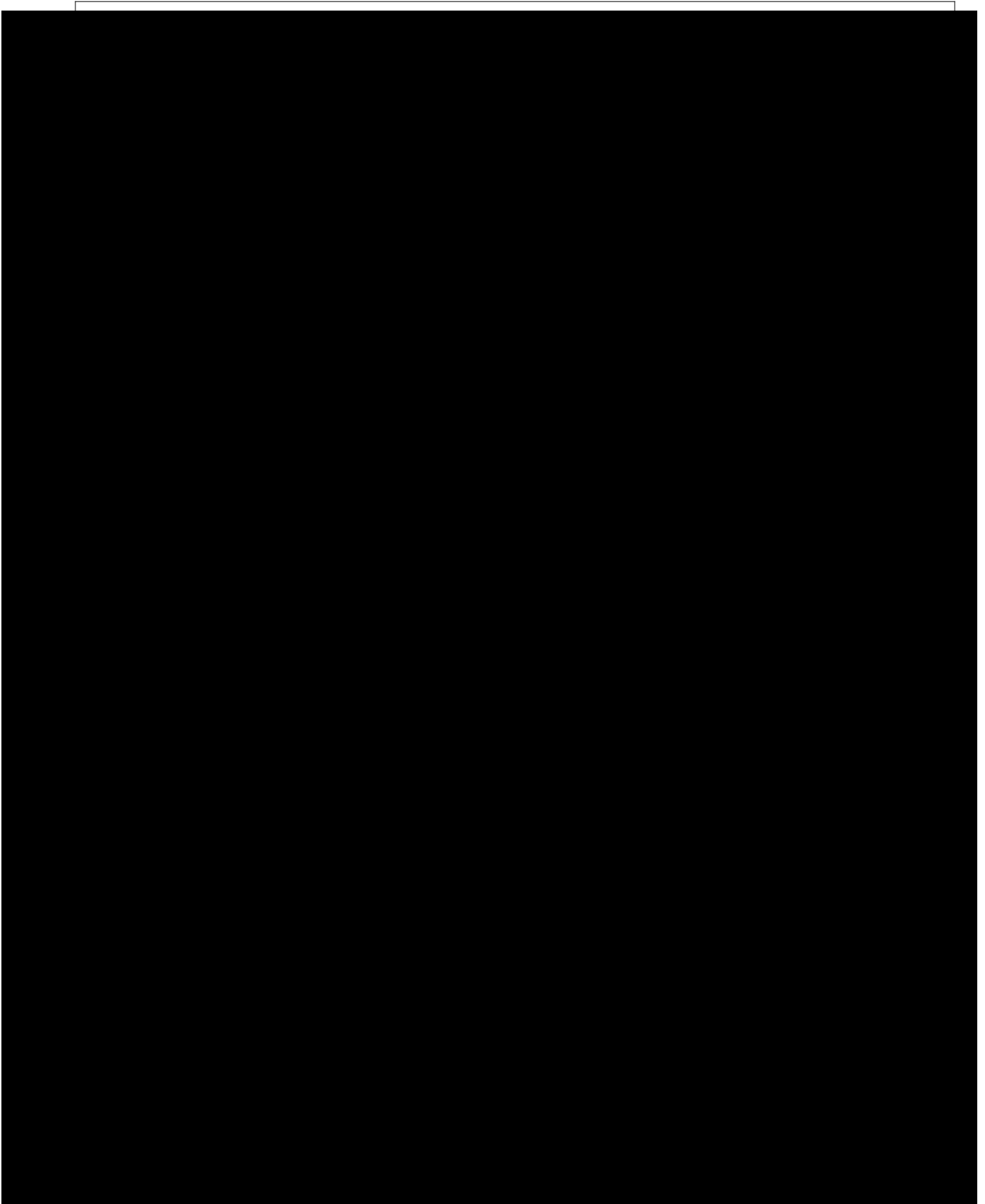


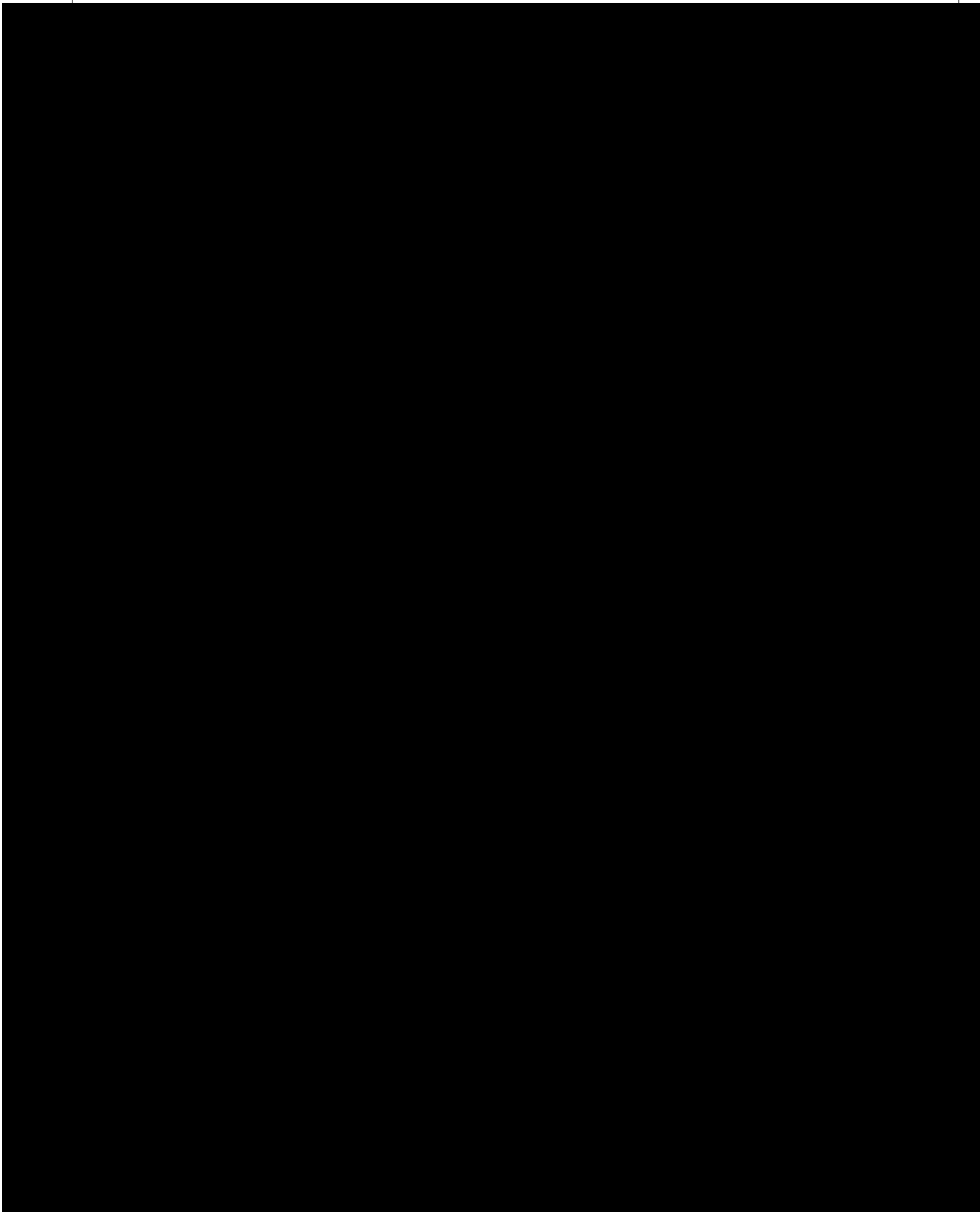


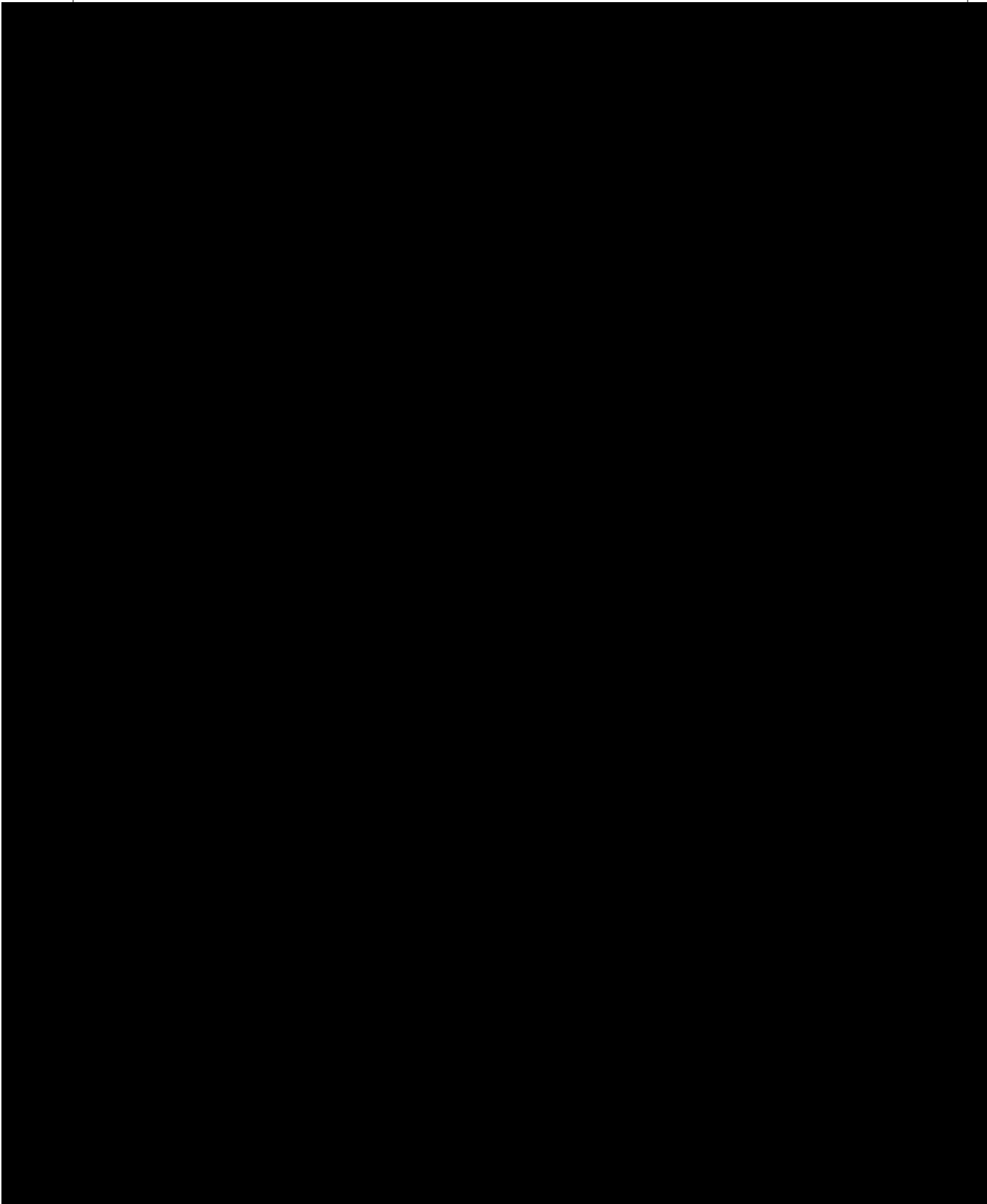


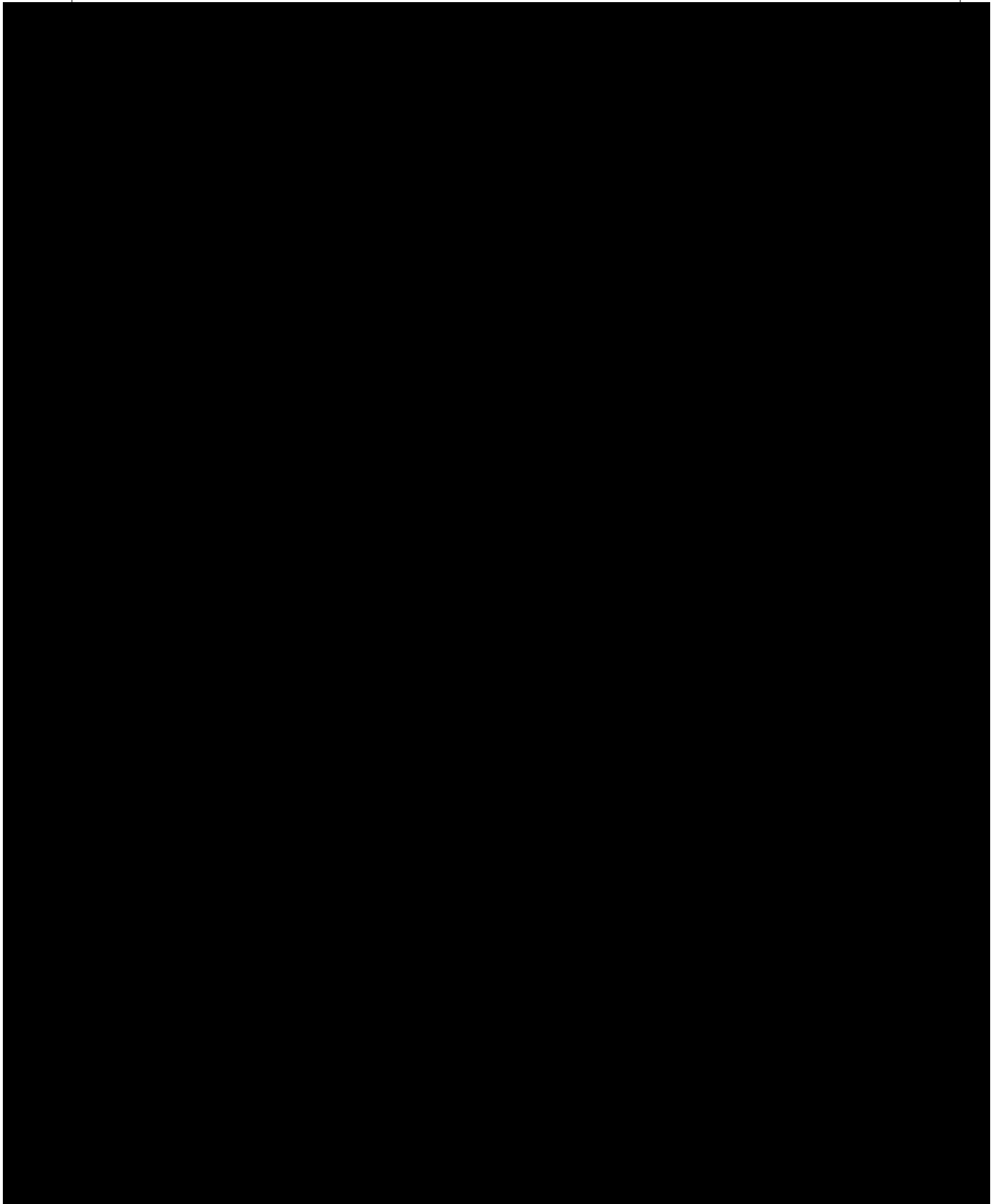


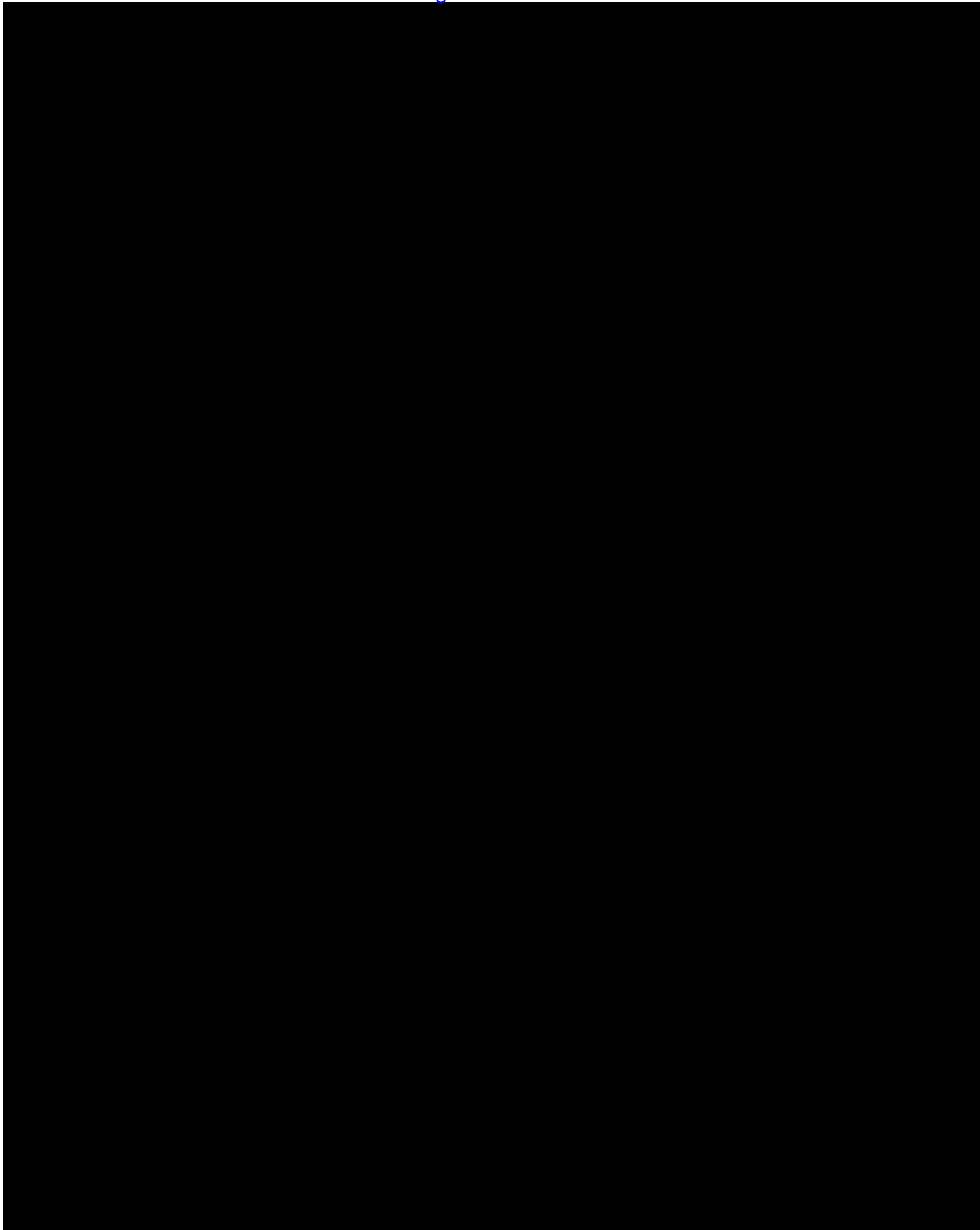


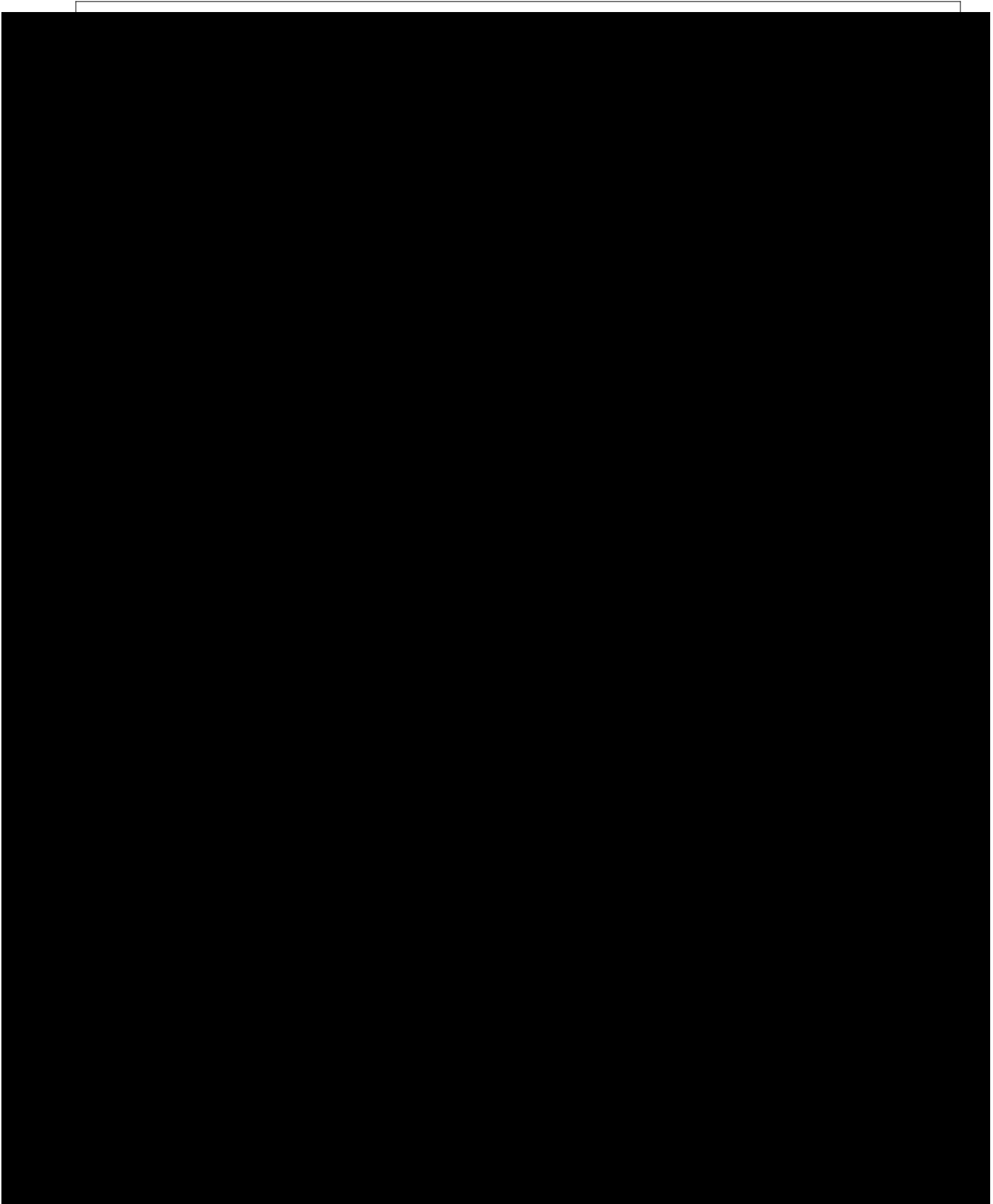












CERTIFICATE OF REPORTER

I, Christine A. Taylor, Registered
Professional Reporter and Notary Public for the
State of North Carolina at Large, do hereby
certify:

That the foregoing deposition was taken
before me on the date and at the time and location
stated in this transcript; that the deponent was
duly sworn to testify to the truth, the whole
truth and nothing but the truth; that the
testimony of the deponent and all objections made
at the time of the examination were recorded
stenographically by me and were thereafter
transcribed; that the foregoing deposition as
typed is a true, accurate and complete record of
the testimony of the deponent and of all
objections made at the time of the examination to
the best of my ability.

I further certify that I am neither related
to nor counsel for any party to the cause pending
or interested in the events thereof. Witness my
hand, this 28th of February, 2024.

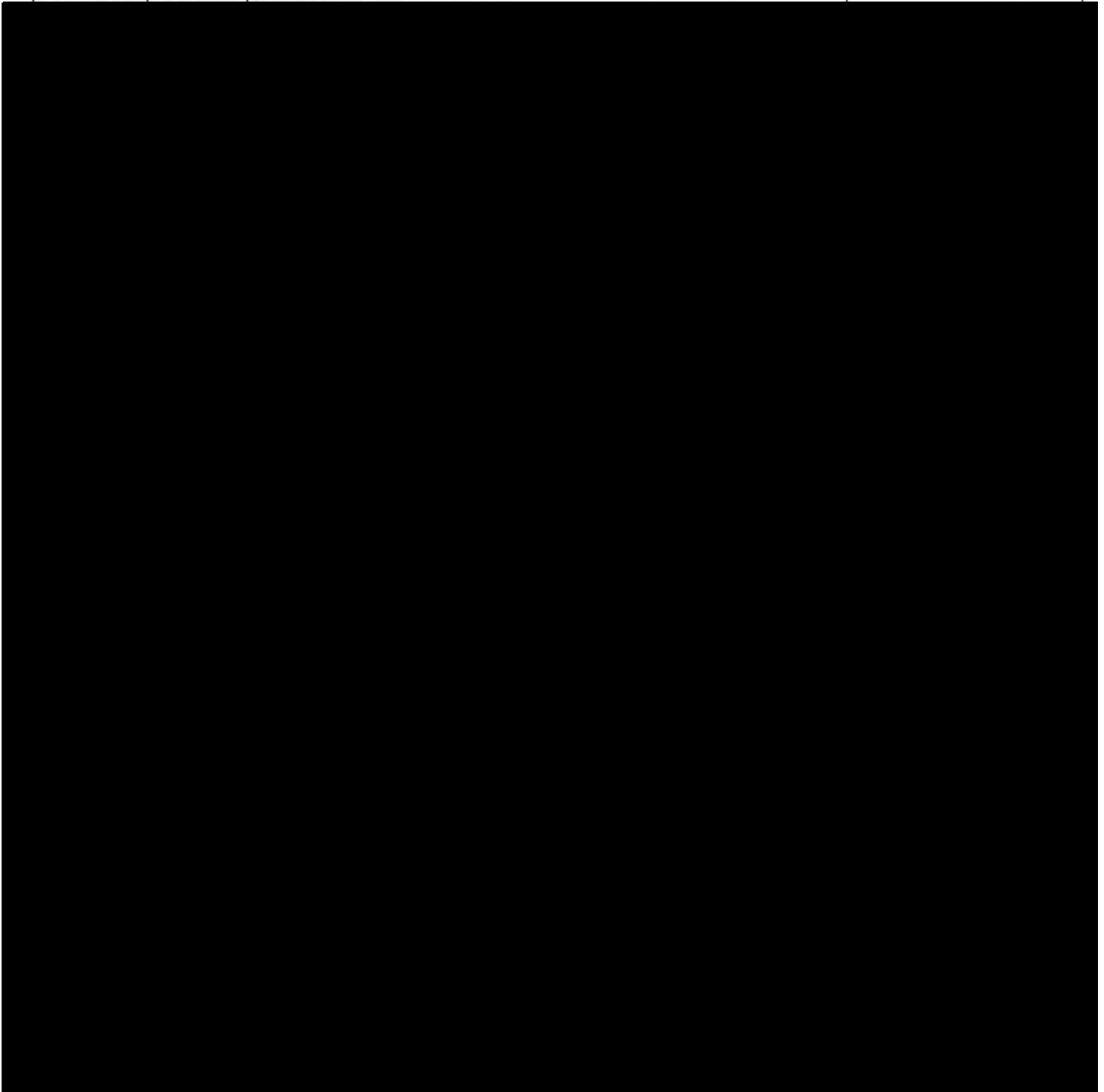


Christine A. Taylor
Registered Professional Reporter
Notary Public 19960530077
State of North Carolina

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

Errata for Deposition of Michael Letson, February 16, 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 29 day of MARCH, 2024.



Michael Letson