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Ryan Schwartz

In Re Bank of America CA Unemployment Benefits Litigation

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CASE NO. 3:21-md-02992-LAB-MSB

- - - - -
IN RE BANK OF AMERICA
CALIFORNIA UNEMPLOYMENT
BENEFITS LITIGATION
- - - - -

TRANSCRIPT of the stenographic notes of
the videotaped deposition of RYAN SCHWARTZ in the
above-entitled matter, as taken by and before
LORRAINE B. ABATE, a Certified Shorthand Reporter and
Notary Public of the State of New York, and
Registered Professional Reporter, held at the offices
of Goodwin Procter LLP, New York Times Building, 620
Eighth Avenue, New York, New York 10018, on December
4, 2024, commencing at 9:43 a.m., pursuant to Notice.

Job No.: 10154398

Ryan Schwartz

In Re Bank of America CA Unemployment Benefits Litigation

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A P P E A R A N C E S:

3

ALTSHULER BERZON LLP

4

Attorneys for the Plaintiffs

5

177 Post Street

6

Suite 300

7

San Francisco, California 94108

8

BY: COLIN C. JONES, ESQ.

9

CONNIE K. CHAN, ESQ.

10

(415) 421-7151

11

cjones@altber.com

12

cchan@altber.com

13

14

GOODWIN PROCTER LLP

15

Attorneys for the Defendant

16

Bank of America, N.A.

17

New York Times Building

18

620 Eighth Avenue

19

New York, New York 10018

20

BY: LINDSAY E. HOYLE, ESQ.

21

BAYLY BUCK, ESQ.

22

(212) 813-8800

23

lhoyle@goodwinlaw.com

24

bbuck@goodwinlaw.com

25

A L S O P R E S E N T:

09:44:10

Richard Morales, Videographer

Ryan Schwartz

In Re Bank of America CA Unemployment Benefits Litigation

A P P E A R A C E S:

(Via Videoconference)

COTCHETT PITRE & MCCARTHY, LLP

Attorneys for the Plaintiff

840 Malcolm Road, Suite 200

Burlingame, California 94010

BY: BRIAN DANITZ, ESQ .

KARIN B. SWOPE, ESQ.

(650) 697-6000

bdanitz@cpmlegal.com

kswope@cpmlegal.com

SWIGART LAW GROUP, APC

Attorneys for Individual Plaintiffs

2221 Camino del Rio South, Suite 308

San Diego, California 92108

BY: JOSHUA B. SWIGART, ESQ.

ILANA PLATKIEWICZ, ESQ.

(866) 219-3343

josh@swigartlawgroup.com

iliana@swigartlawgroup.com

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2 THE VIDEOGRAPHER: We are now on the
3 record. Today's date is December 4th, 2024, and
4 the time is approximately 9:43 a.m. Eastern
5 time.

6 This is the video deposition of Ryan
7 Schwartz, being taken in the matter of Bank of
8 America CA Unemployment Benefits Litigation.

9 This deposition is taking place at
10 Goodwin Procter. My name is Richard Morales
11 appearing for Aptus Court Reporting, located at
12 401 West A Street, Suite 1680, San Diego,
13 California 92012. I am the official
14 videographer, and this is the only authorized
15 video recording of the deposition.

16 The audio and video recording will take
17 place at all times unless all counsel agree to
18 go off the record.

19 All appearances will be noted on the
20 stenographic record today. The court reporter
21 today is Lorraine Abate, and she may now swear
22 in the deponent.

23 (Continued on next page.)
24
25

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2 R Y A N S C H W A R T Z,

3 Having been first duly sworn by a Notary
4 Public of the State of New York, was
5 examined and testified as follows:

6 EXAMINATION BY MR. JONES:

7 Q. Good morning.

8 A. Good morning.

9 Q. As I said, my name is Colin Jones. I'm
10 an attorney for the class plaintiffs, and joined by
11 Connie Chan. Thank you for taking the time today. I
12 appreciate it.

13 Just to start, have you ever been
14 deposed before?

15 A. No.

16 Q. And so since this is new for you, I'll
17 go over some ground rules just so that we're all on
18 the same page.

19 So first, this isn't an endurance
20 contest. I'll take breaks, but if you need a break
21 yourself, feel free to let me know and we can take a
22 break as long as there's not a question pending.
23 Seem fair?

24 A. Yes.

25 Q. Next, do you understand that you are

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2 testifying under oath and under penalty of perjury
3 today the same as if you were in court?

4 A. Yes.

5 Q. And do you understand that what you say
6 here today is being taken down by a court reporter?

7 A. Yes.

8 Q. So far, you're doing a great job of
9 this, but to allow the court reporter to take down
10 everything we say today, it's important that your
11 responses be verbal, no shrugging, nodding, uh-huh.
12 Try to avoid those if you can.

13 A. I will probably do both that and try to
14 respond verbally, yes.

15 Q. We can do both. That works perfectly.

16 For the same reason, we do have to be
17 careful not to interrupt each other. So please wait
18 until I finish the question before you start your
19 answer, and I will try not to interrupt your answers.

20 Does that seem doable?

21 A. Yes.

22 Q. If you don't understand a question,
23 please tell me. I'll make an effort to rephrase it
24 or clarify it if I can. But if I ask you a question
25 and you answer it, I will assume that you understood

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2 and that you are giving me your best and fullest
3 answer.

4 Does that sound fair?

5 A. Yes.

6 Q. Because you're under oath and because
7 everything is being taken down, it's important for
8 you to give me your best answer today.

9 Does that make sense?

10 A. Yes.

11 Q. Now, I don't want you to guess if you
12 don't know an answer, but I am entitled to your best
13 estimate. So example of that distinction, if I ask
14 you to tell me the size of my monitor on my desk in
15 my office, that would just be purely a guess, and you
16 don't have that answer to that. But if I ask you
17 what the size of the monitor is on your desk in your
18 office, you've seen it. You could give me an
19 estimate even if you don't know the exact diagonal.

20 Does that make sense?

21 A. Yes.

22 Q. You understand from time to time your
23 counsel will state objections to my questions, but
24 unless they specifically instruct you not to answer,
25 you do need to answer the question after they finish.

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2 A. Yes.

3 Q. Okay. And finally, two questions we ask
4 everyone. Are you under the influence of alcohol or
5 any medication that would impede your ability to give
6 your best testimony today?

7 A. No.

8 Q. Is there any other reason you cannot
9 answer my questions truthfully and to the best of
10 your ability?

11 A. No.

12 Q. What, if anything, did you do to prepare
13 for today's deposition?

14 A. I met with the ladies here to my right.

15 Q. And is Ms. Hoyle representing you with
16 respect to your deposition today?

17 A. I'm not sure how to answer, if she's
18 representing me or the bank.

19 Q. How many times did you meet with
20 counsel?

21 A. Twice.

22 Q. In person?

23 A. Yes.

24 Q. When did you meet with them?

25 A. Once yesterday and once the Wednesday

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2 prior to Thanksgiving.

3 Q. About how long each time?

4 A. Most of the day.

5 Q. Was anyone present other than the two
6 attorneys here?

7 A. In person?

8 Q. Yes.

9 A. No.

10 Q. Was anyone present over Zoom?

11 A. A couple of individuals were, yes.

12 Q. Were those individuals attorneys?

13 A. As far as I know.

14 Q. Do you know if anyone was there who was
15 not an attorney?

16 A. Not that I know of.

17 Q. Did you have any other meetings with
18 counsel other than those two?

19 A. We had a Zoom call at some point
20 probably right after my deposition was noticed. It
21 was after Halloween, but before Thanksgiving.

22 Q. About how long was that?

23 A. No more than an hour, I would guess.

24 Q. Also with the two attorneys here?

25 A. Yes, and others.

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2 Q. Other attorneys?

3 A. As far as I know, yes.

4 Q. Did you speak to anyone other than
5 counsel to prepare for this deposition --

6 A. No.

7 Q. -- at any point?

8 A. I'm sorry for interrupting. No.

9 Q. Have you reviewed any prior deposition
10 testimony in this case?

11 A. No.

12 Q. Have you reviewed any declarations
13 submitted in this case?

14 A. I don't believe so.

15 Q. Declaration of Michael Letson?

16 A. No.

17 Q. Declaration of William Matt Martin?

18 A. I don't even know who that is. So...

19 Q. Declaration of Mel Gargagliano?

20 A. Yes. Her name is very hard to spell.

21 No, I have not reviewed anything of
22 hers.

23 Q. What documents, if any, did you review
24 to prepare today?

25 A. Multiple e-mails that were sent during

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2 a -- the events that you're going to ask me about
3 today.

4 Q. Did you review any documents that your
5 attorneys did not specifically provide you?

6 A. No. Excuse me. No.

7 Q. Have you spoken with anyone else about
8 this case generally?

9 A. Ever? In the last four years, yes, I'm
10 sure I've spoken to people about these matters.

11 Q. How about in the last year?

12 A. Not outside of the last month.

13 Q. I want to make sure that -- just so we
14 have -- there's a lot of verbiage --

15 A. I understand. We're going to go back
16 and forth.

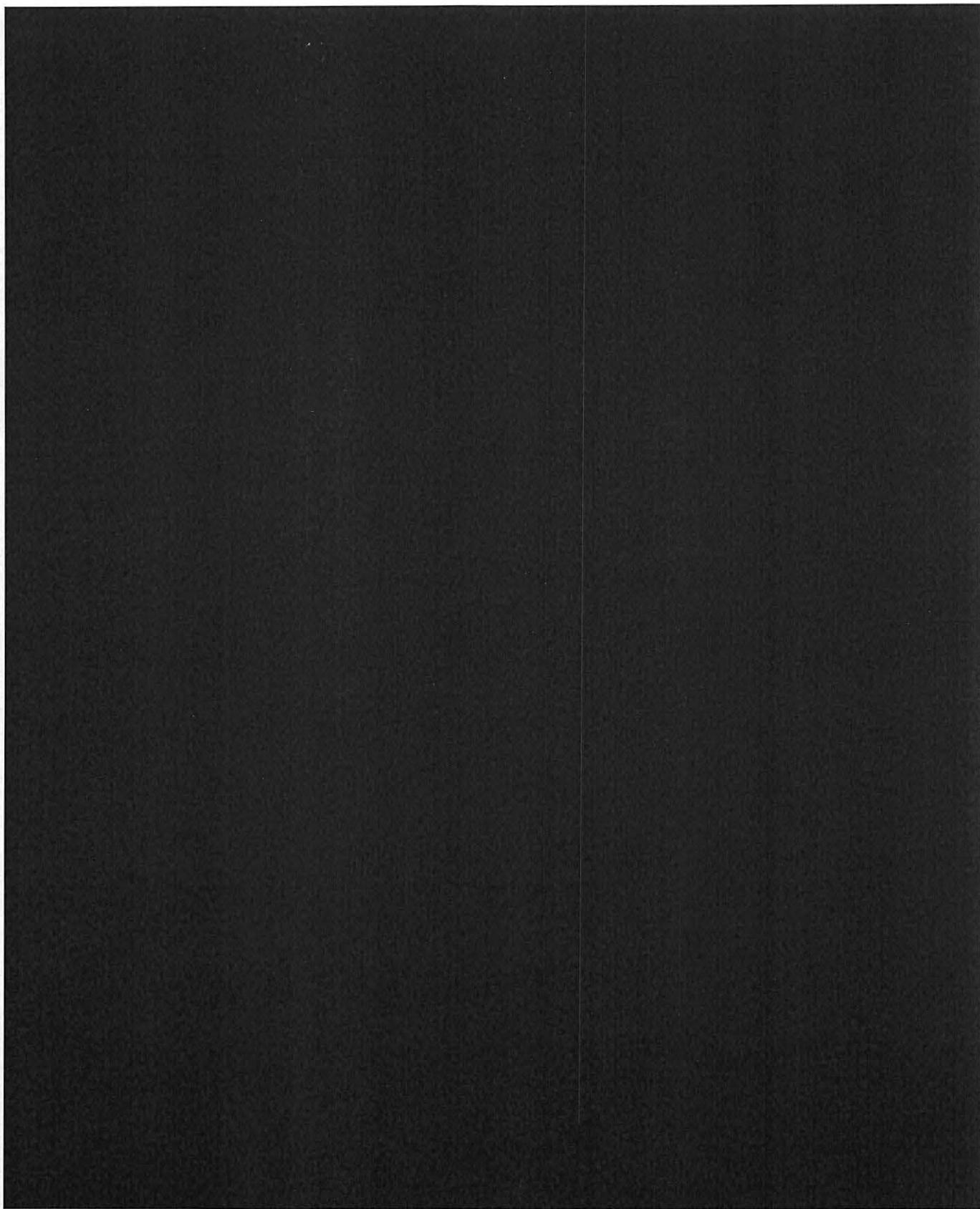
17 Q. So I'm going to kind of walk through and
18 make sure that I have -- we have a shared
19 understanding of a couple terms.

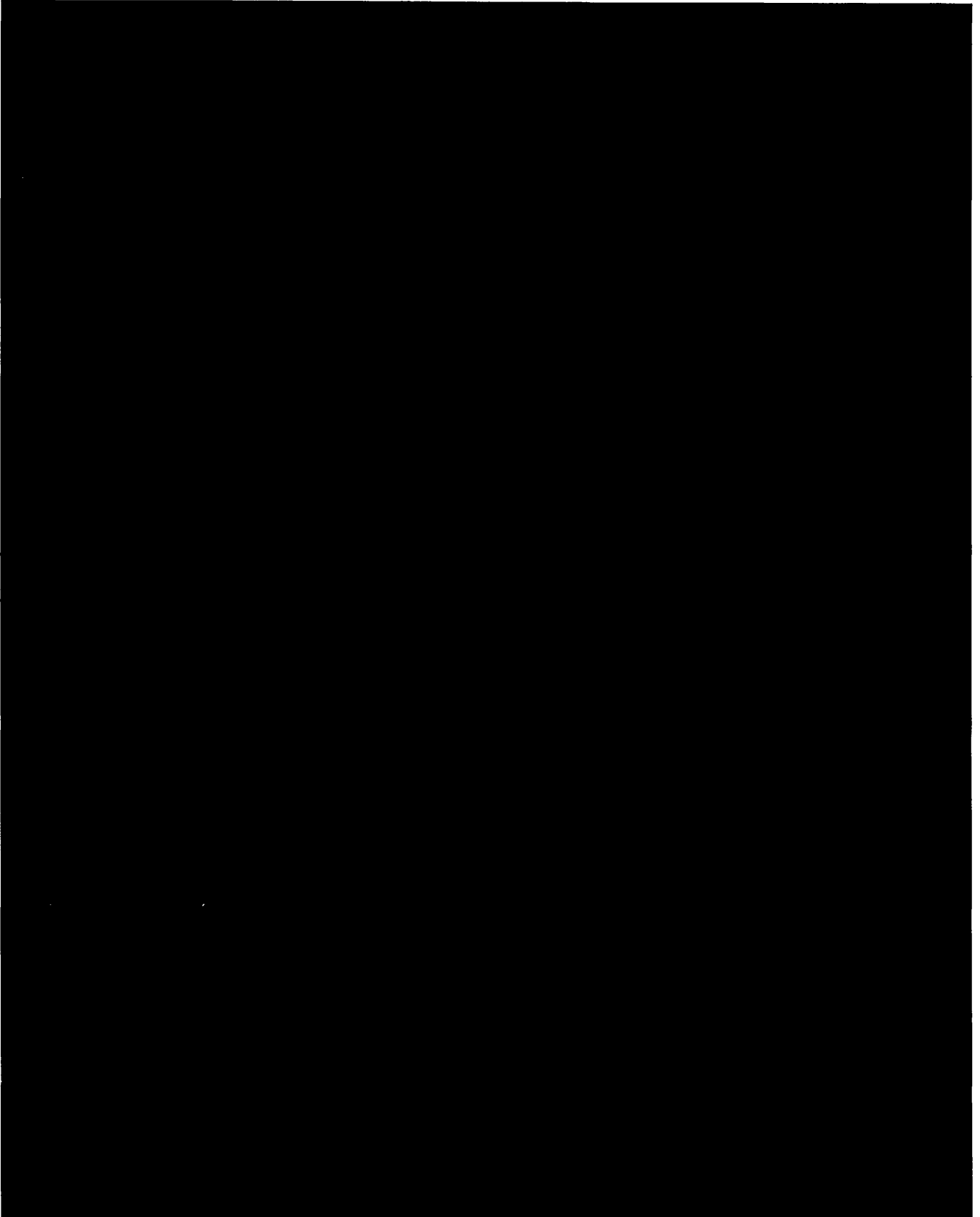
20 A. Thank you. I appreciate that.

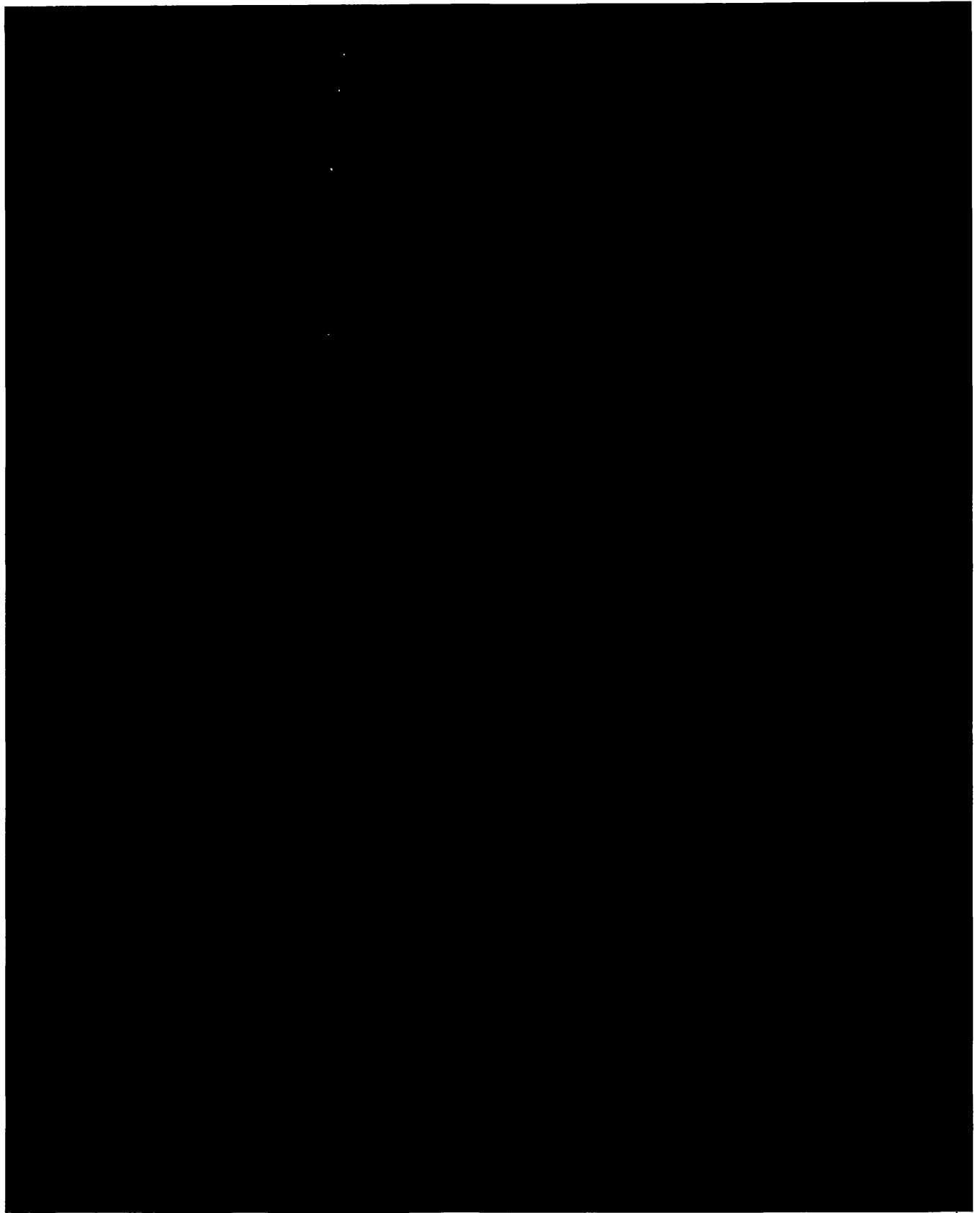
21 Q. Absolutely.

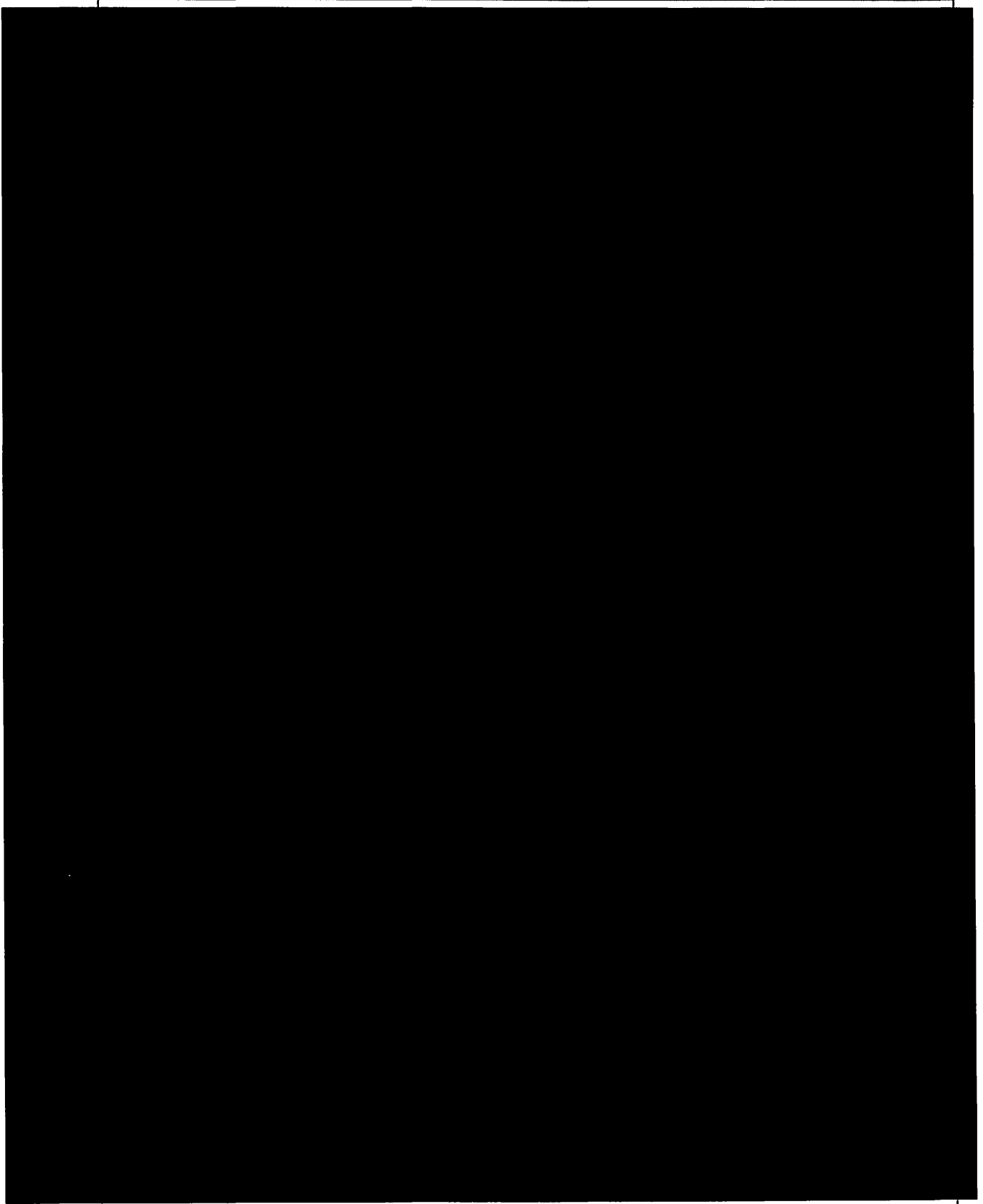
22 First, if I refer to the defendant in
23 this case as Bank of America, BANA, B of A, or the
24 bank, will those all make sense to you?

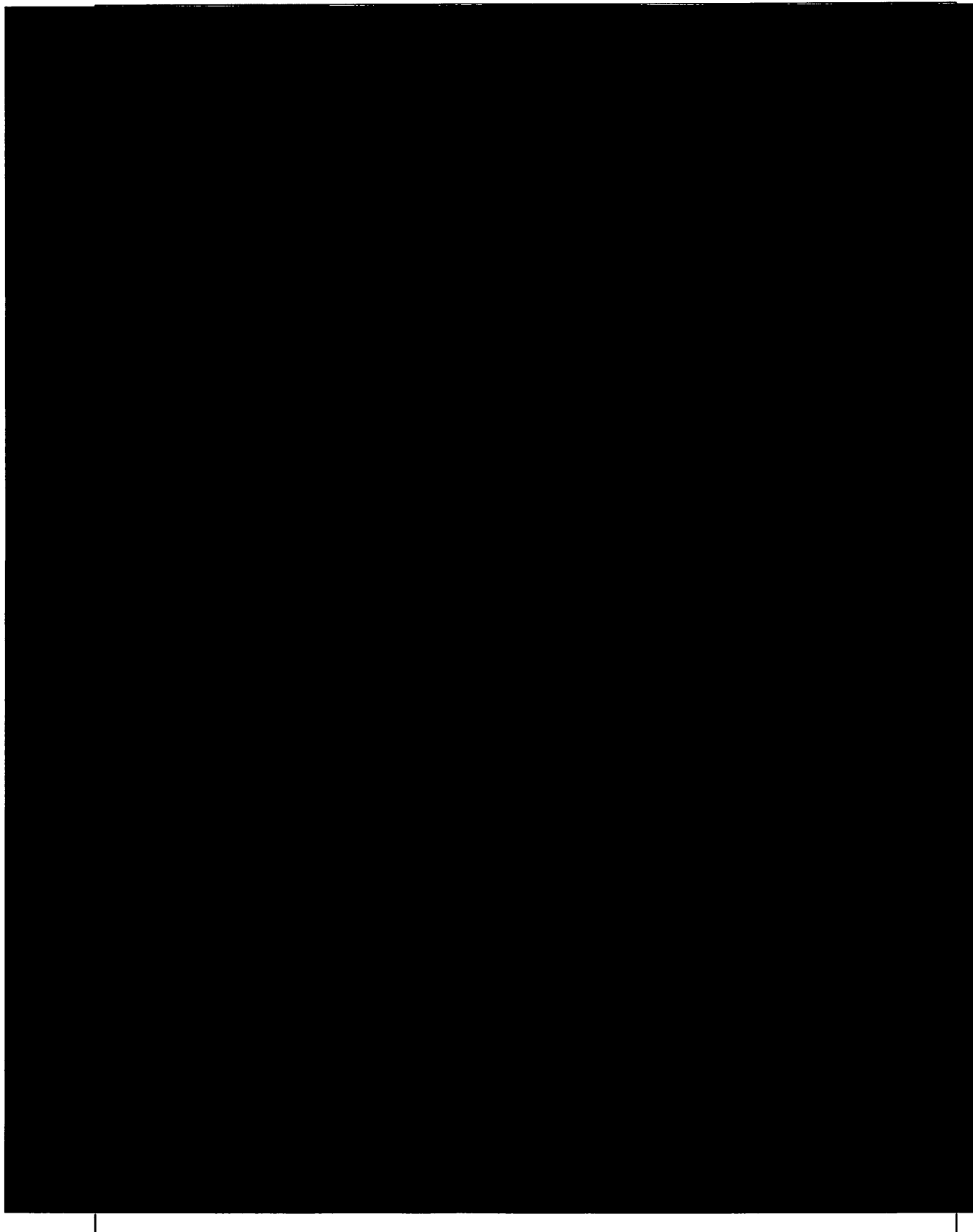
25 A. Yes.

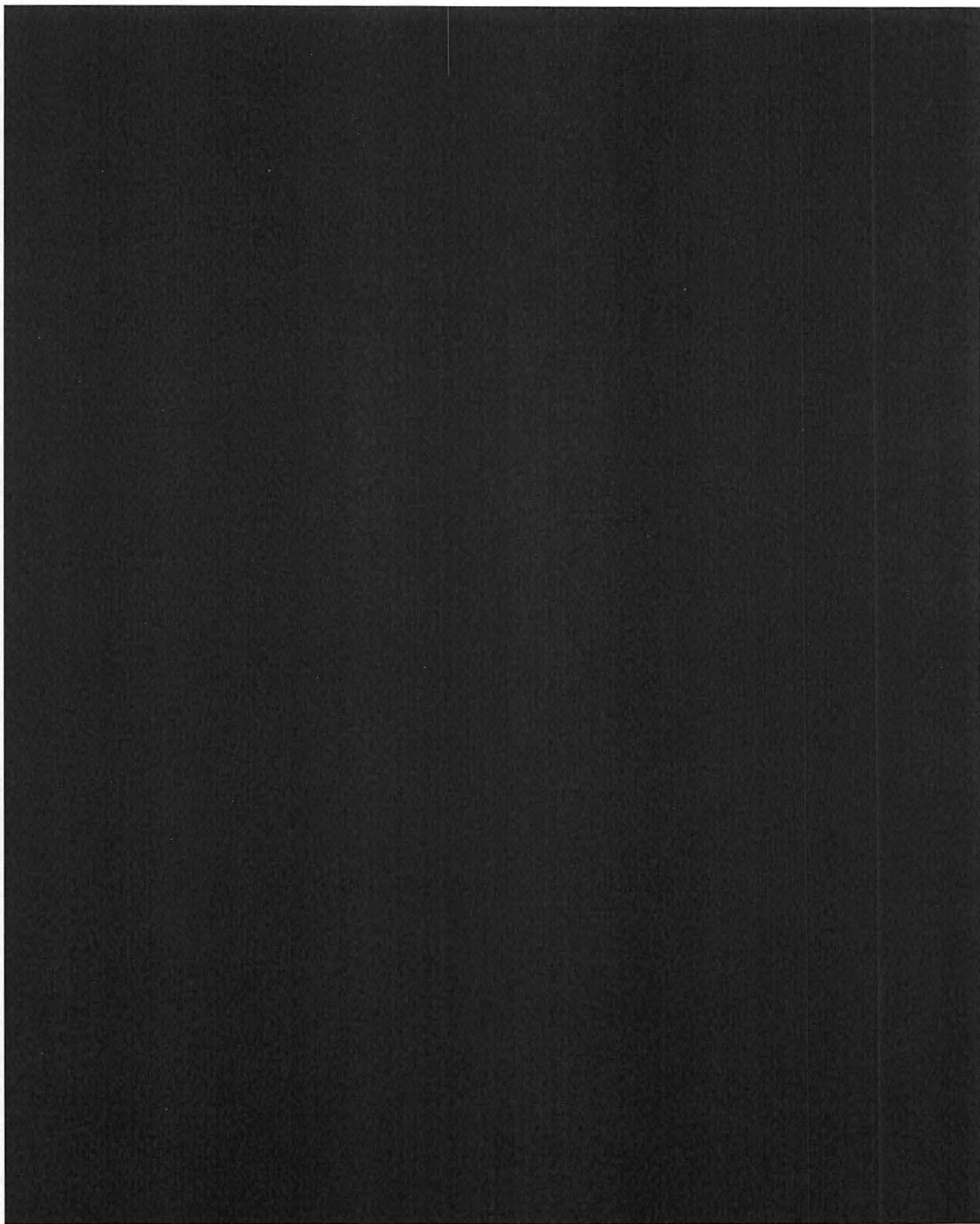


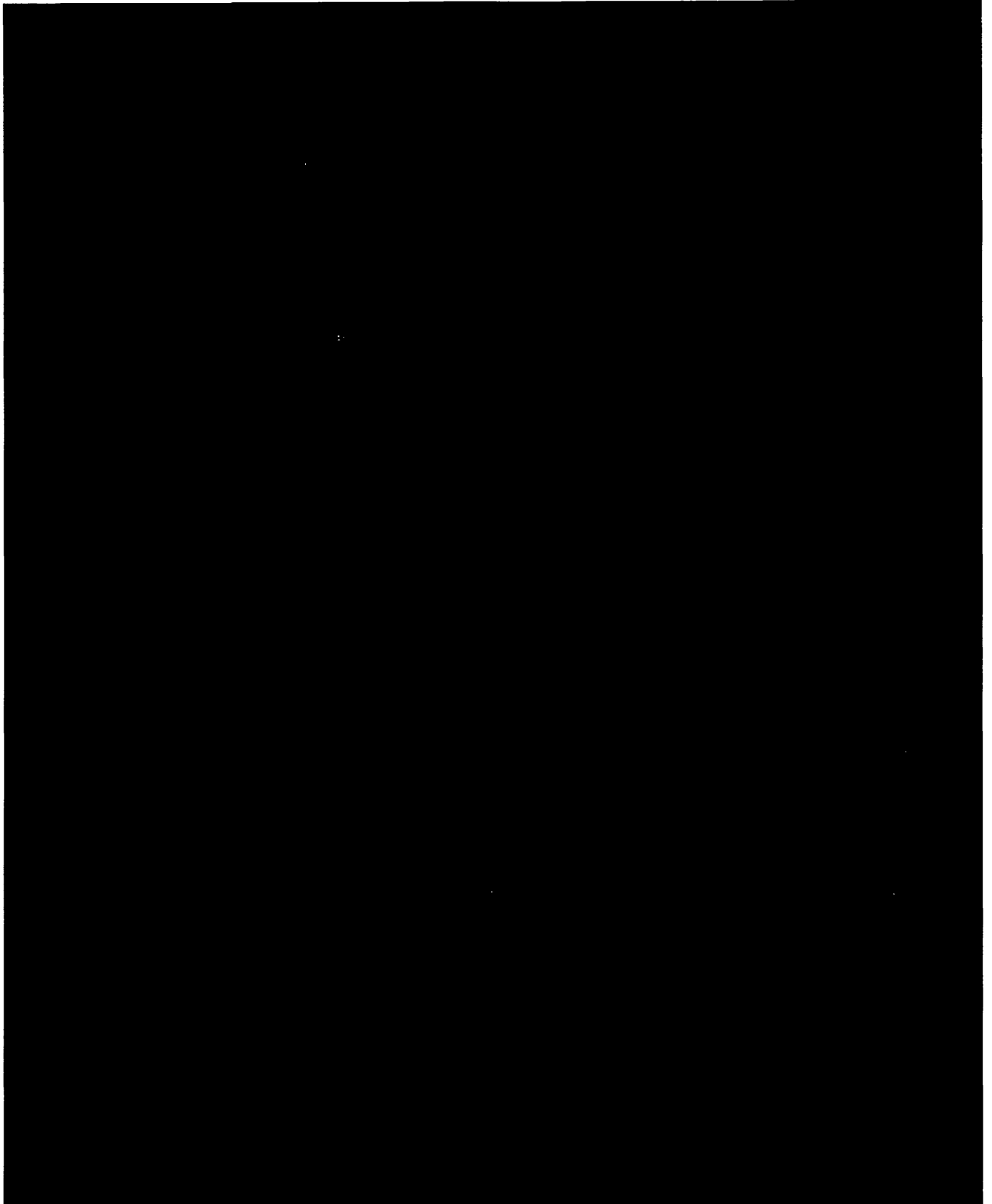


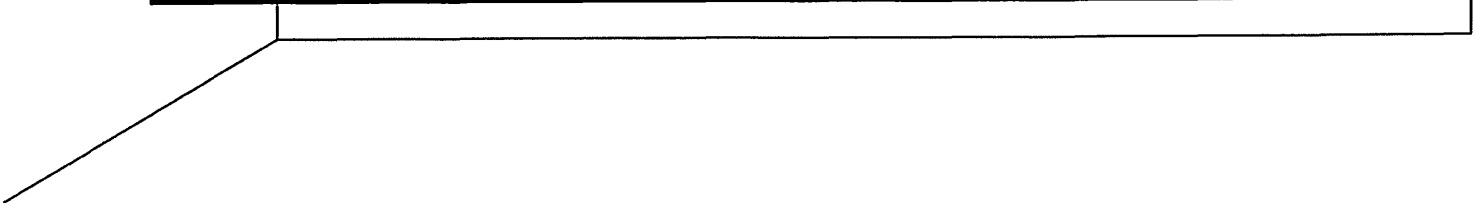
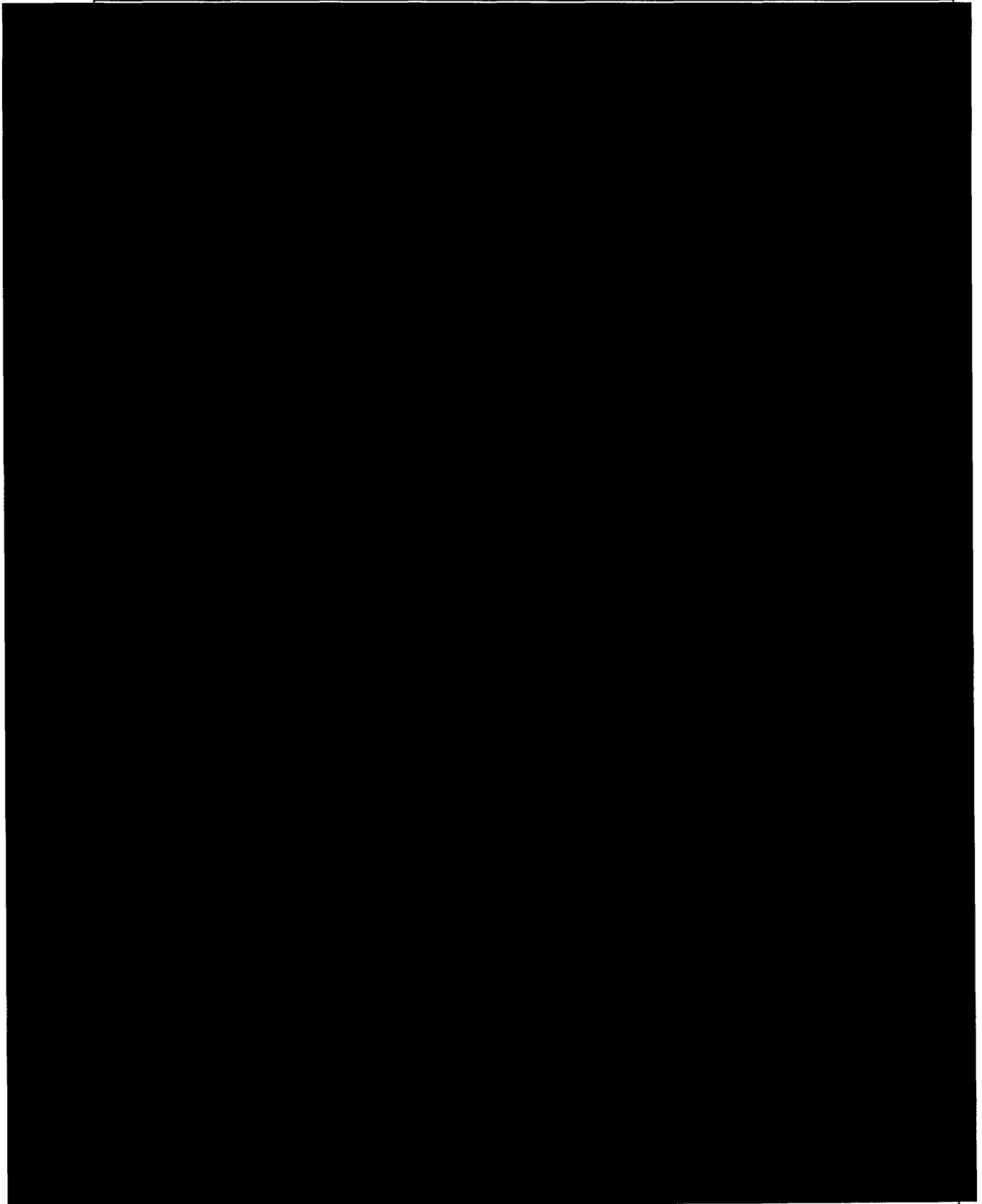


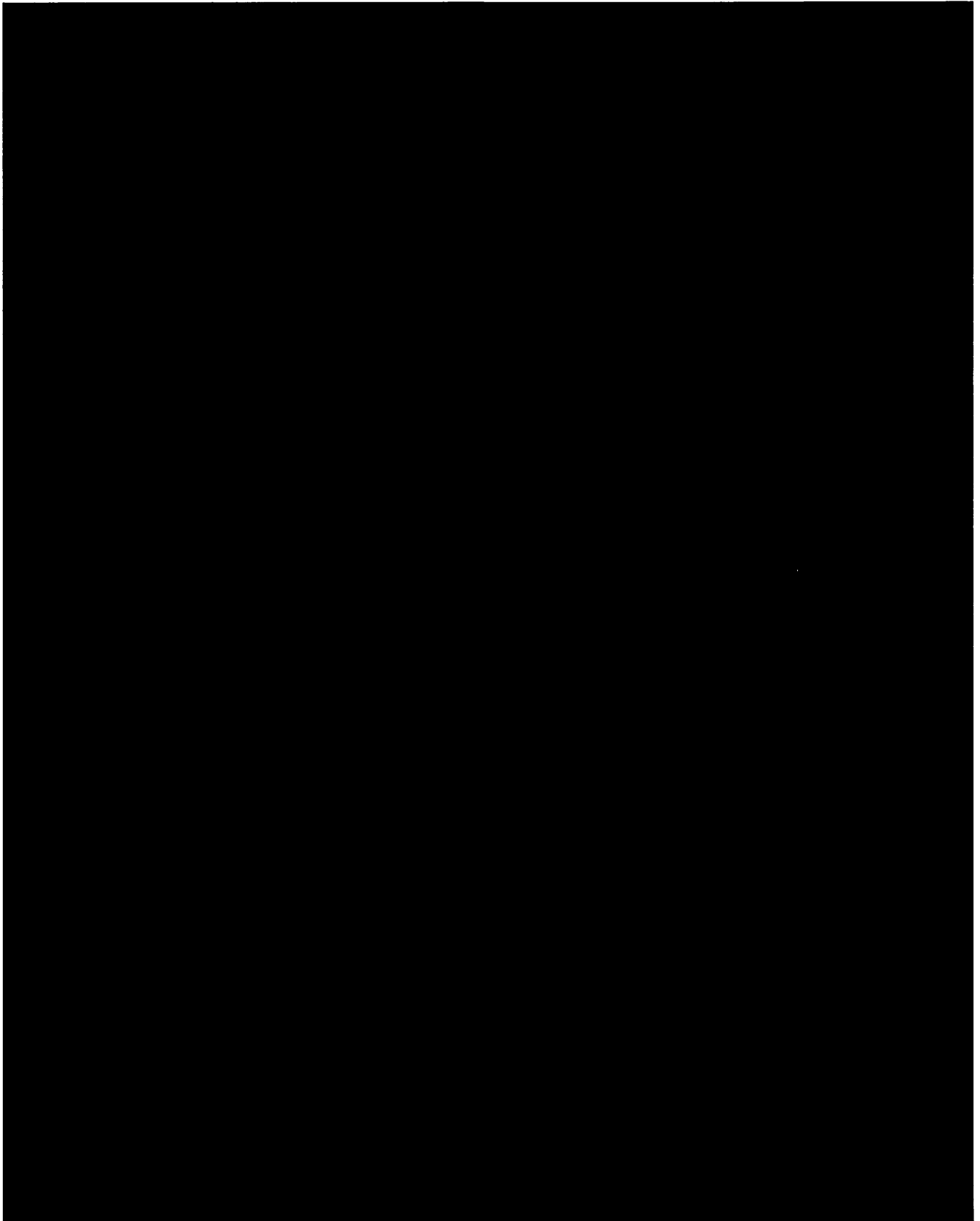


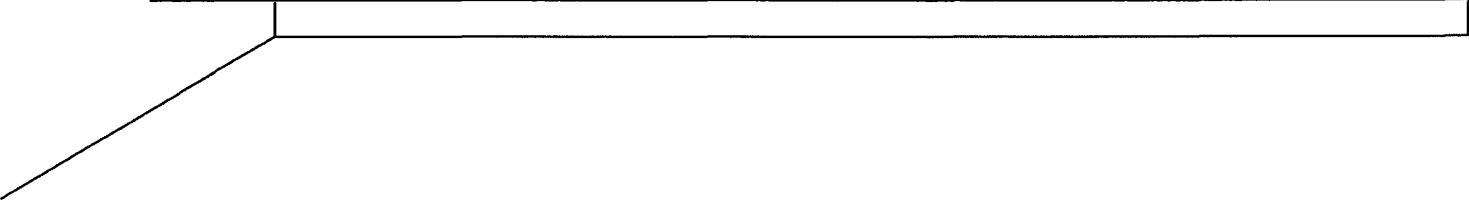
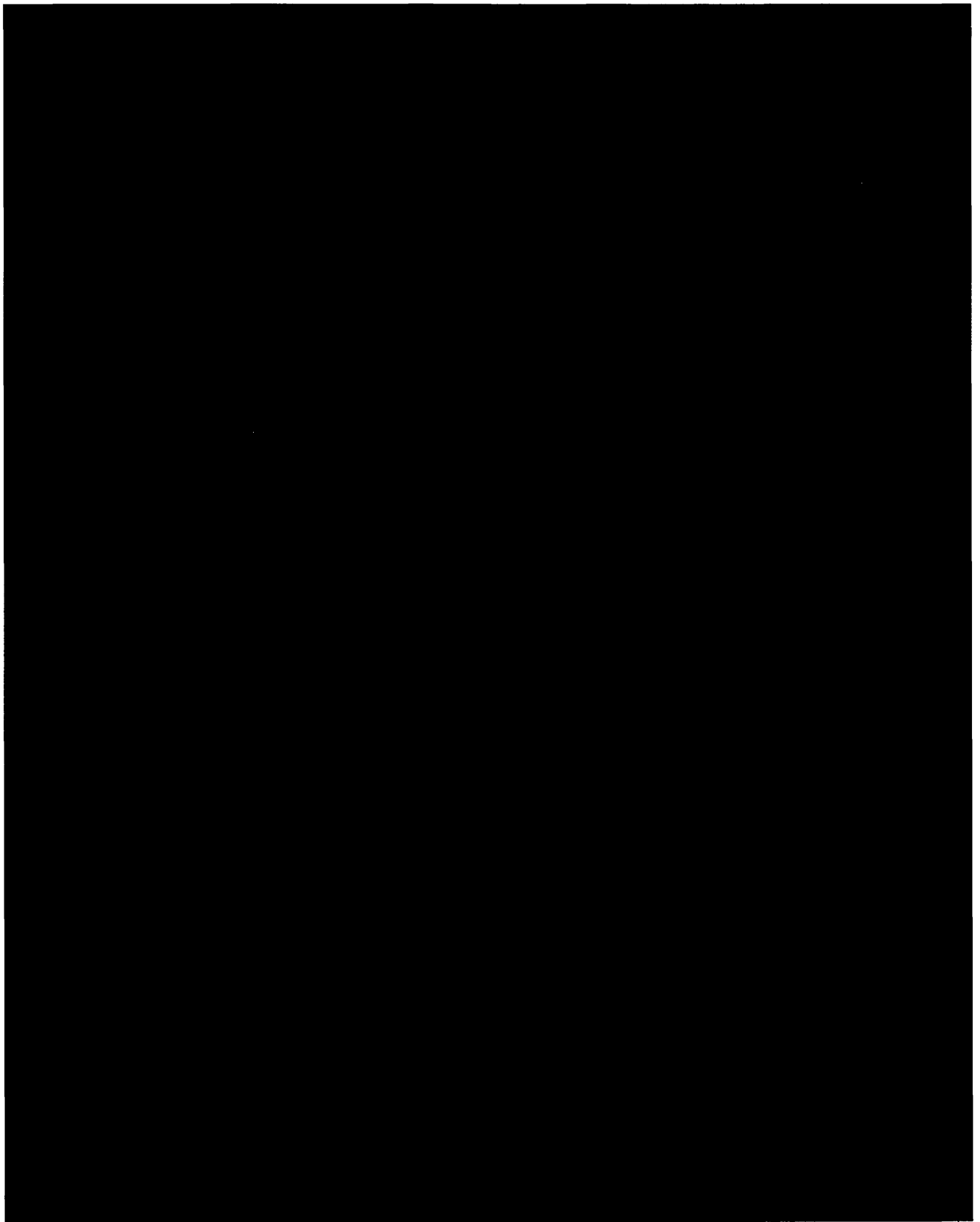


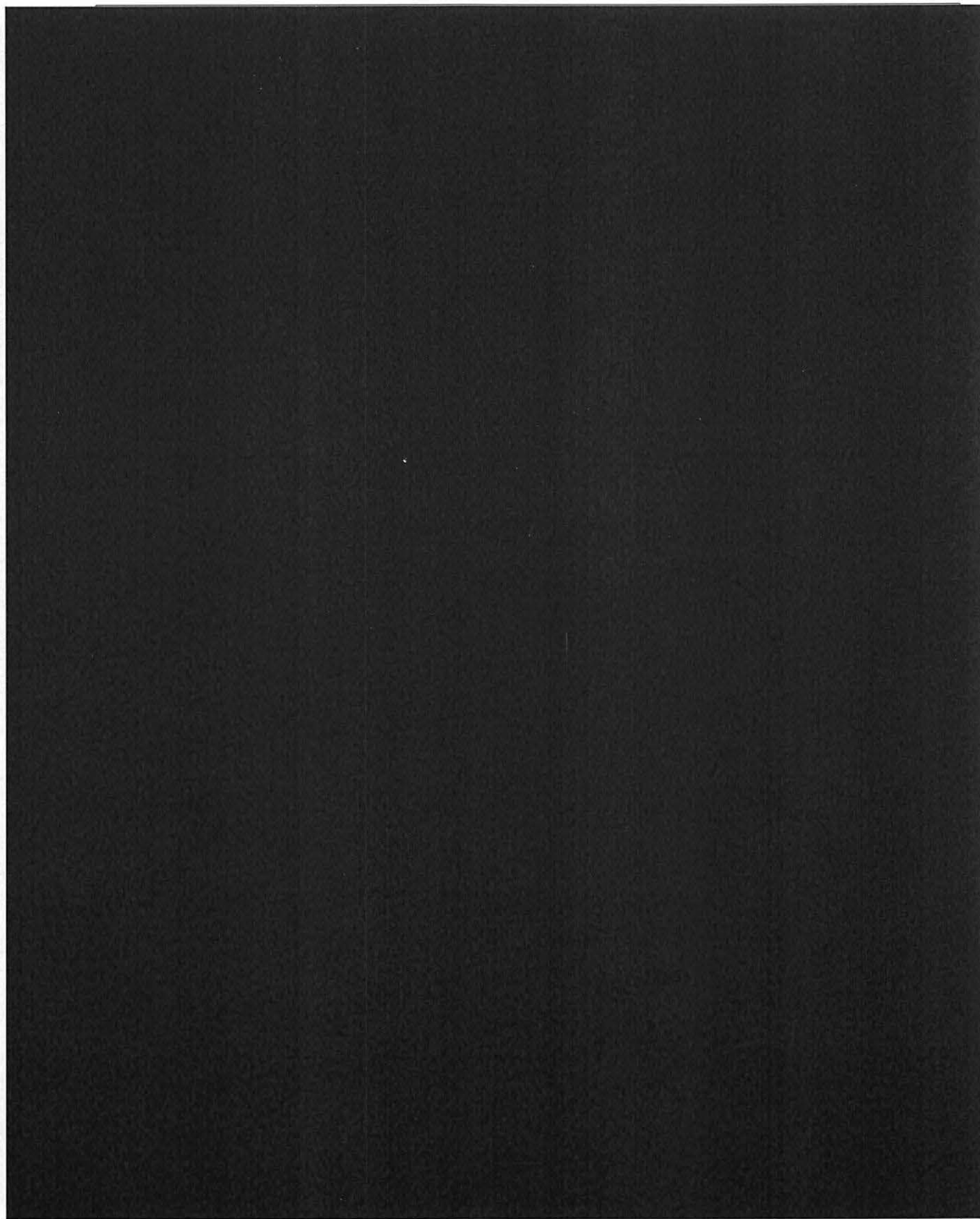


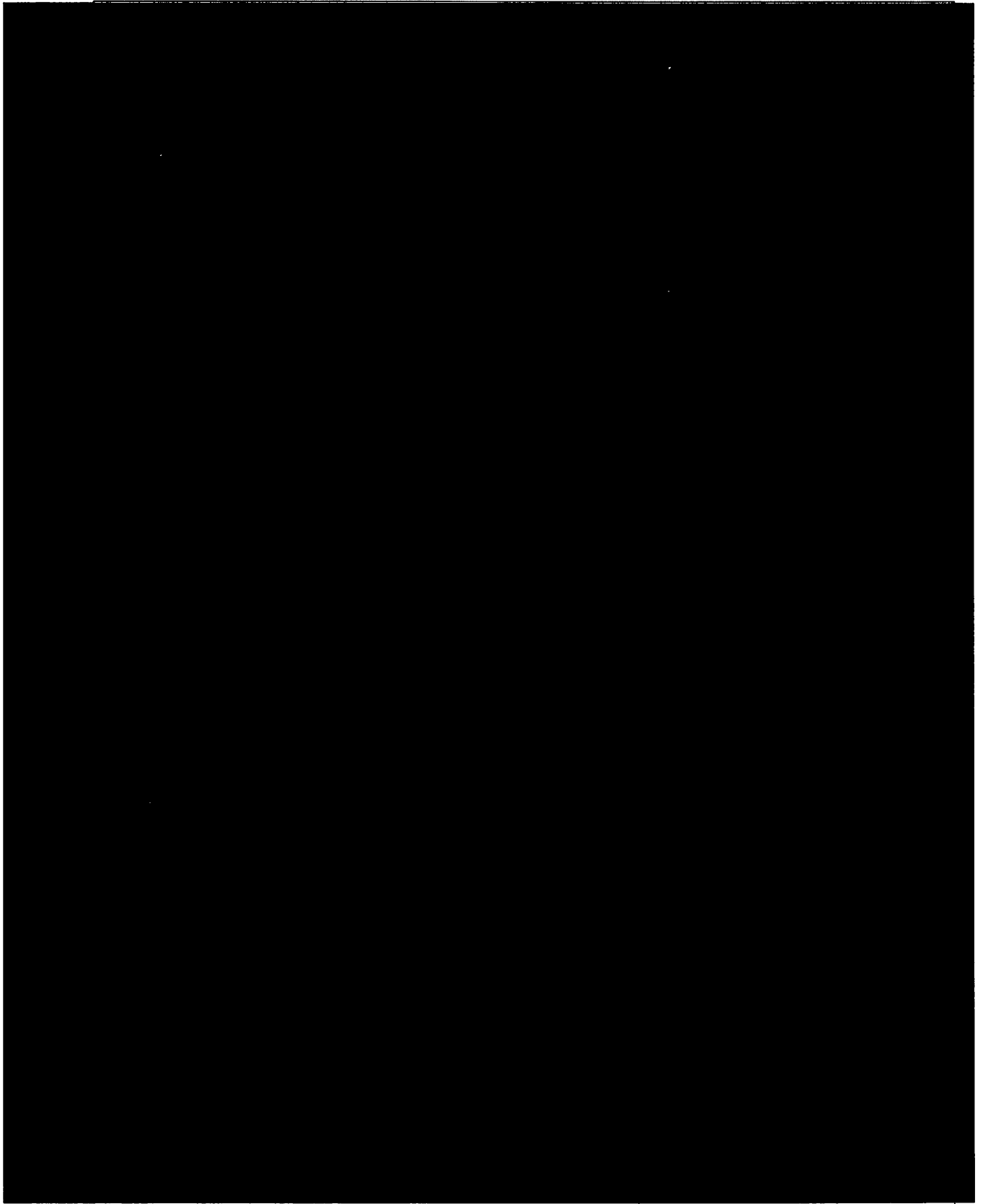


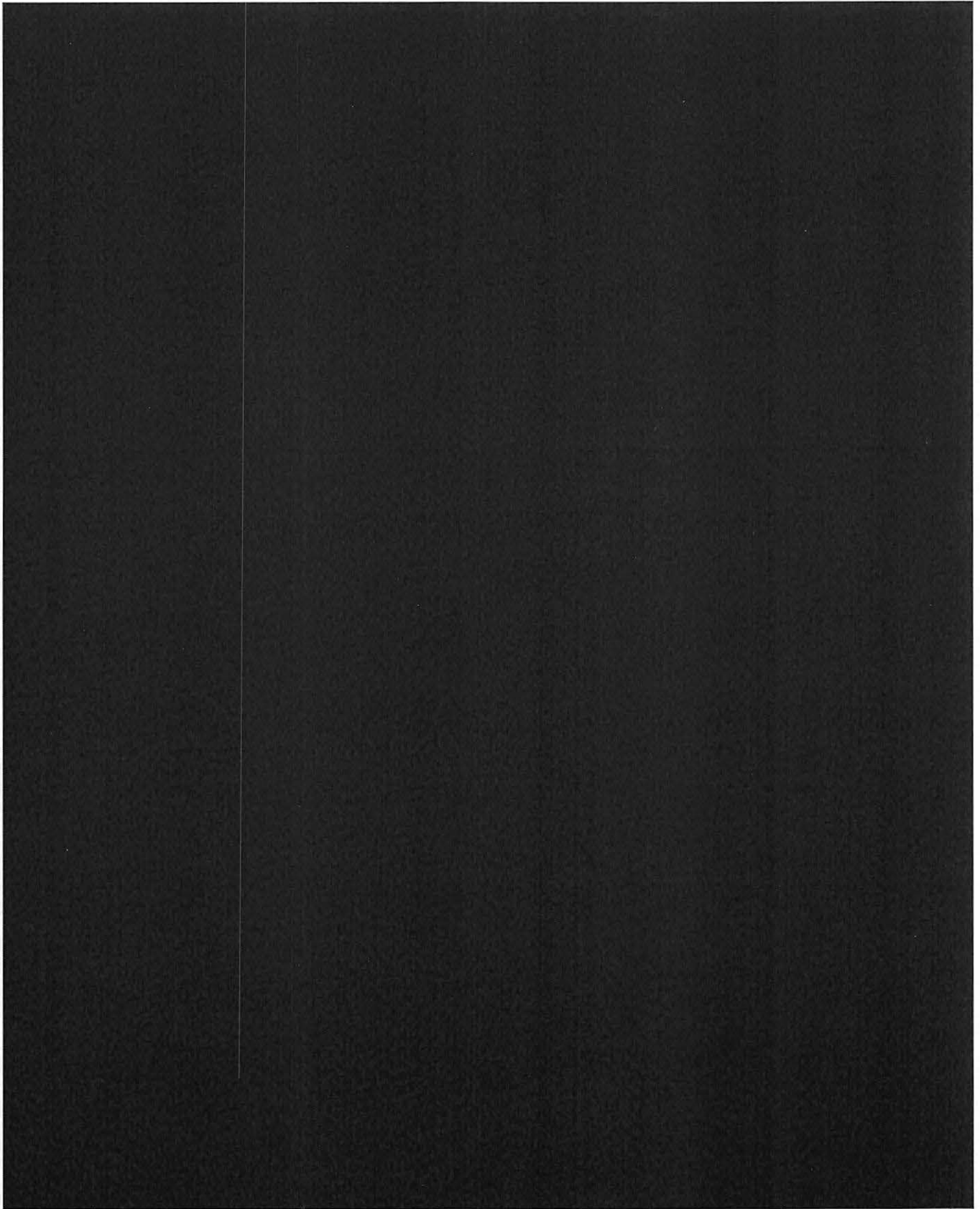


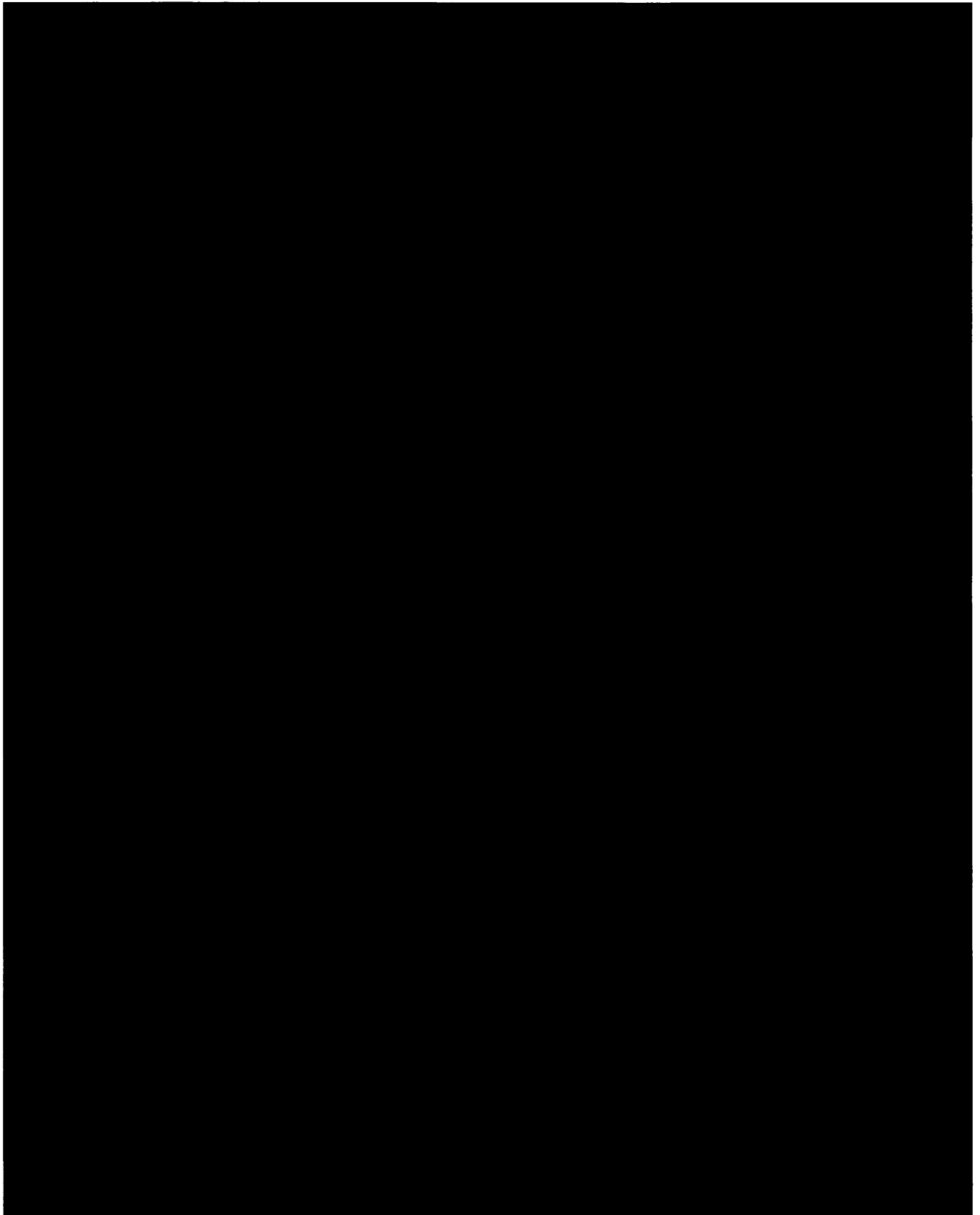


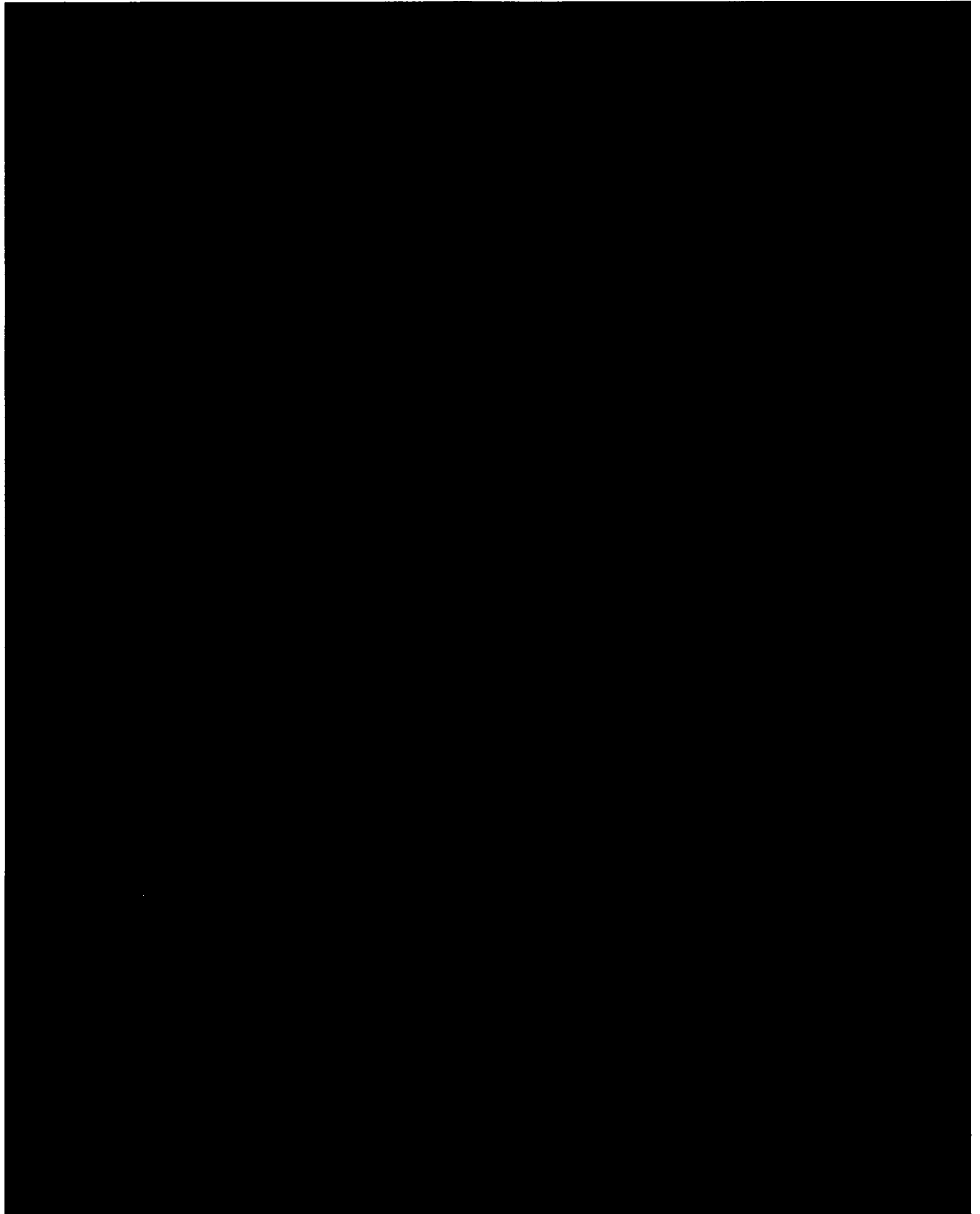


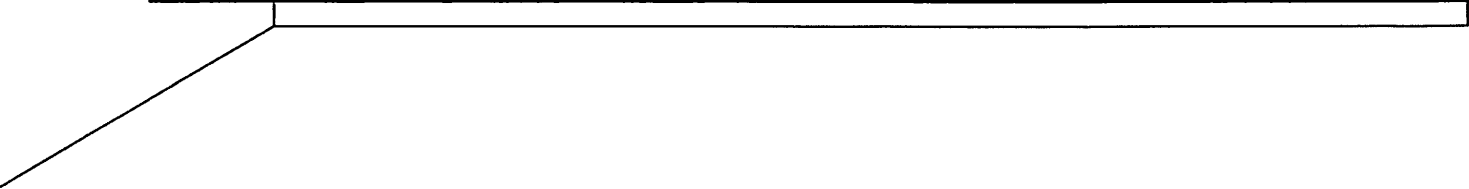
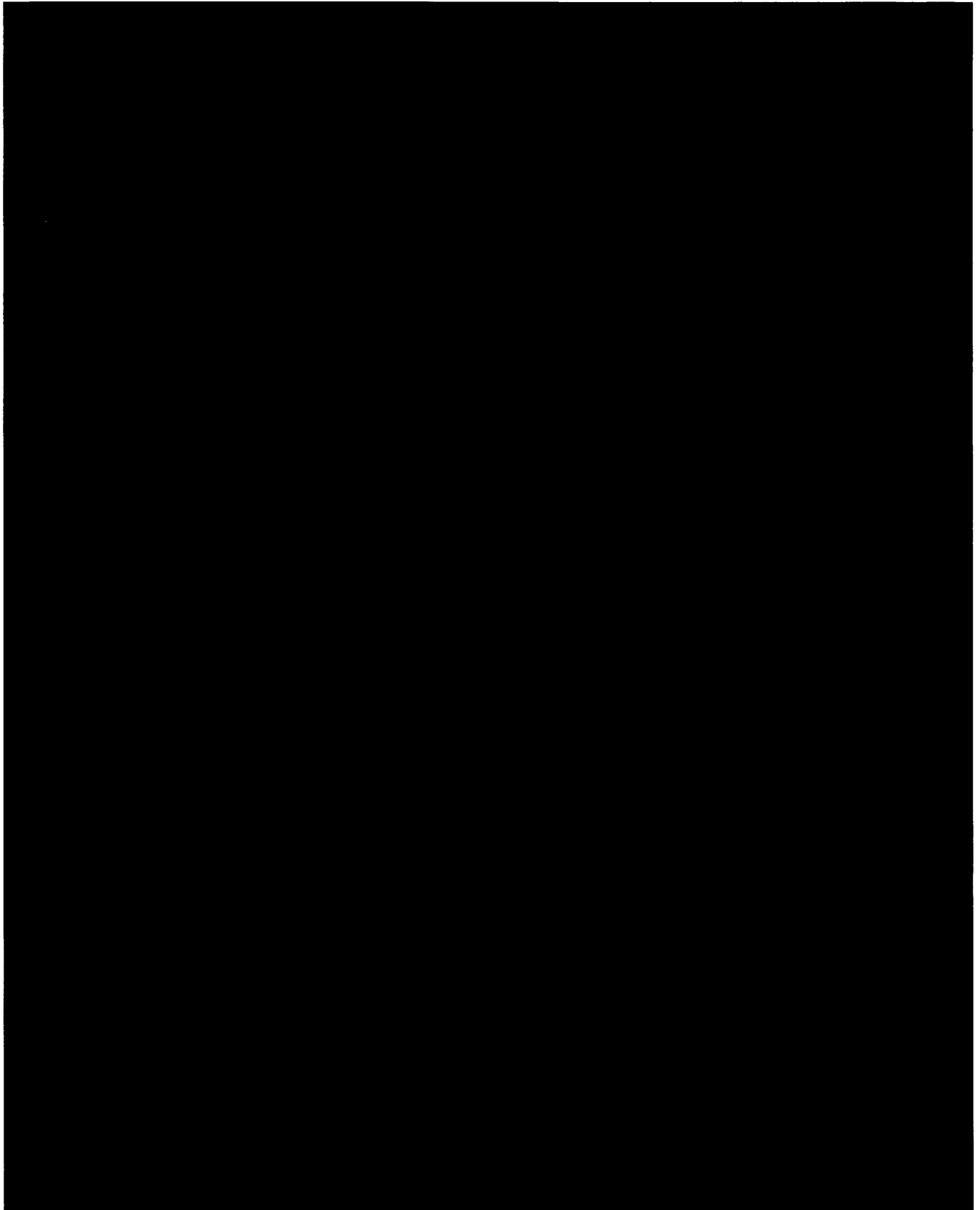


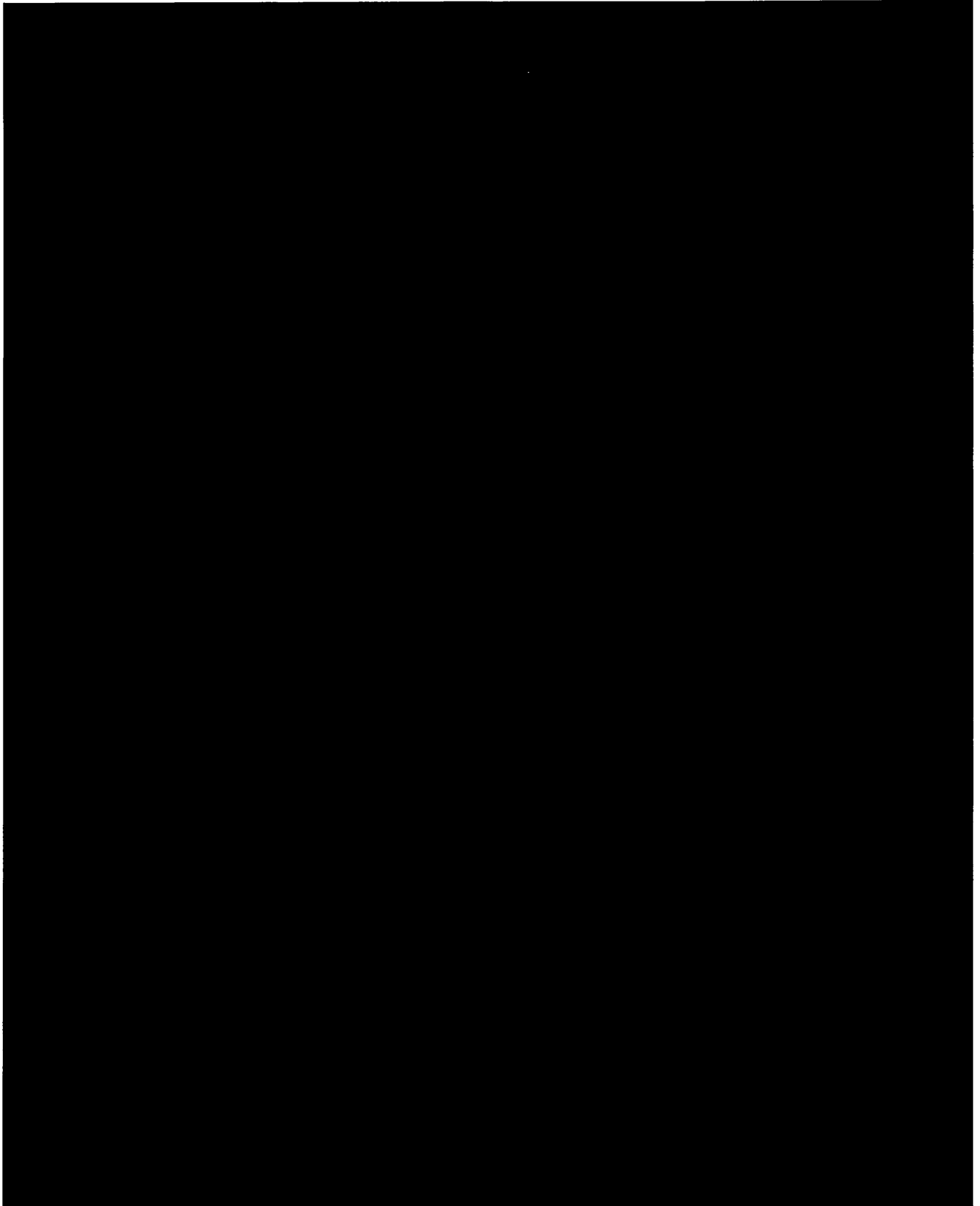


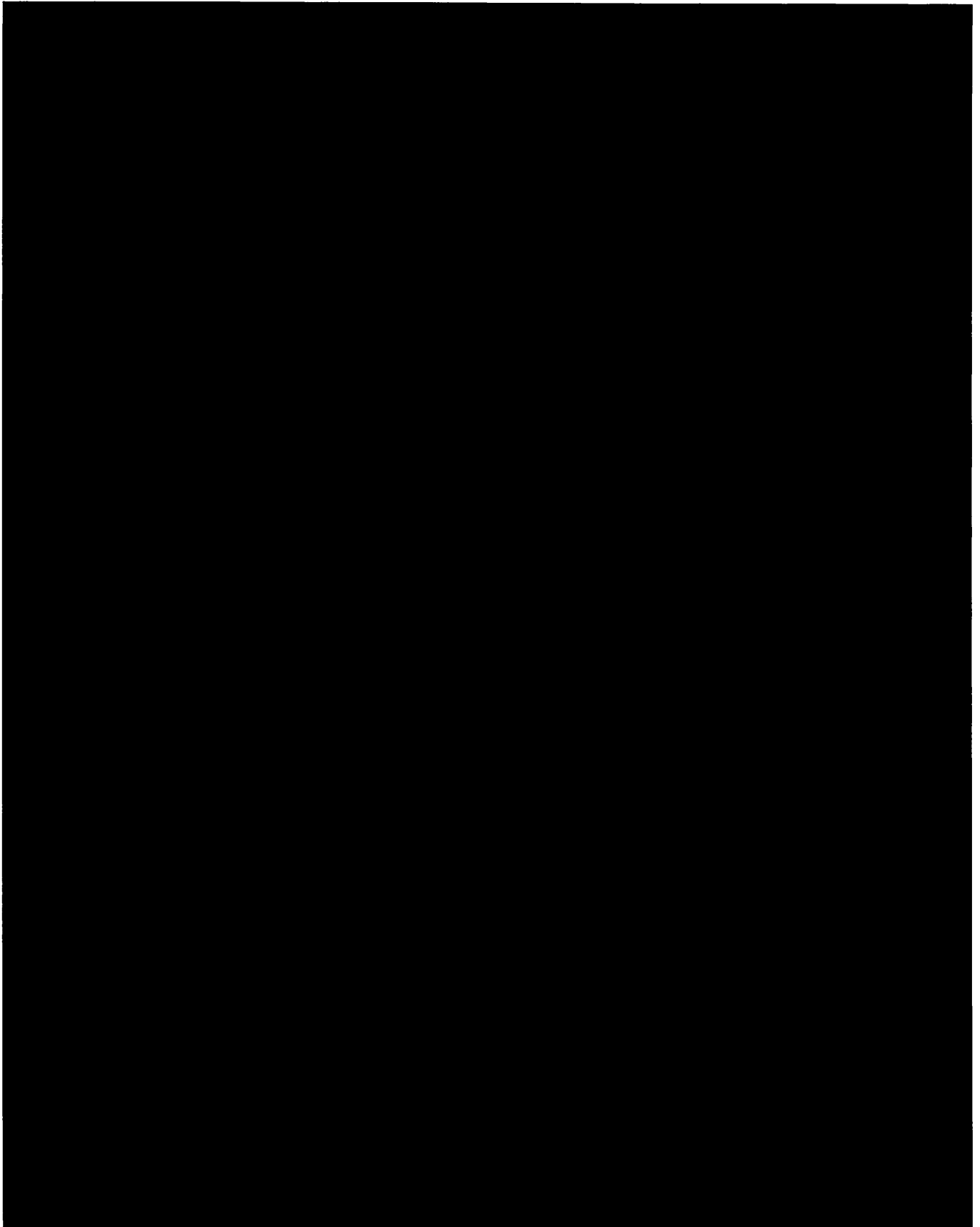


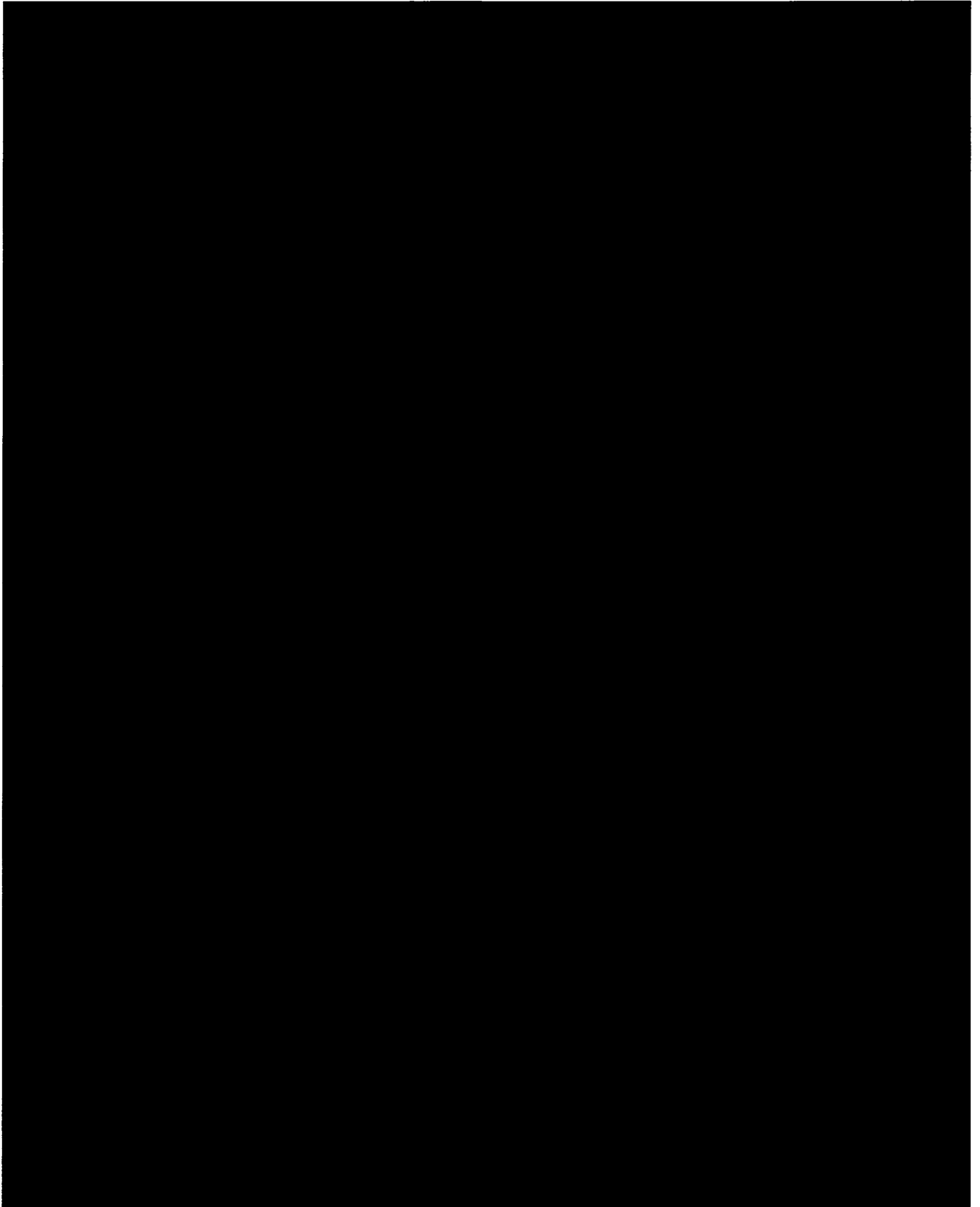


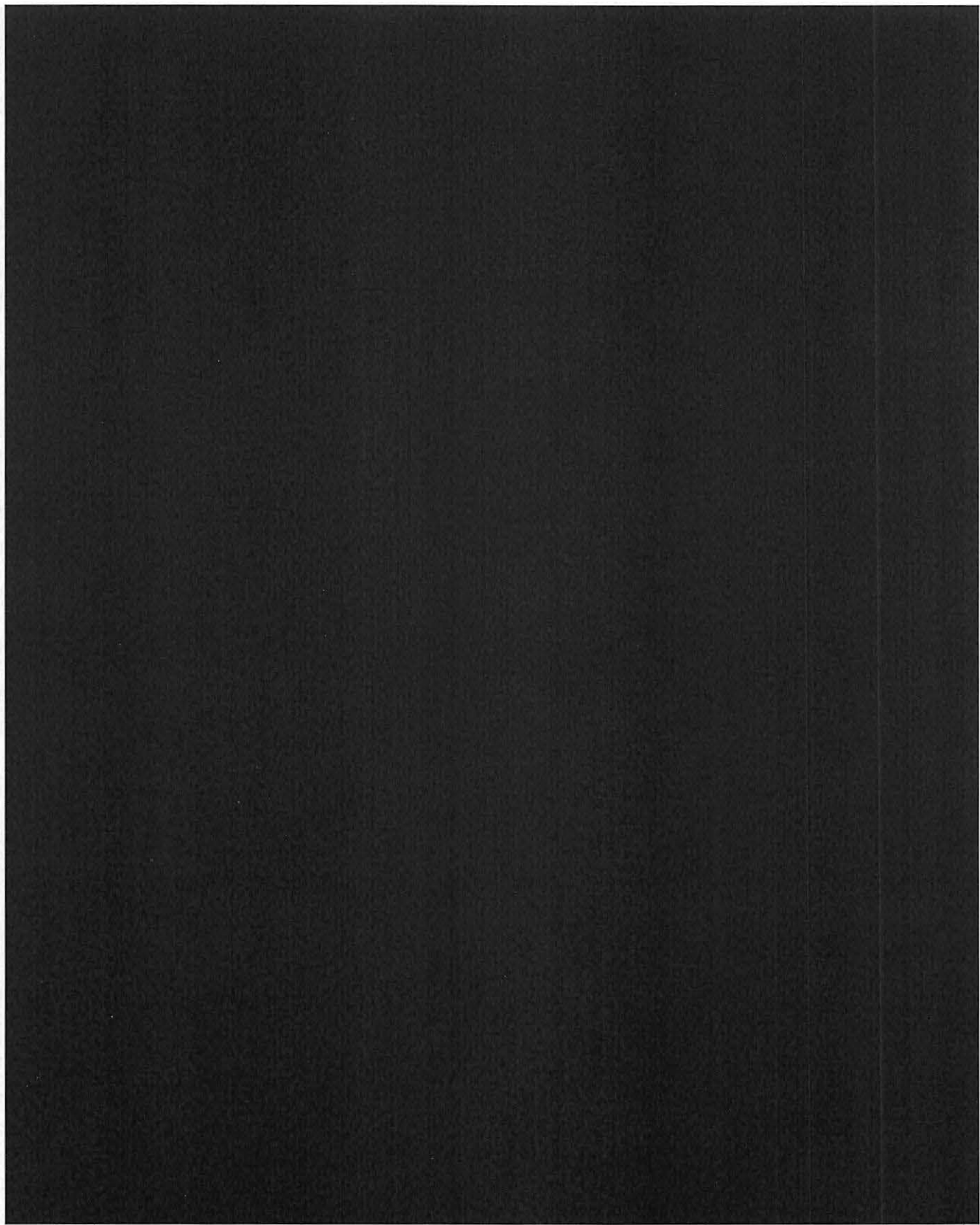


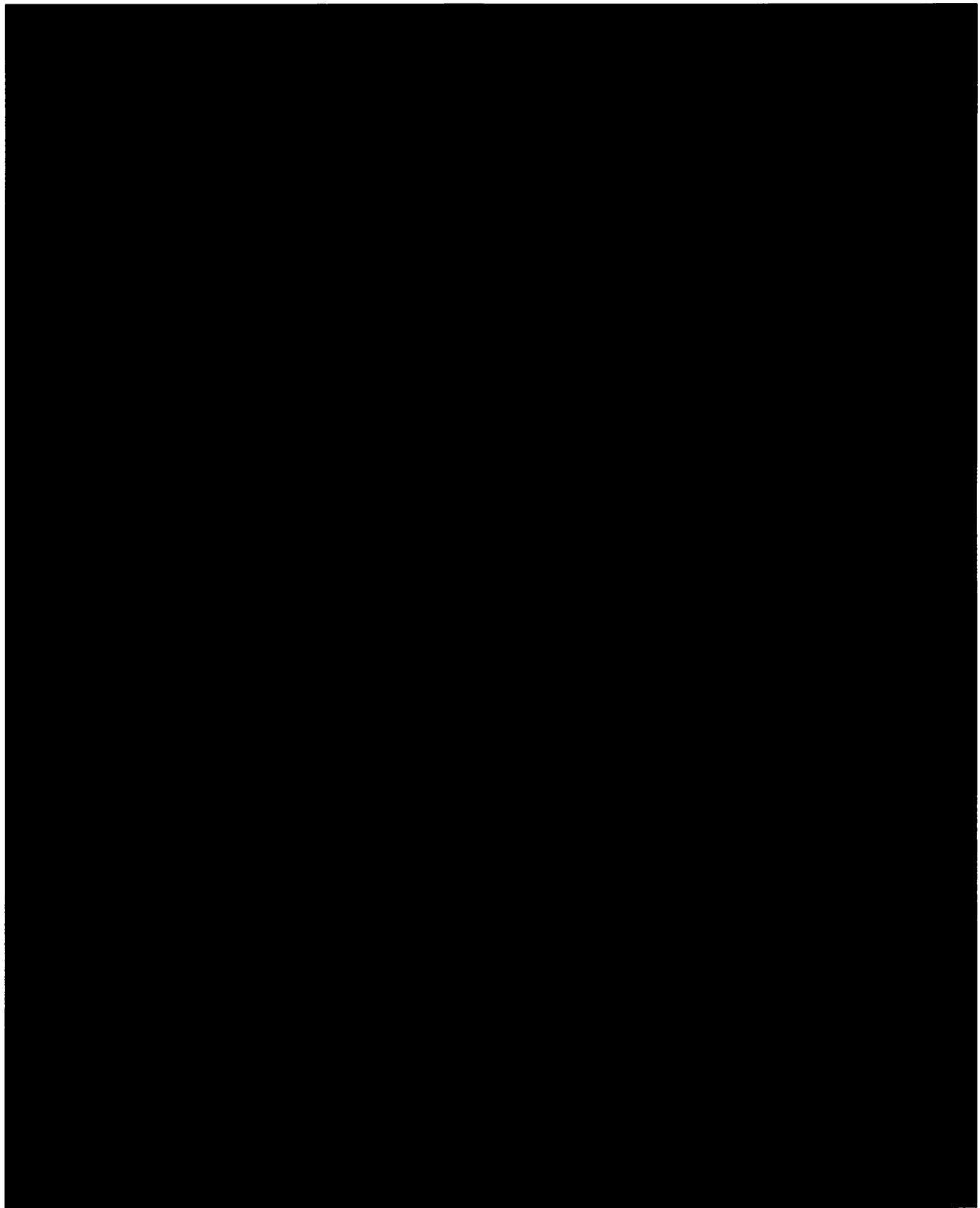


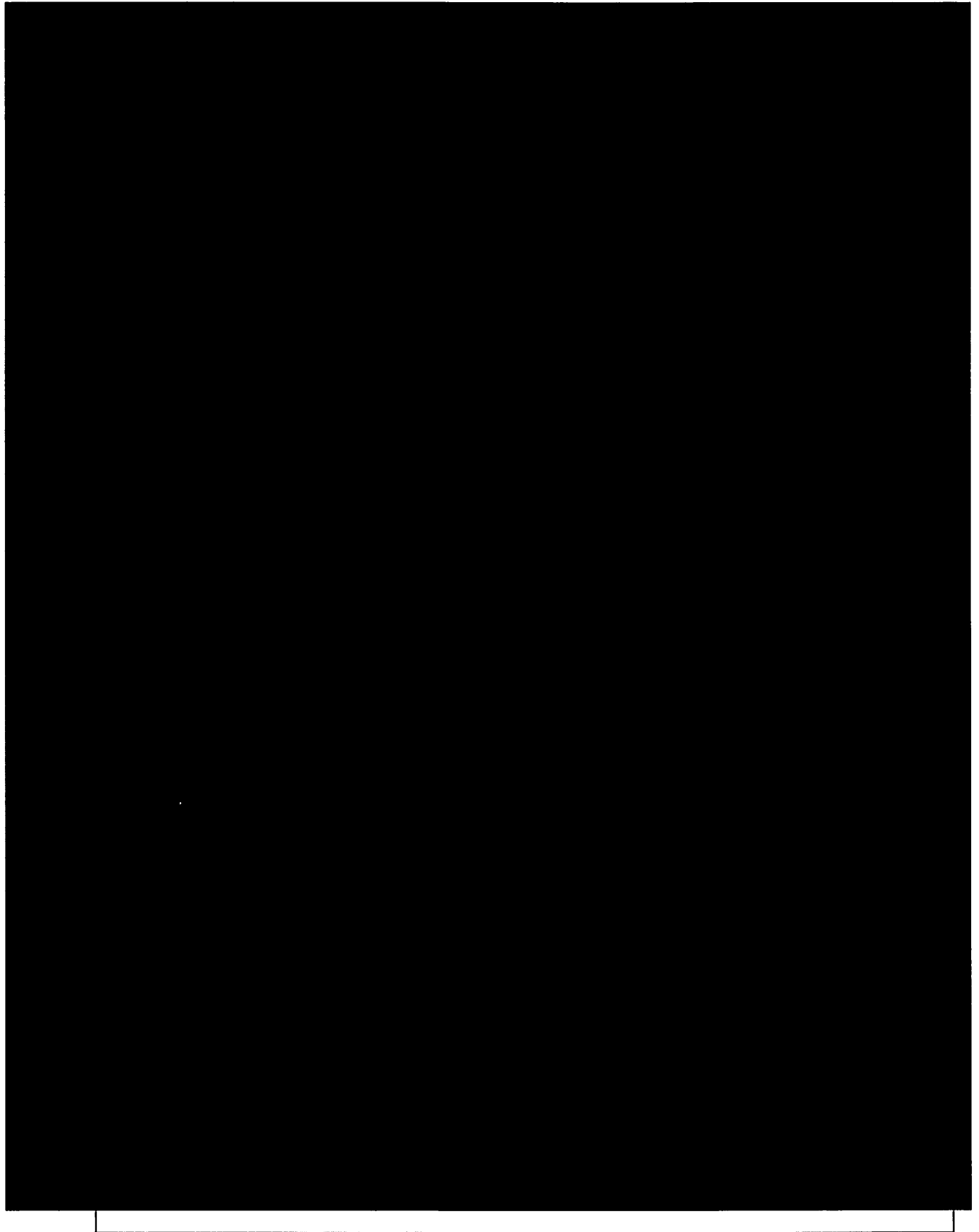


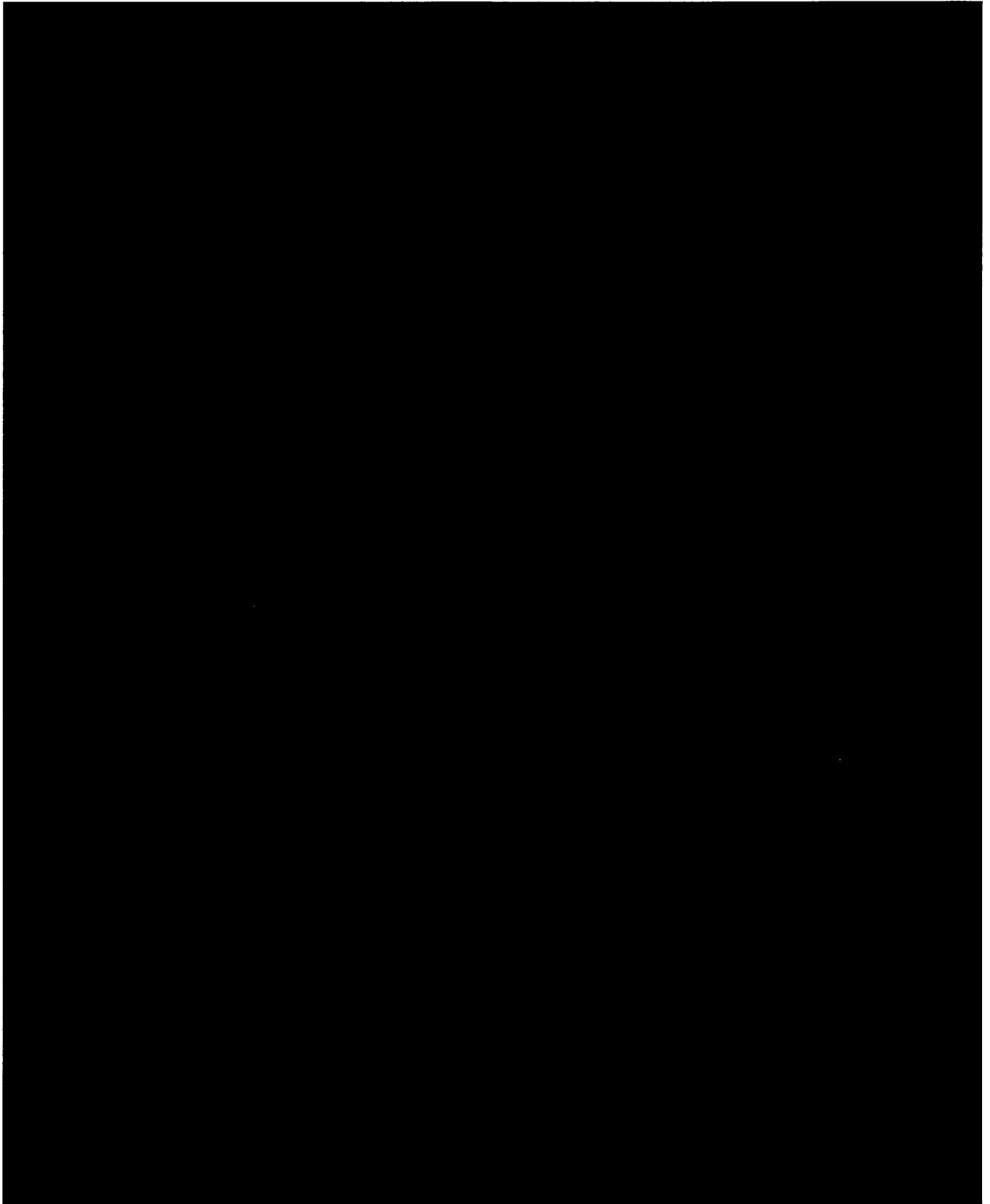






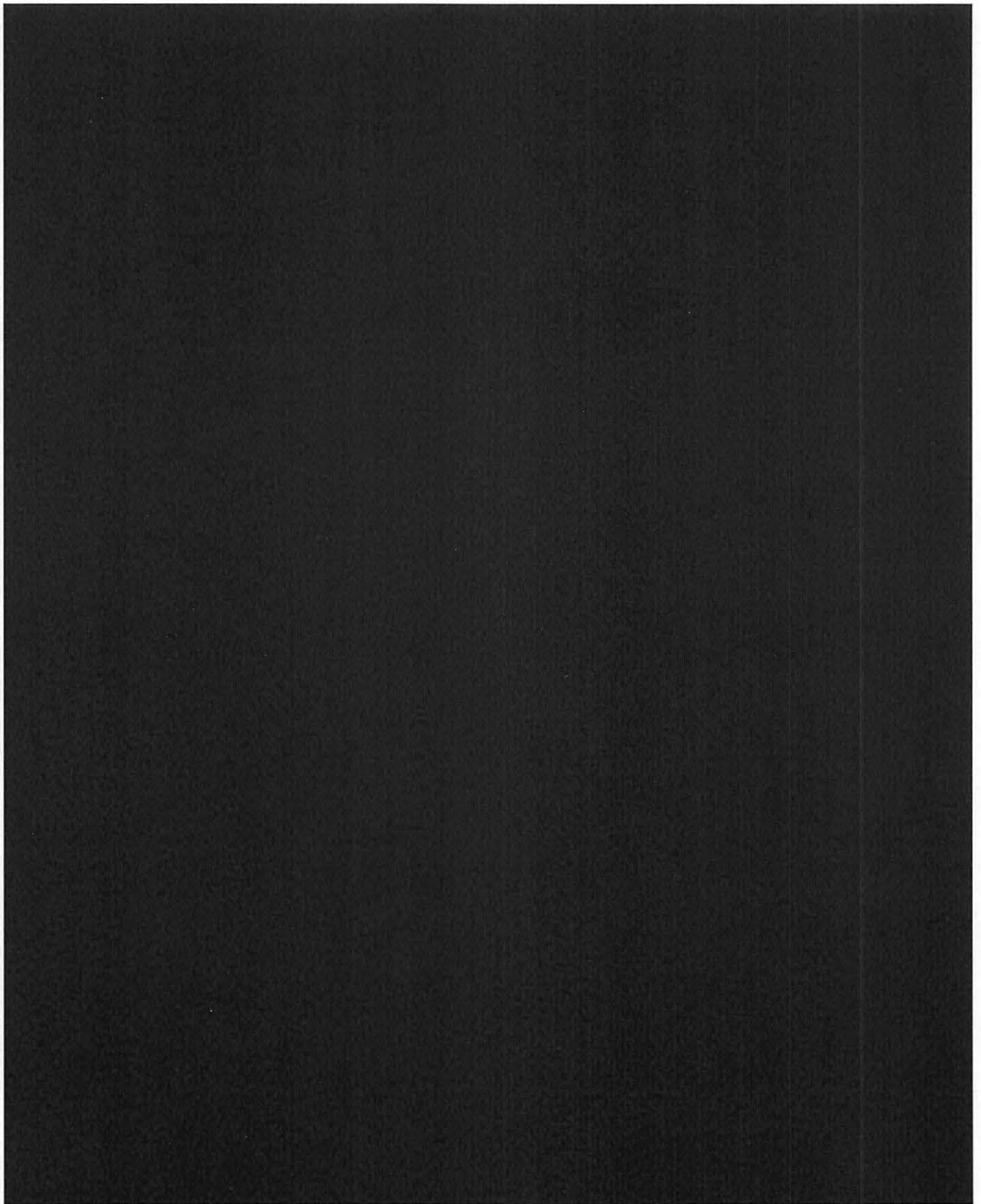


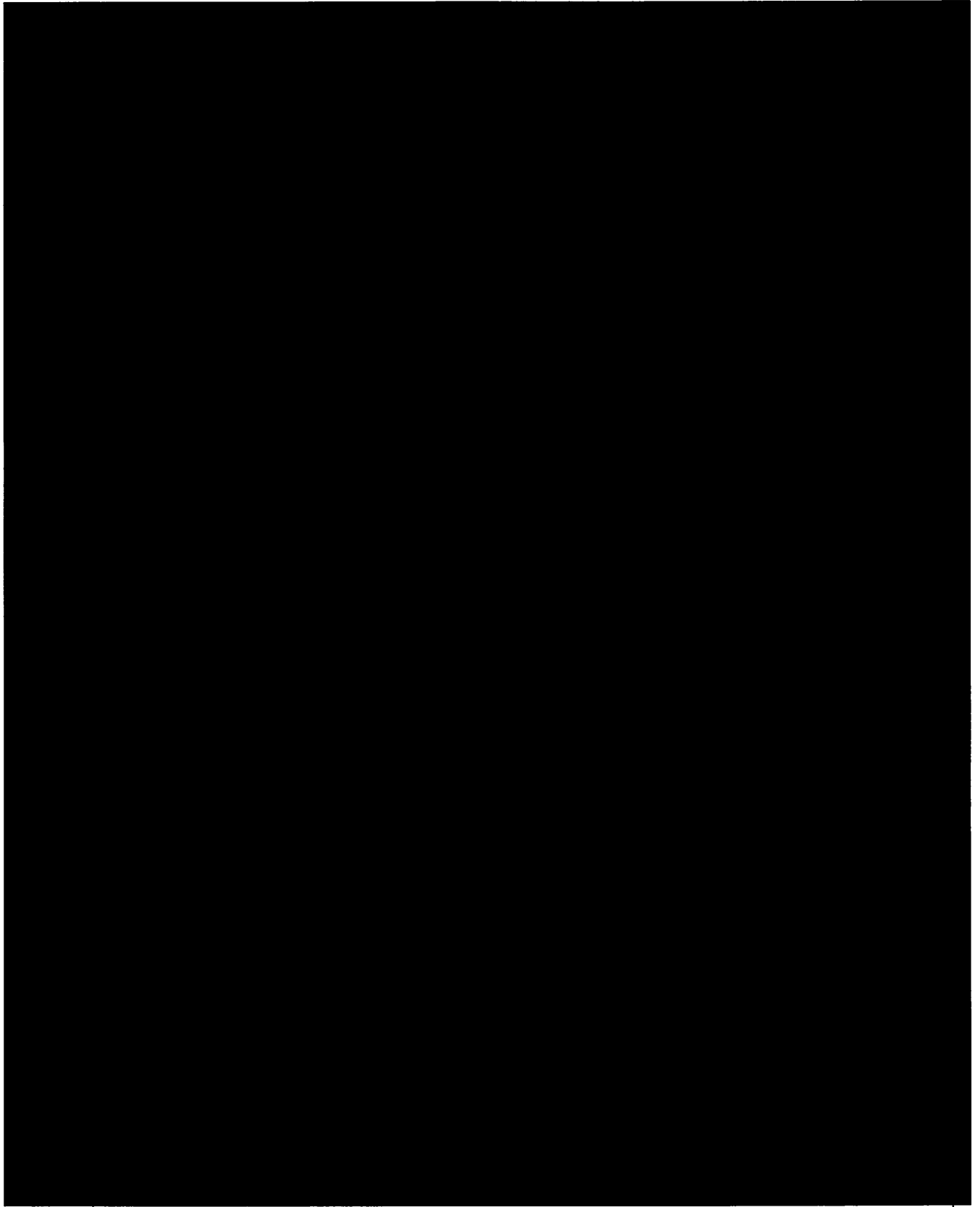


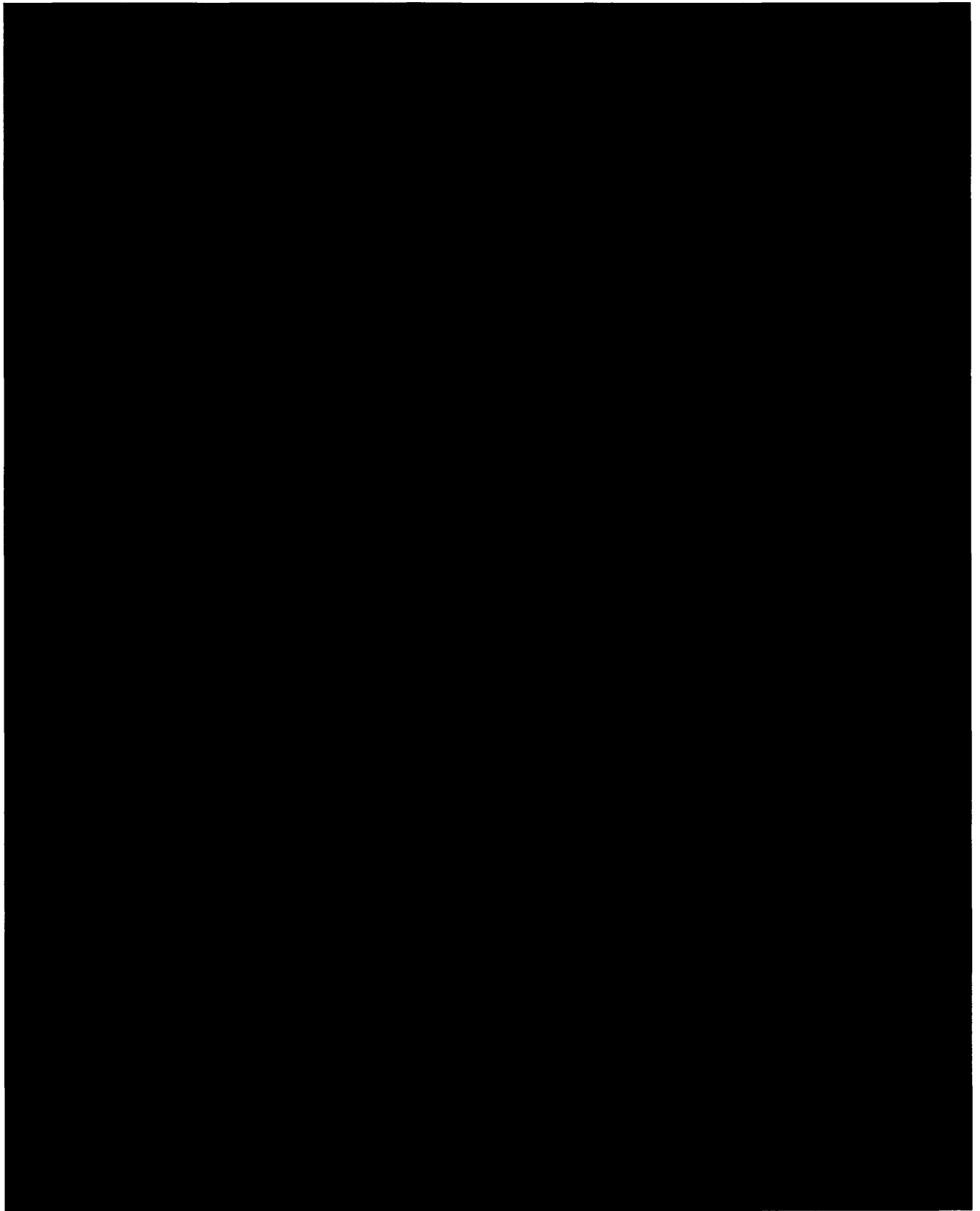


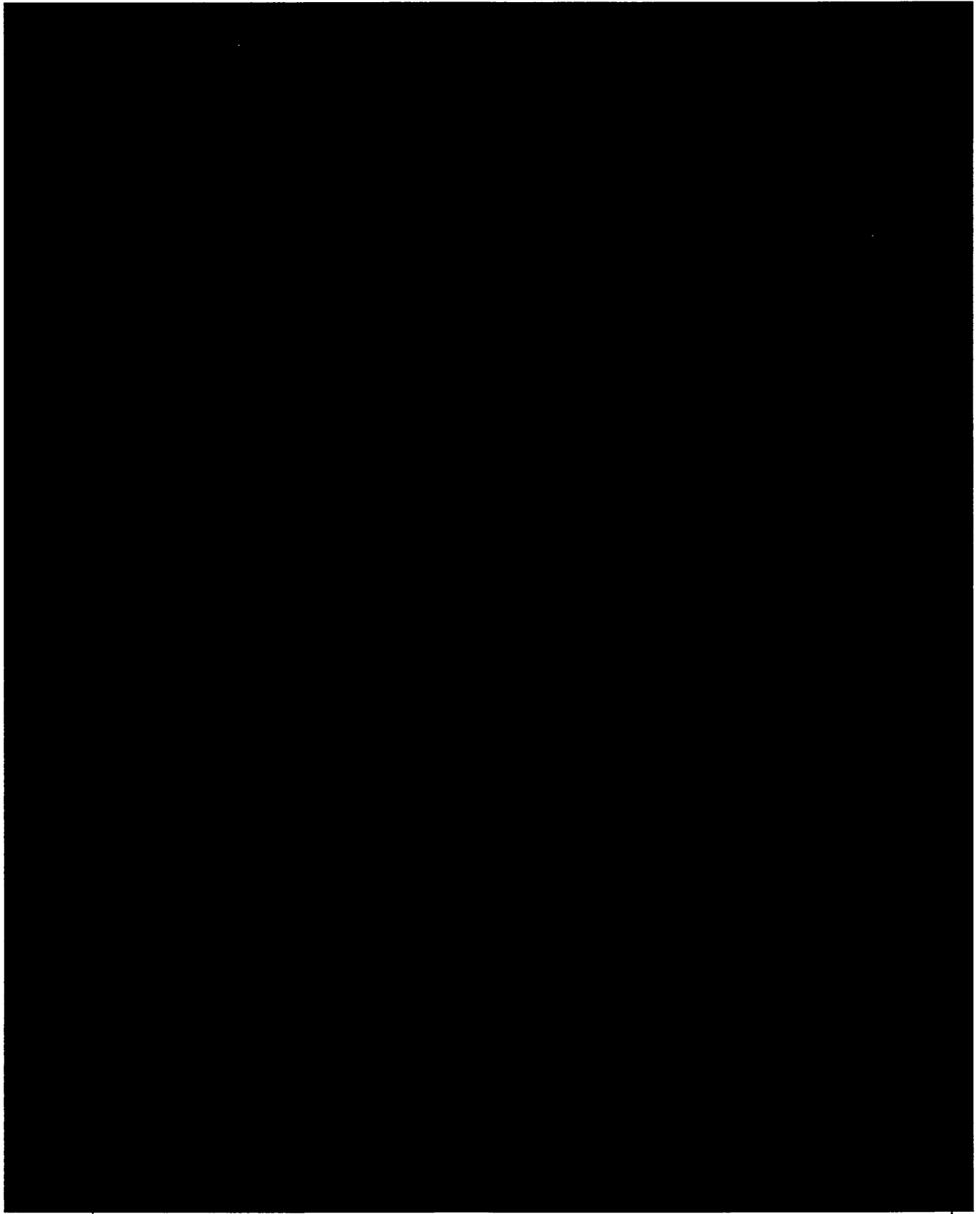
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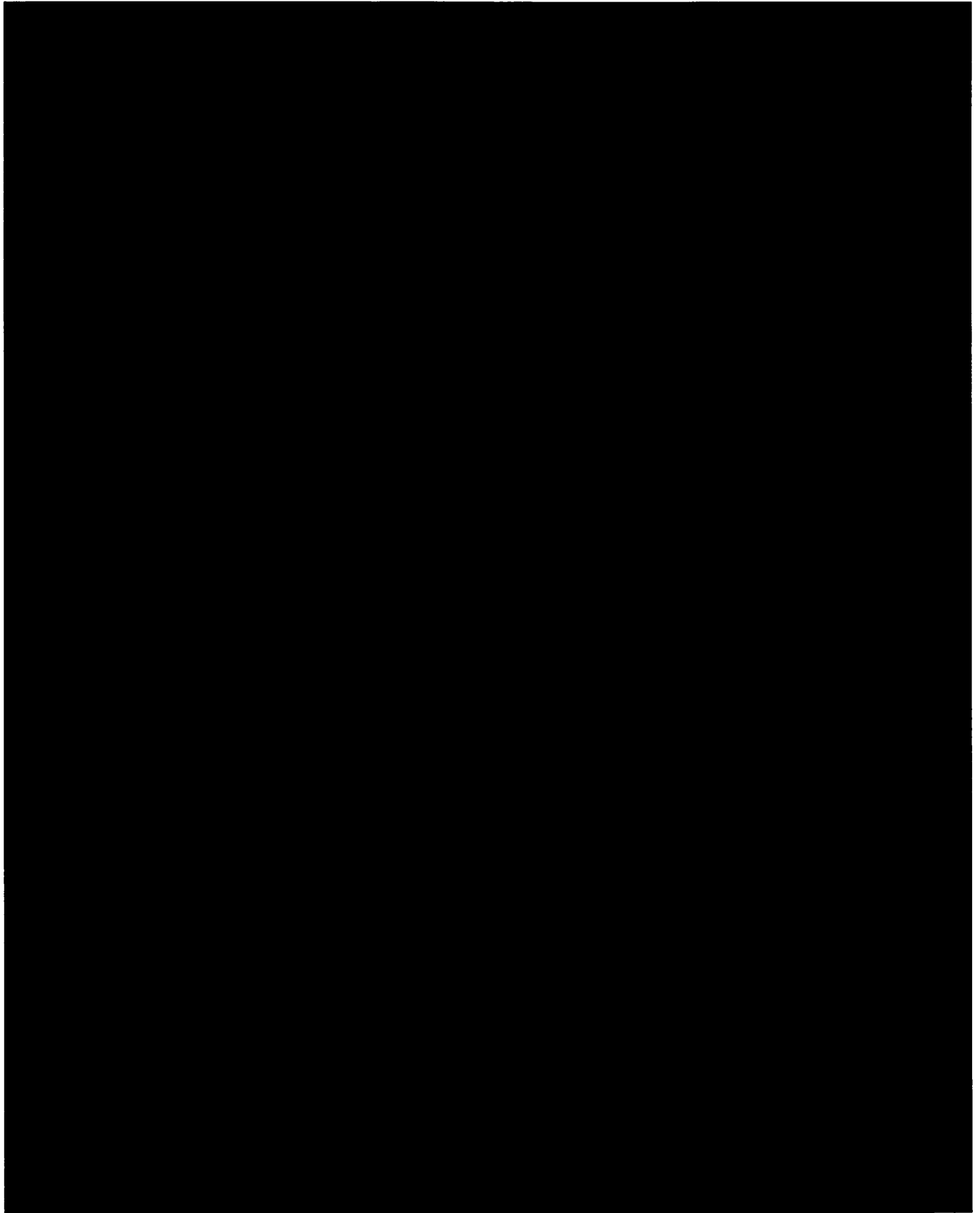
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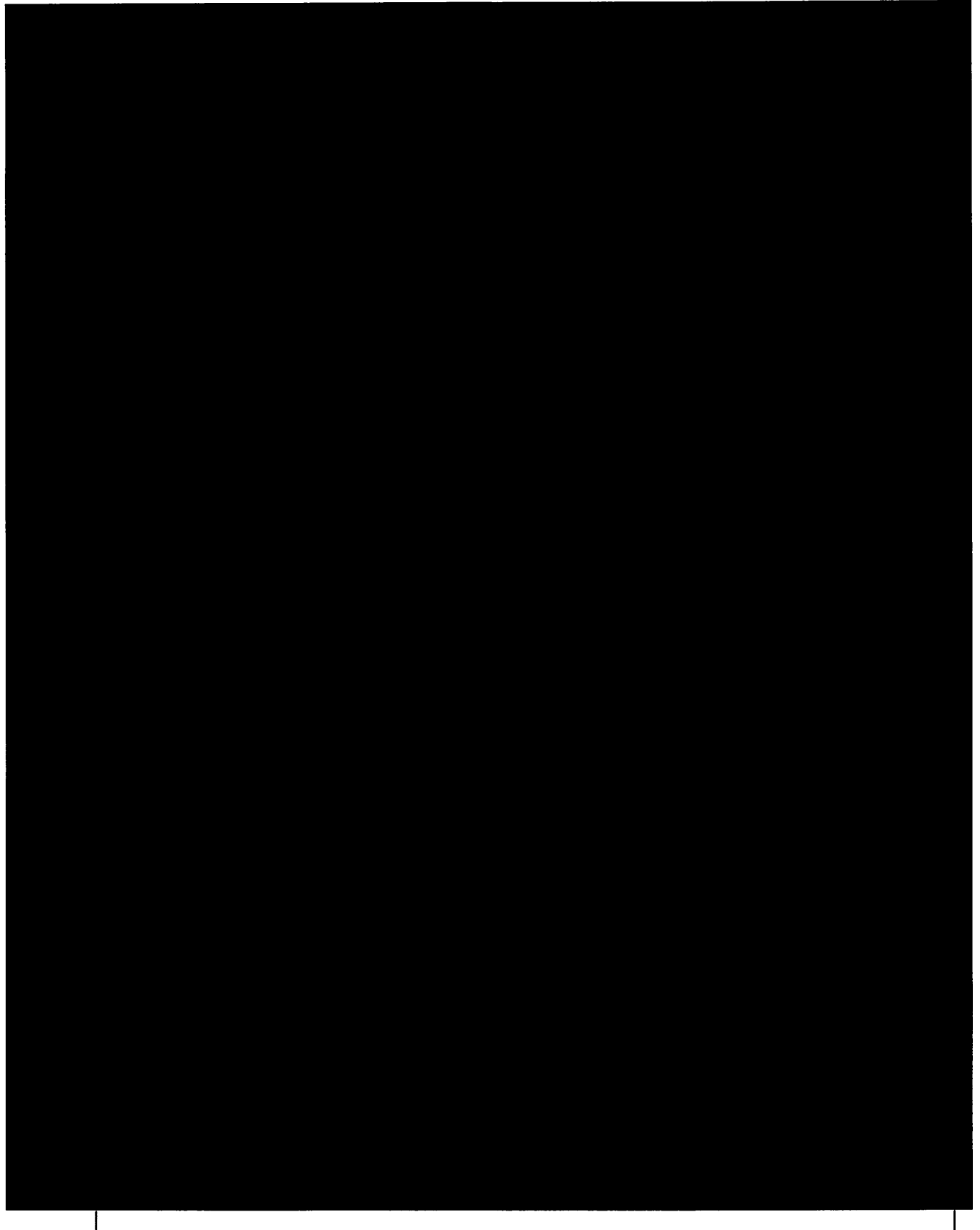


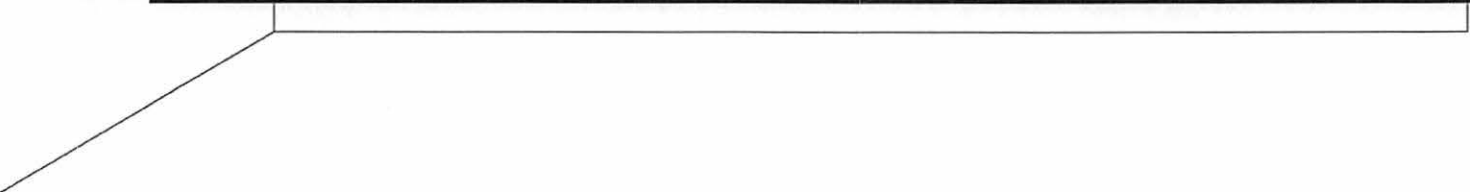
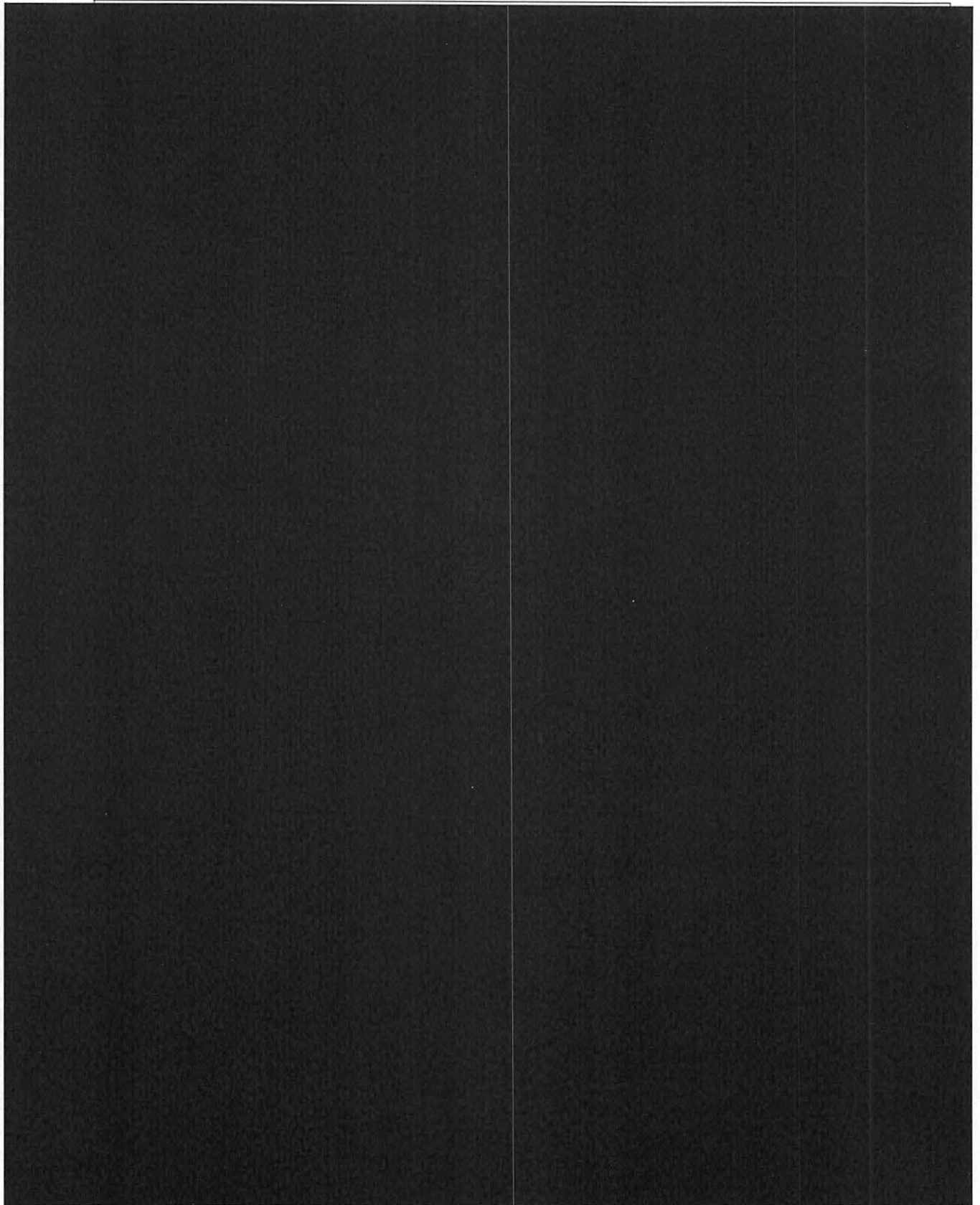


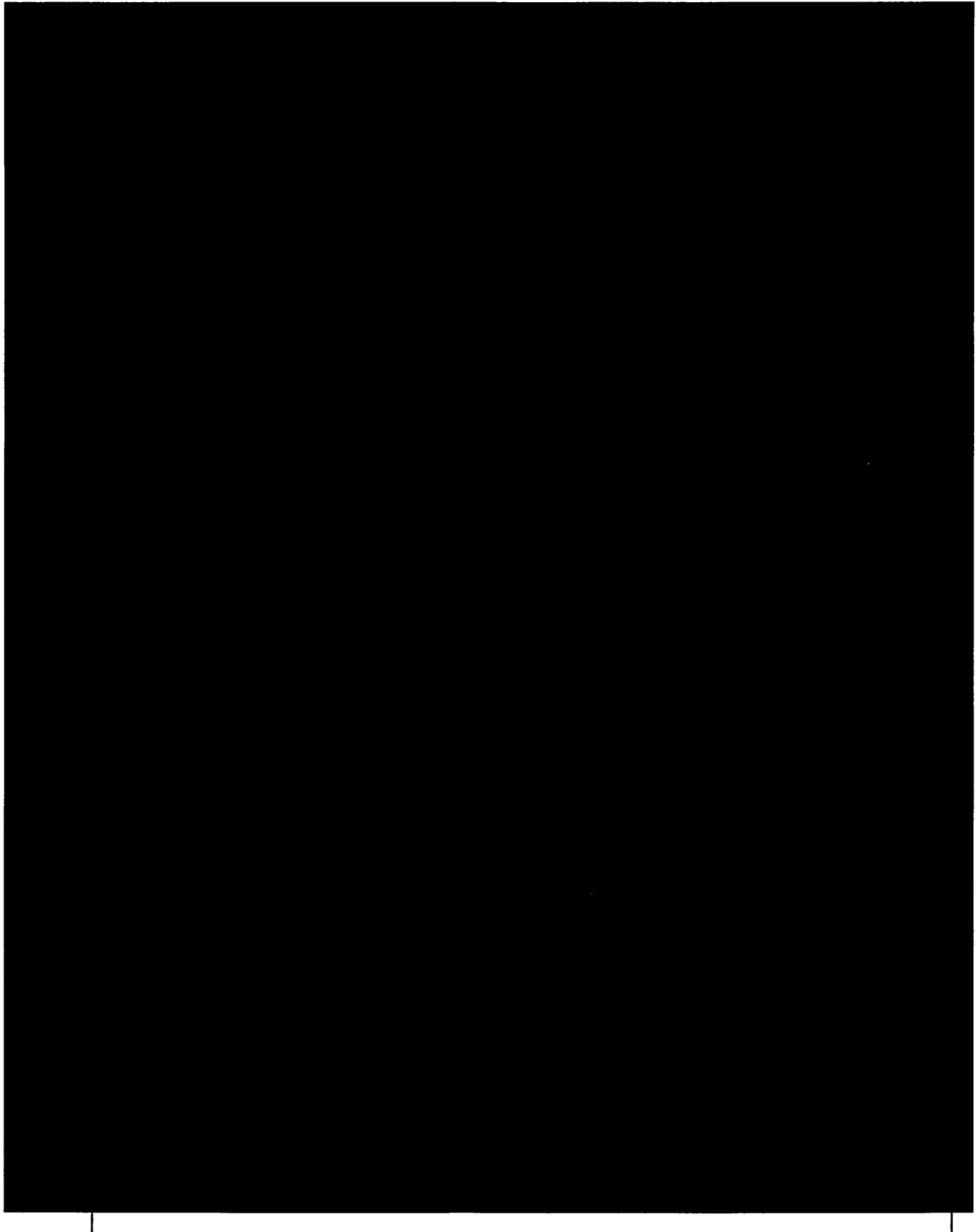


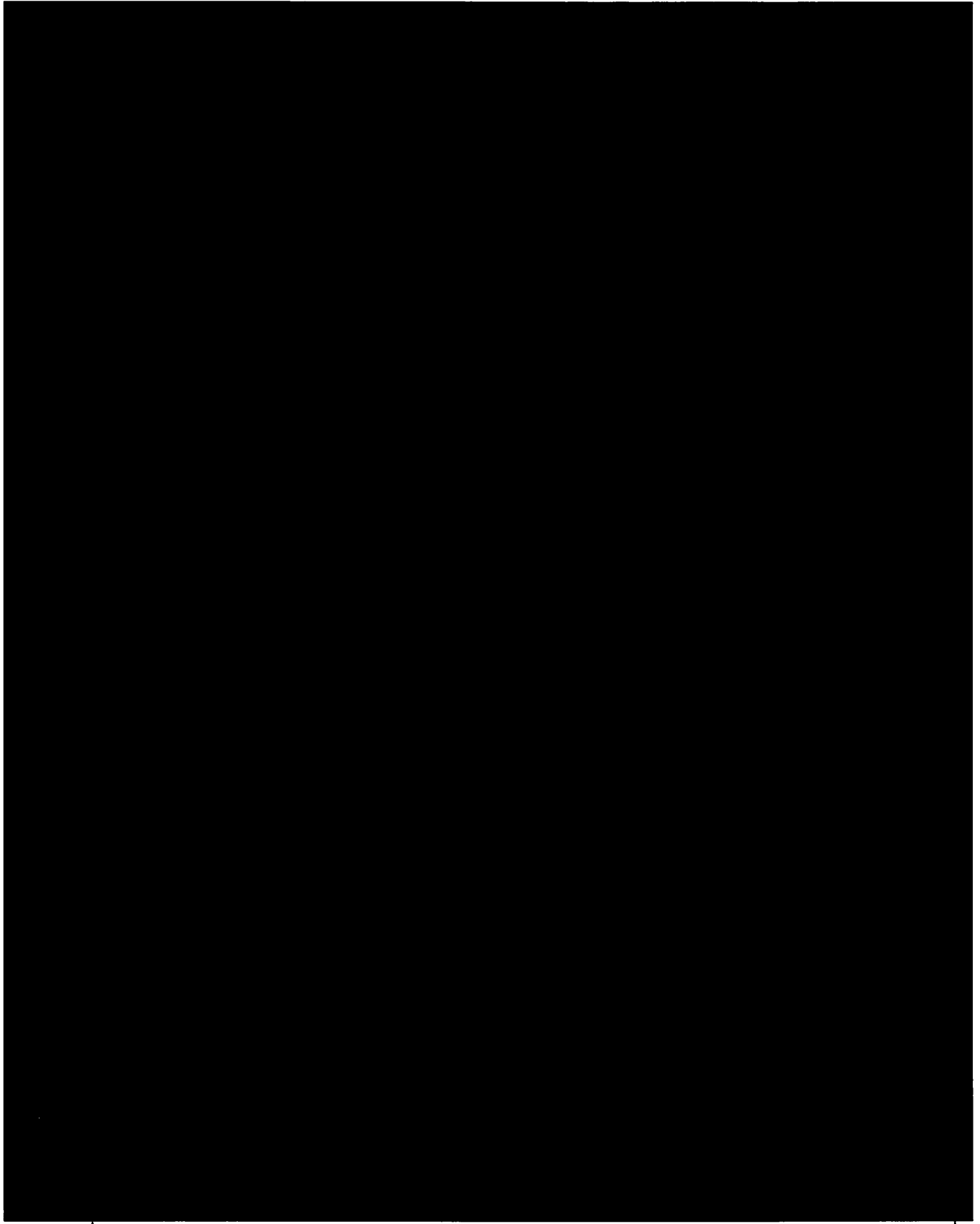


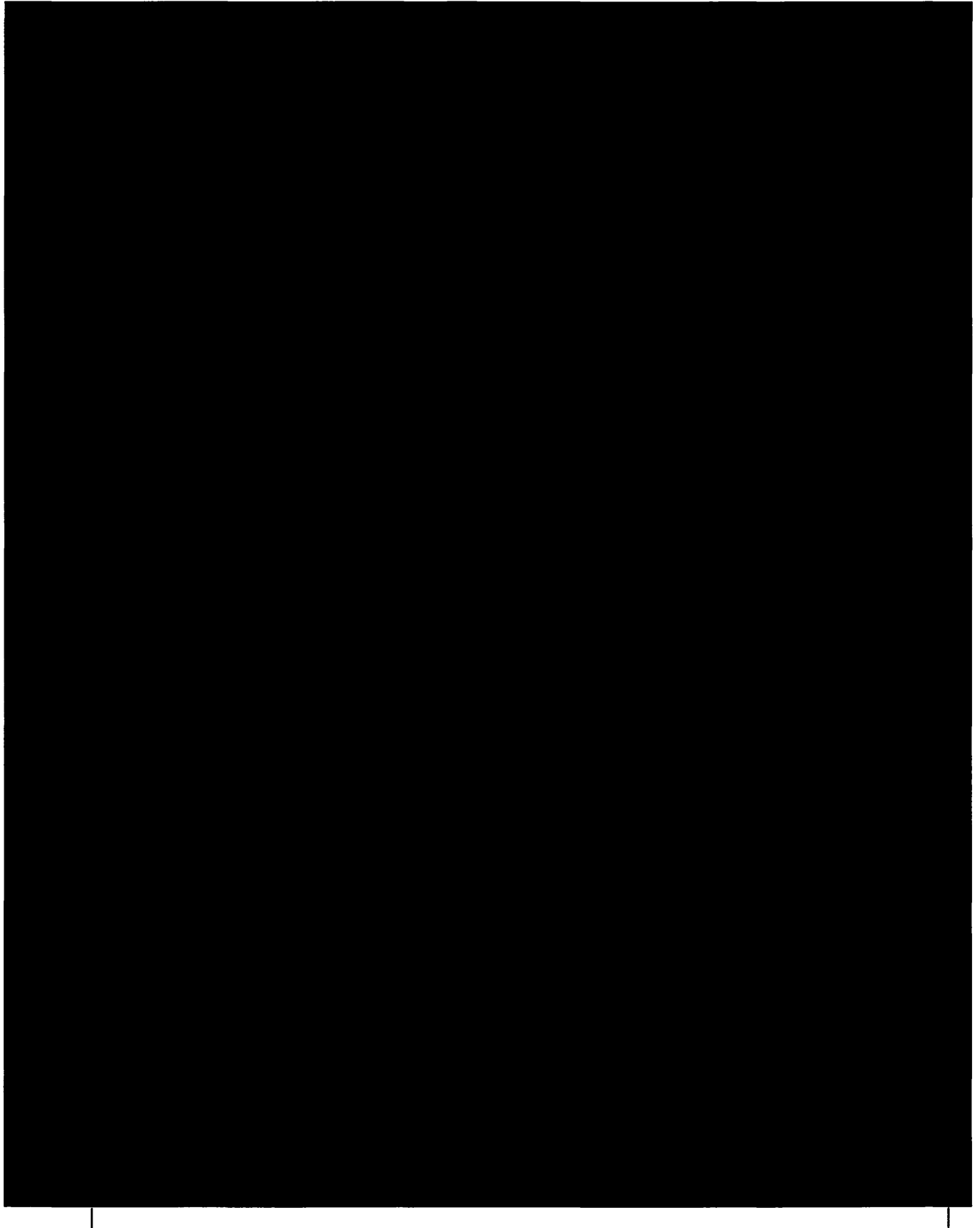


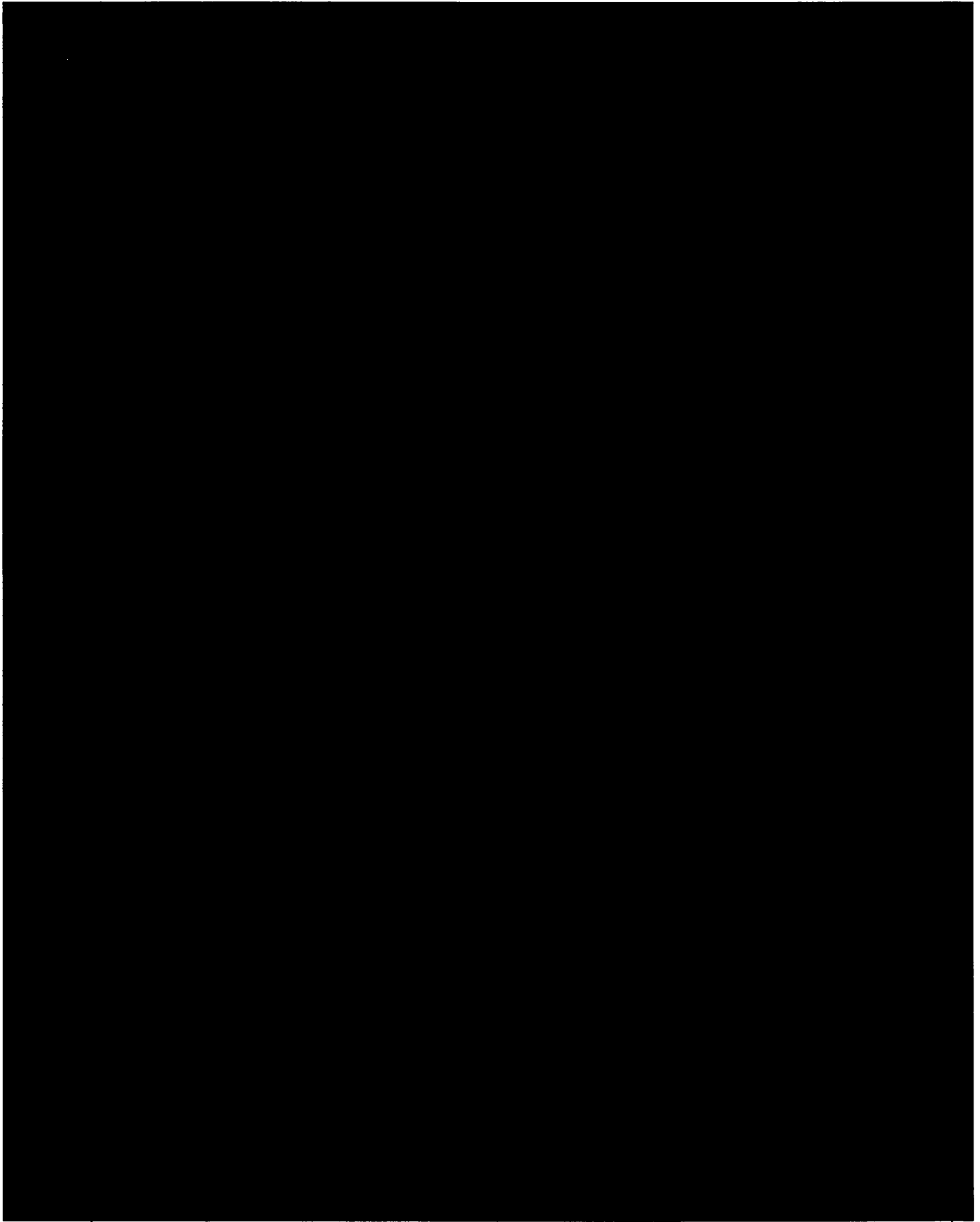


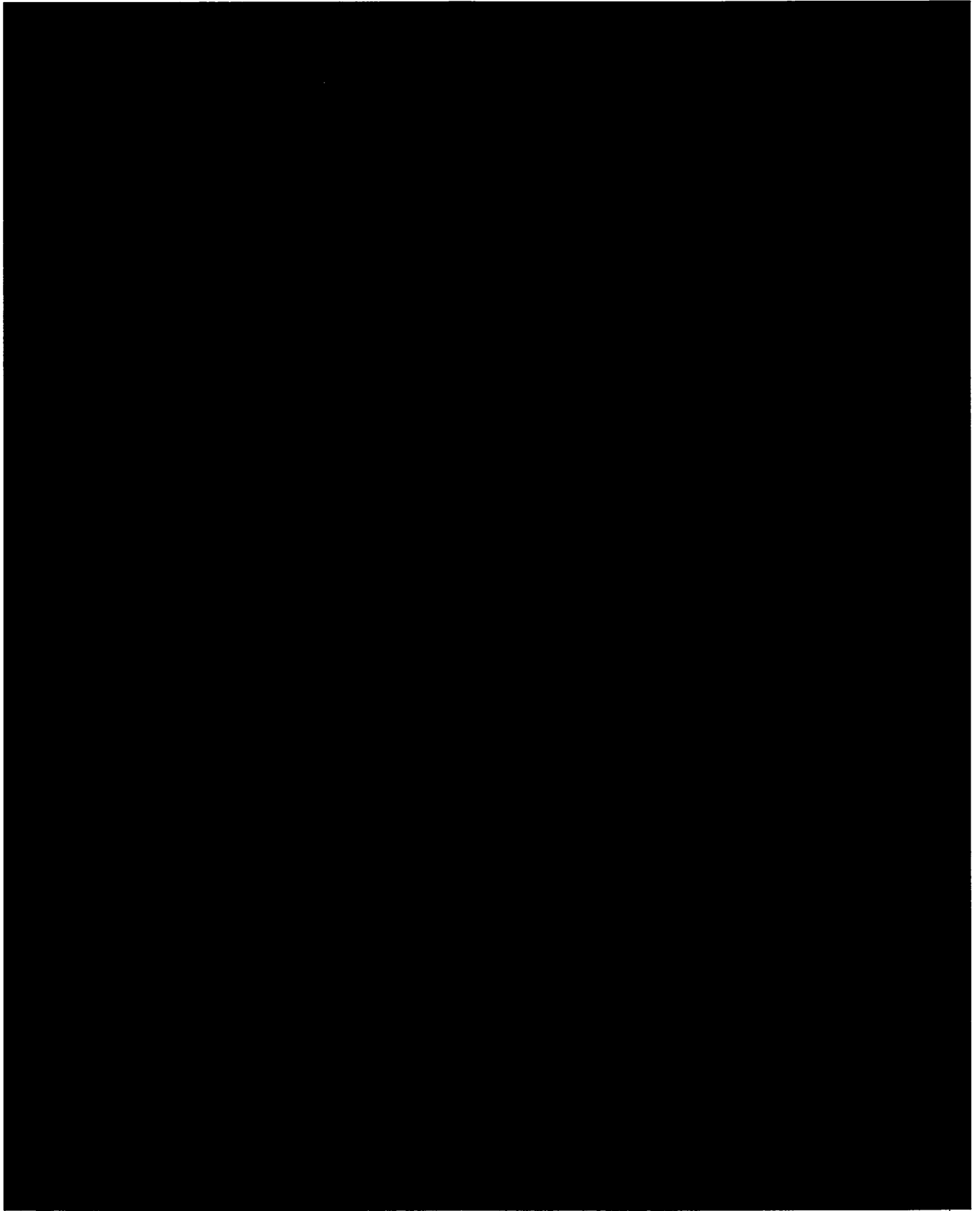


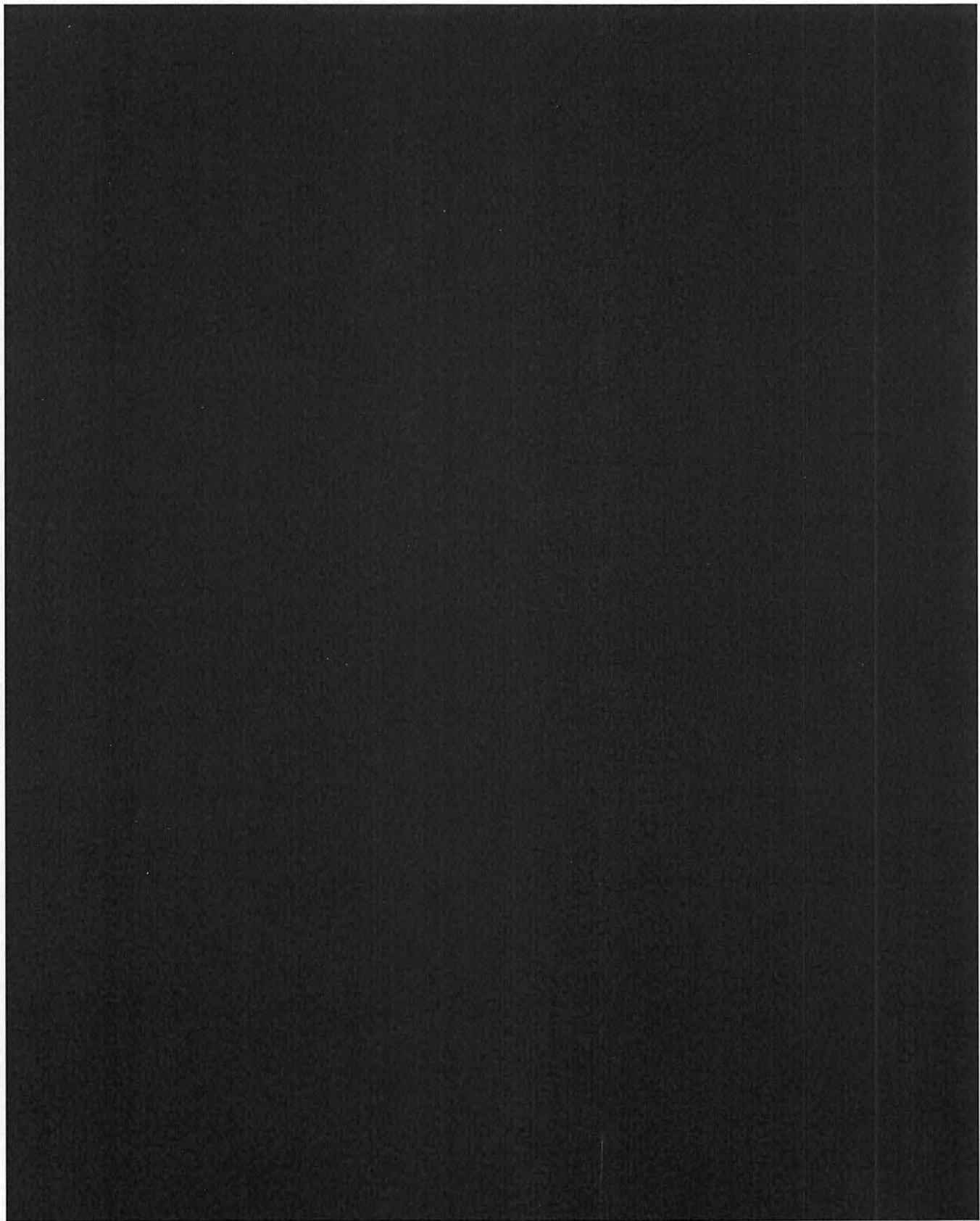


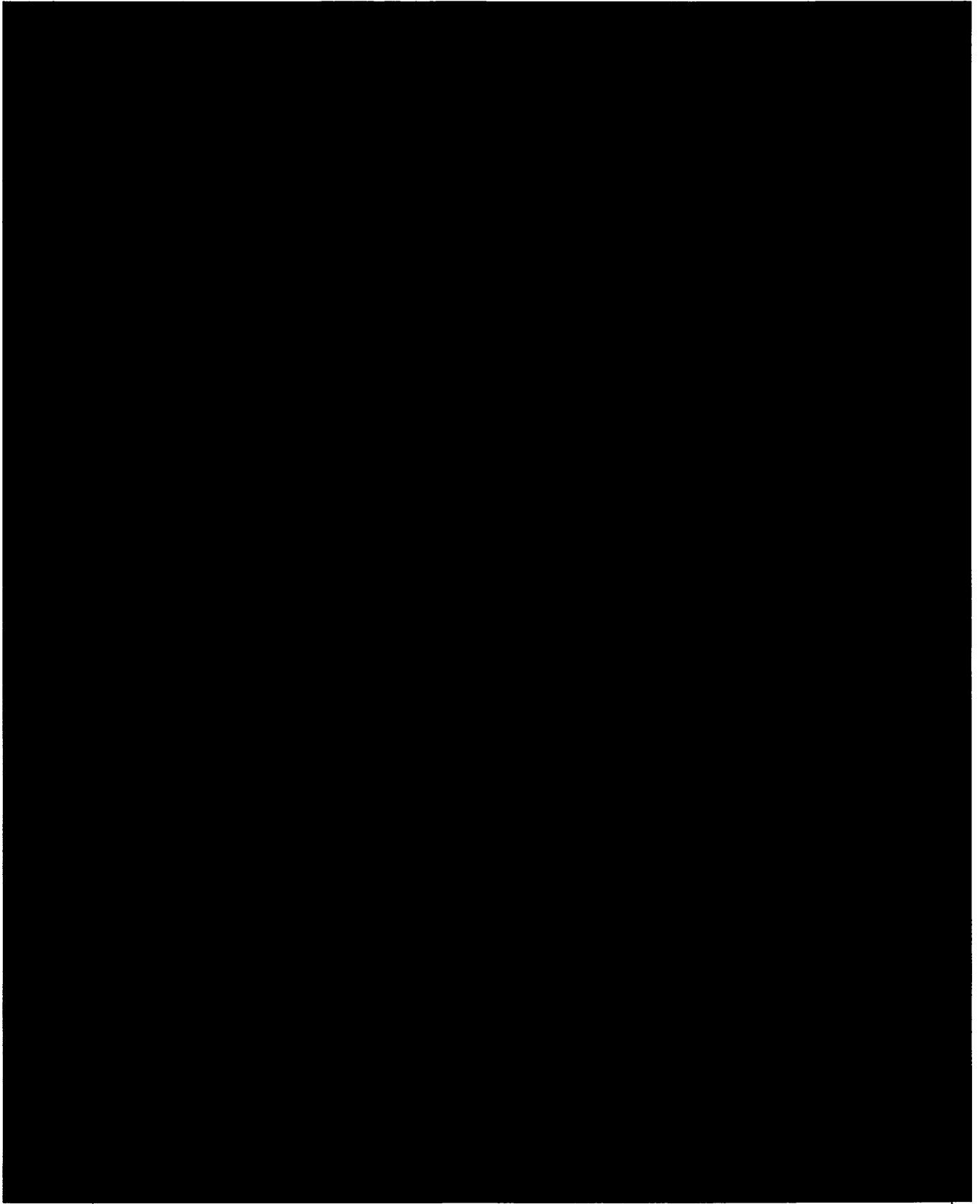


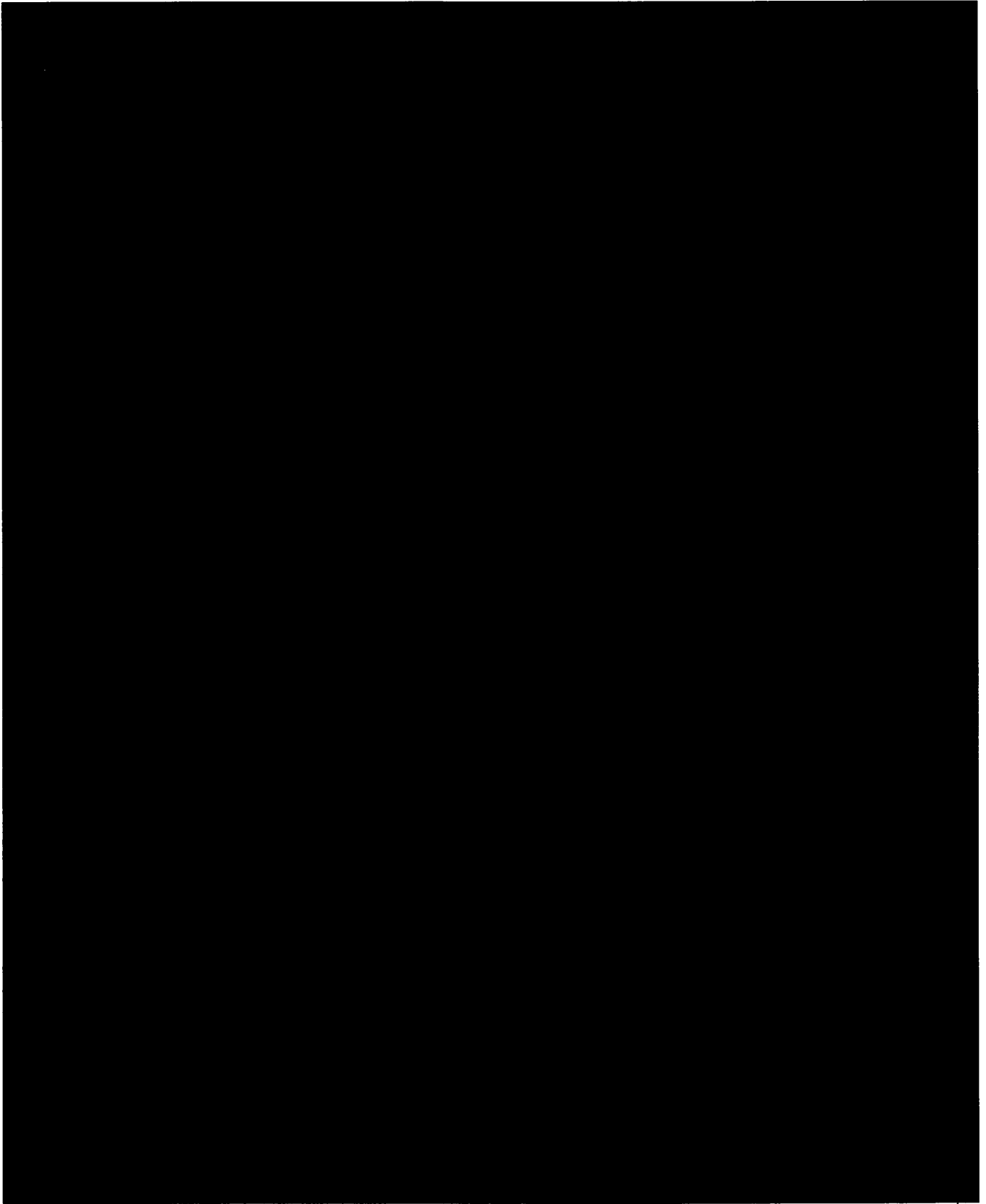


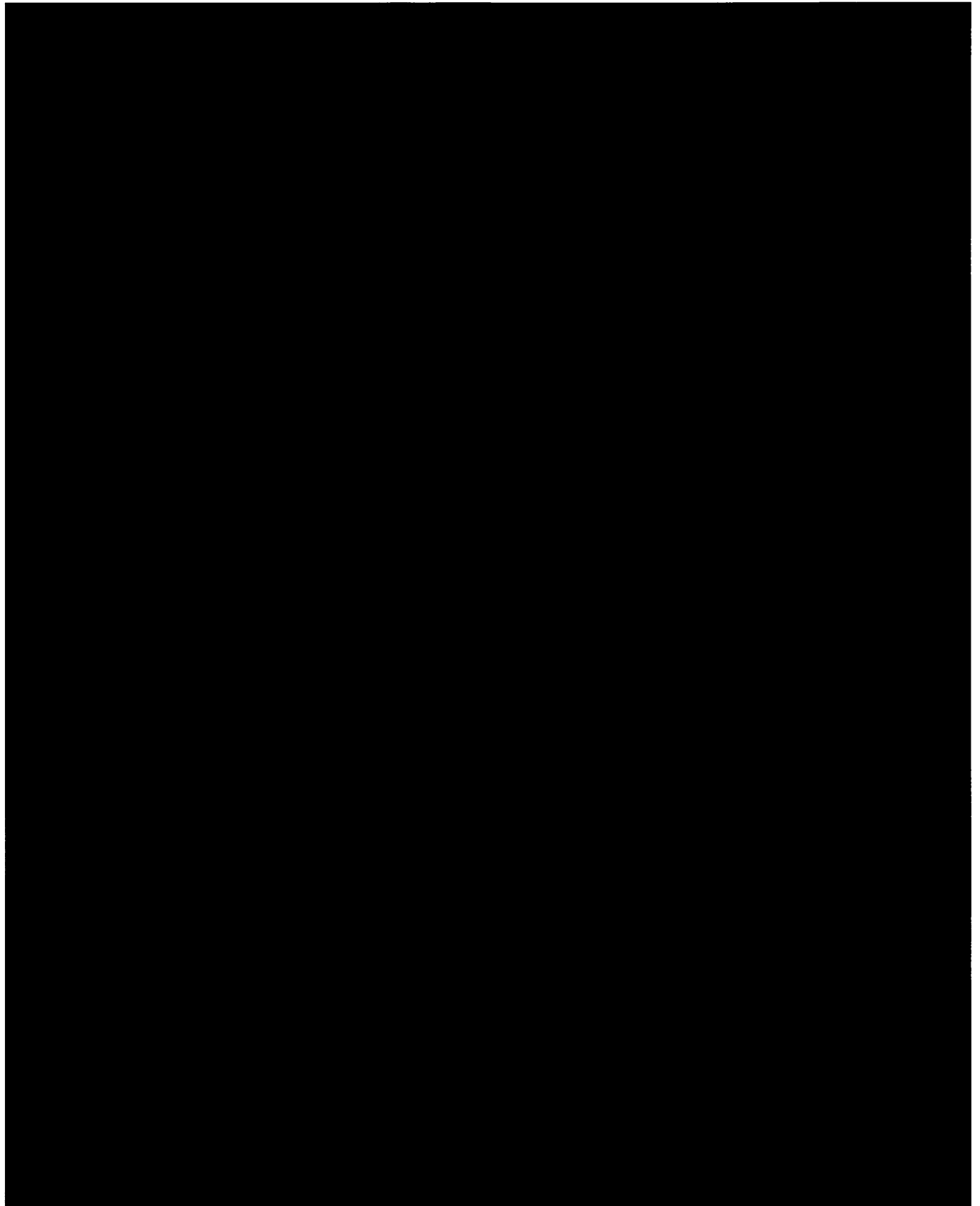


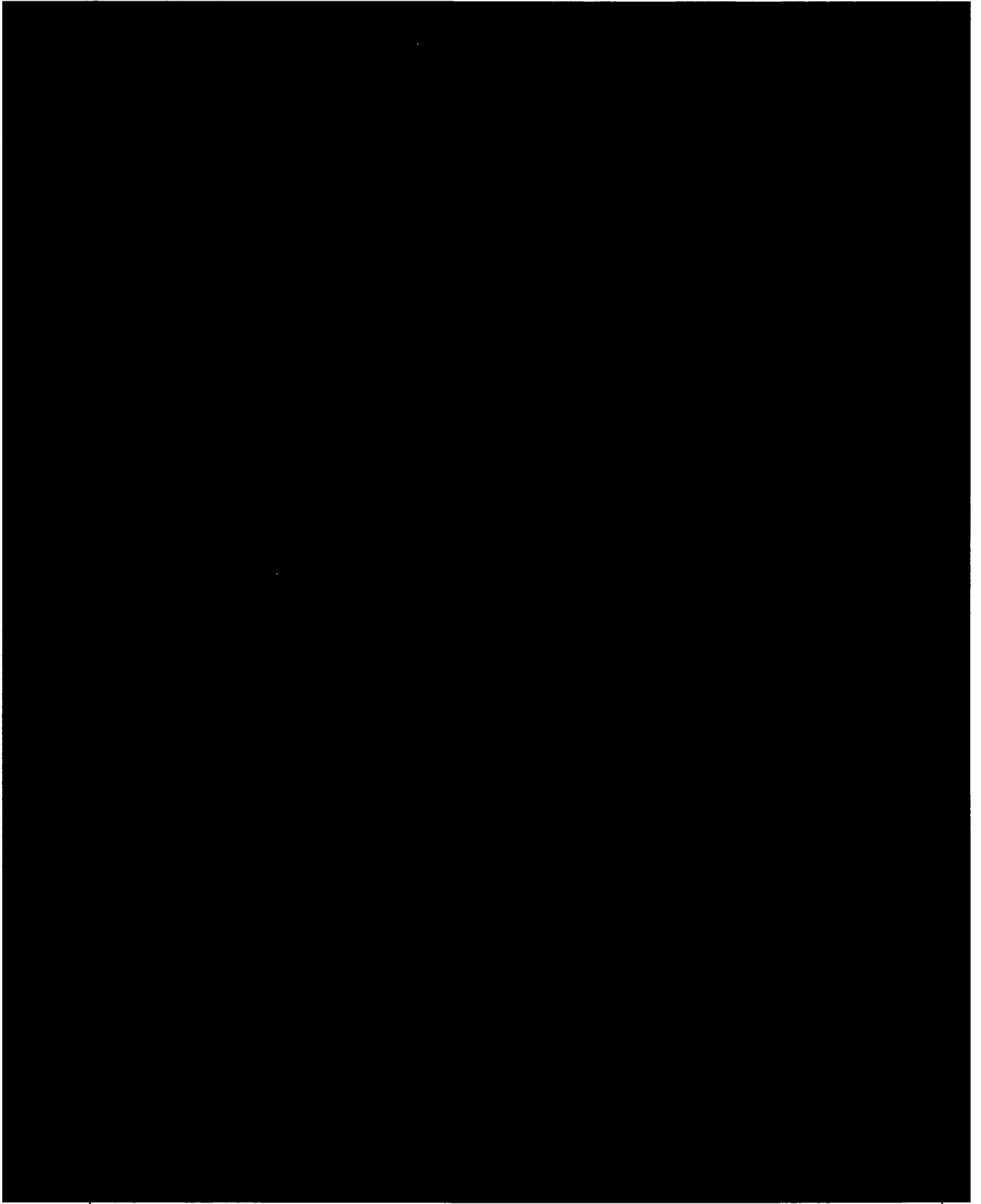


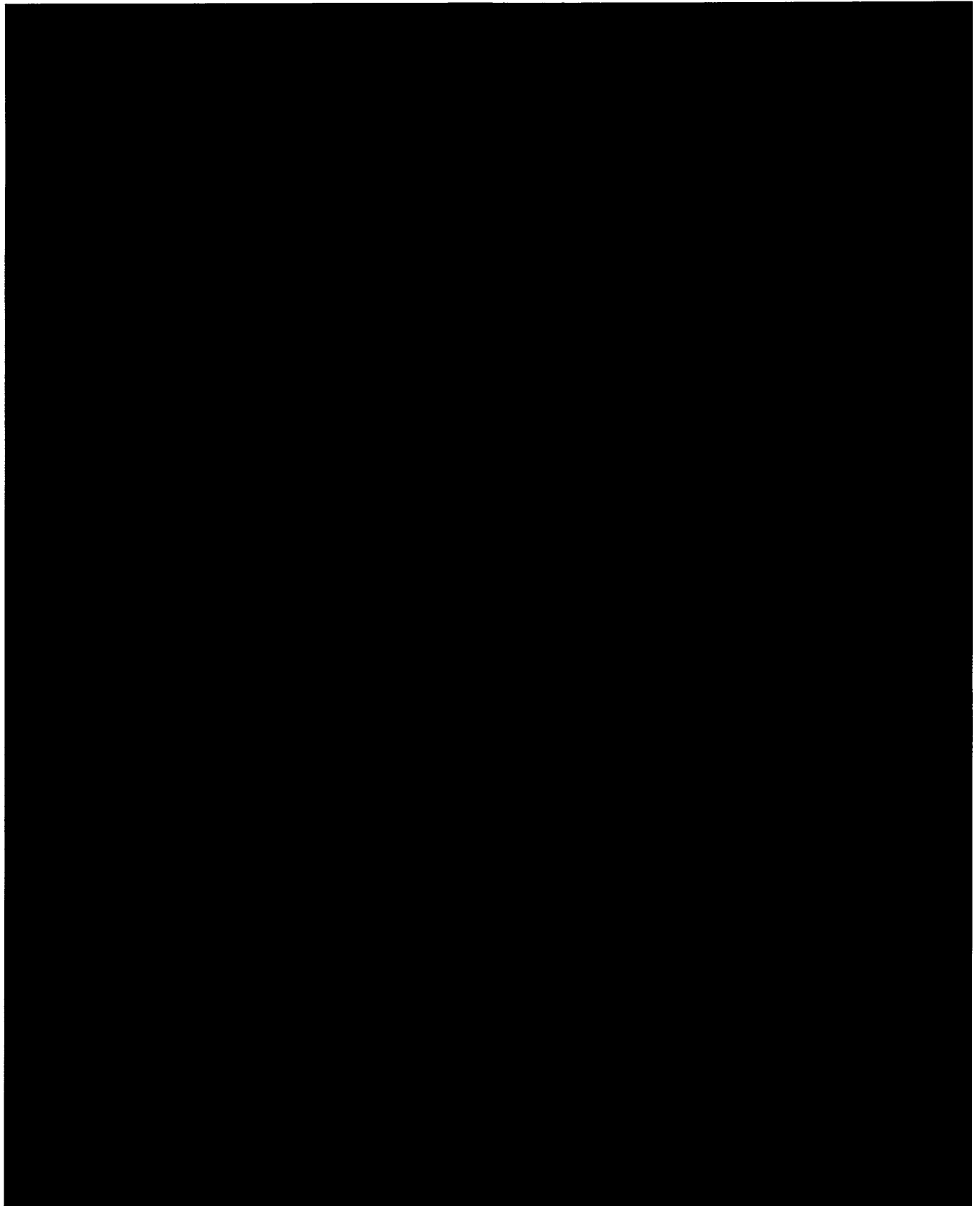


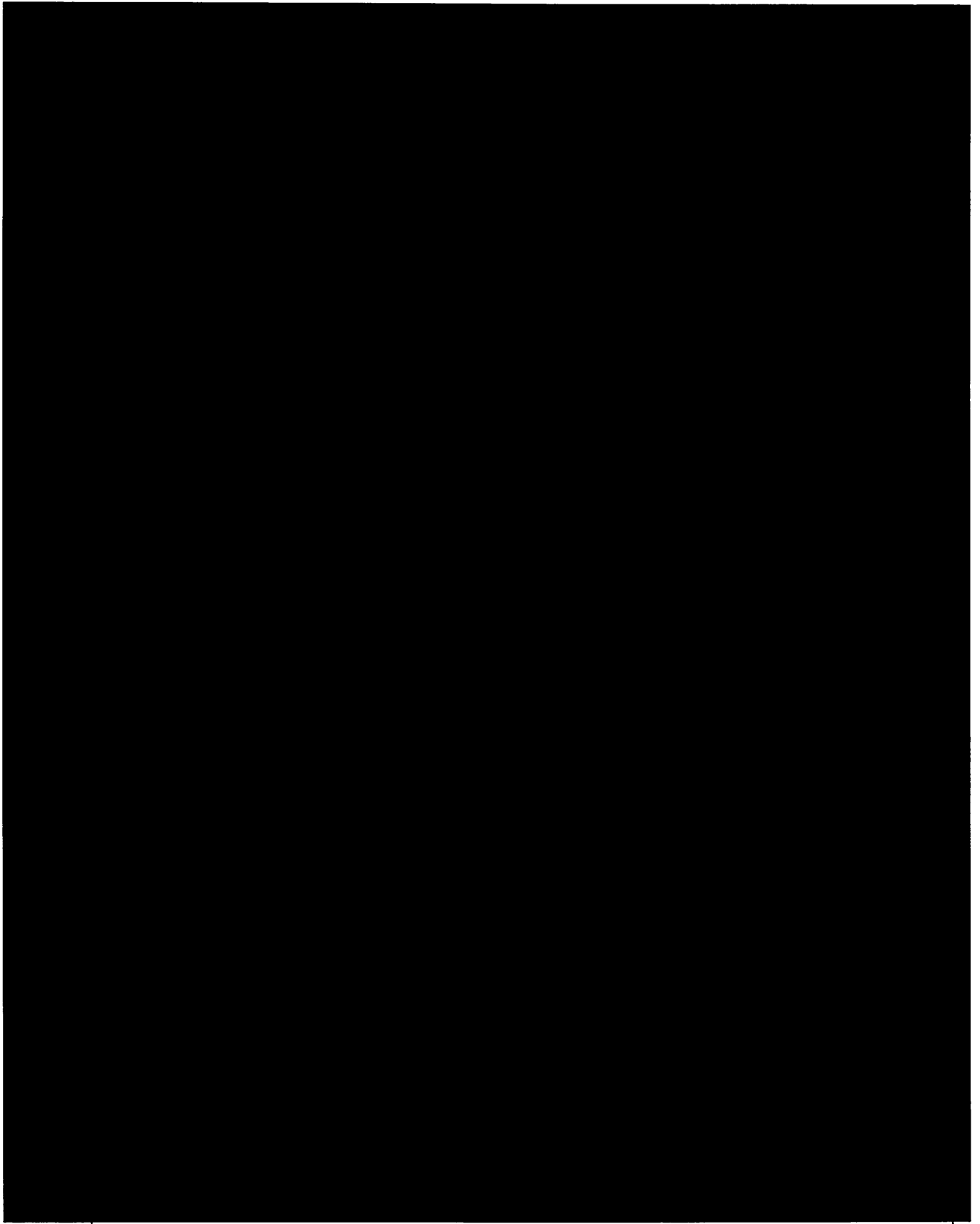


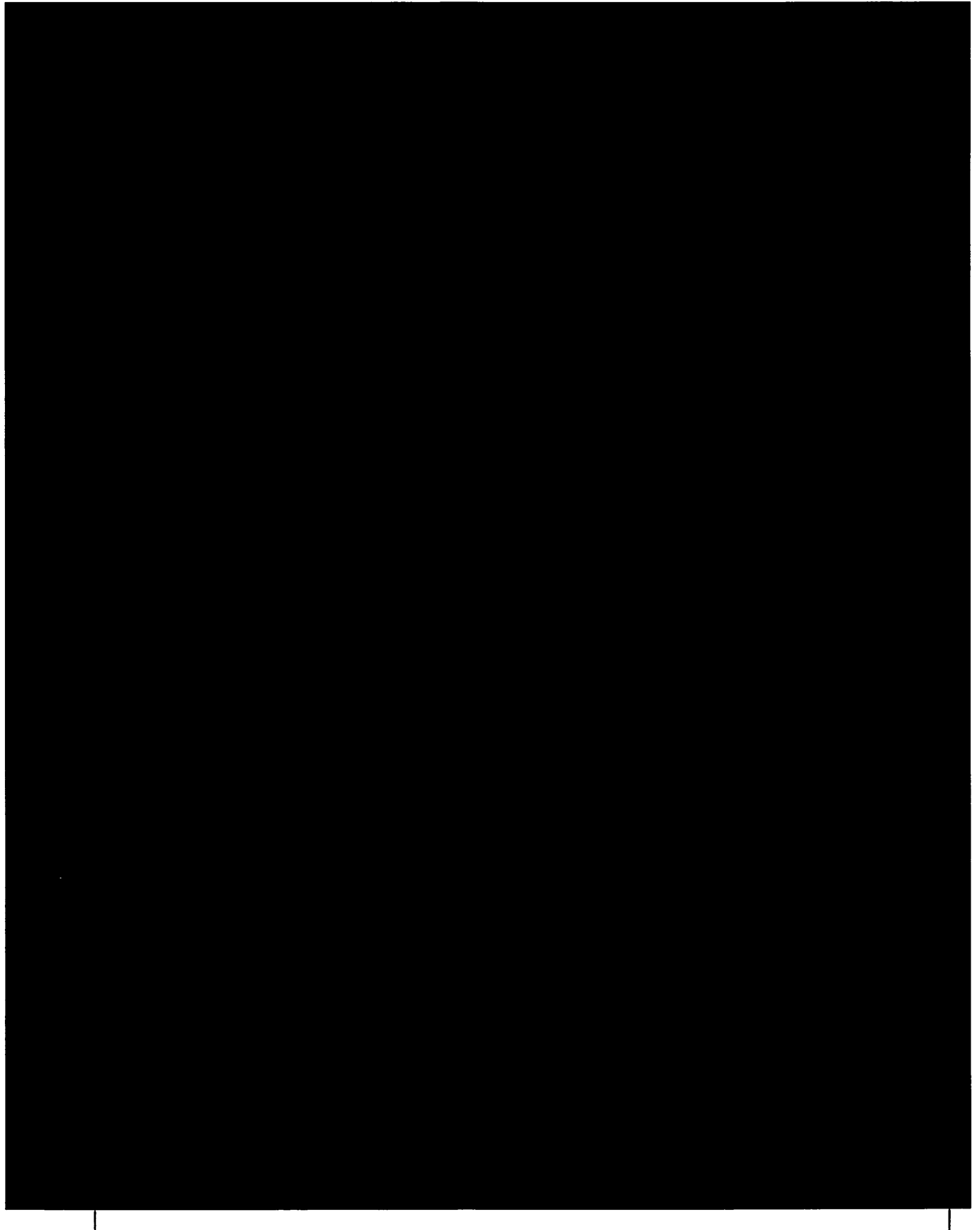


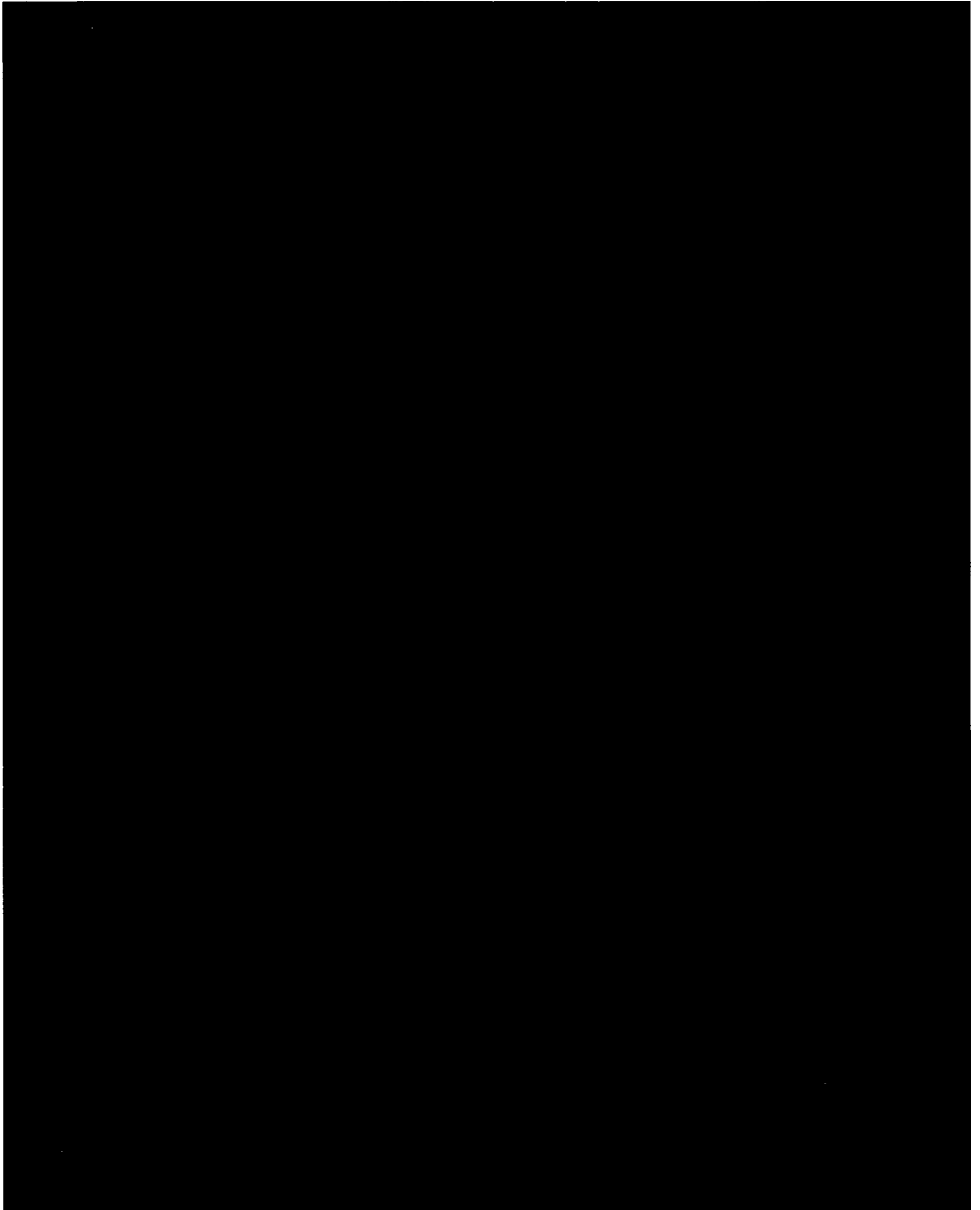


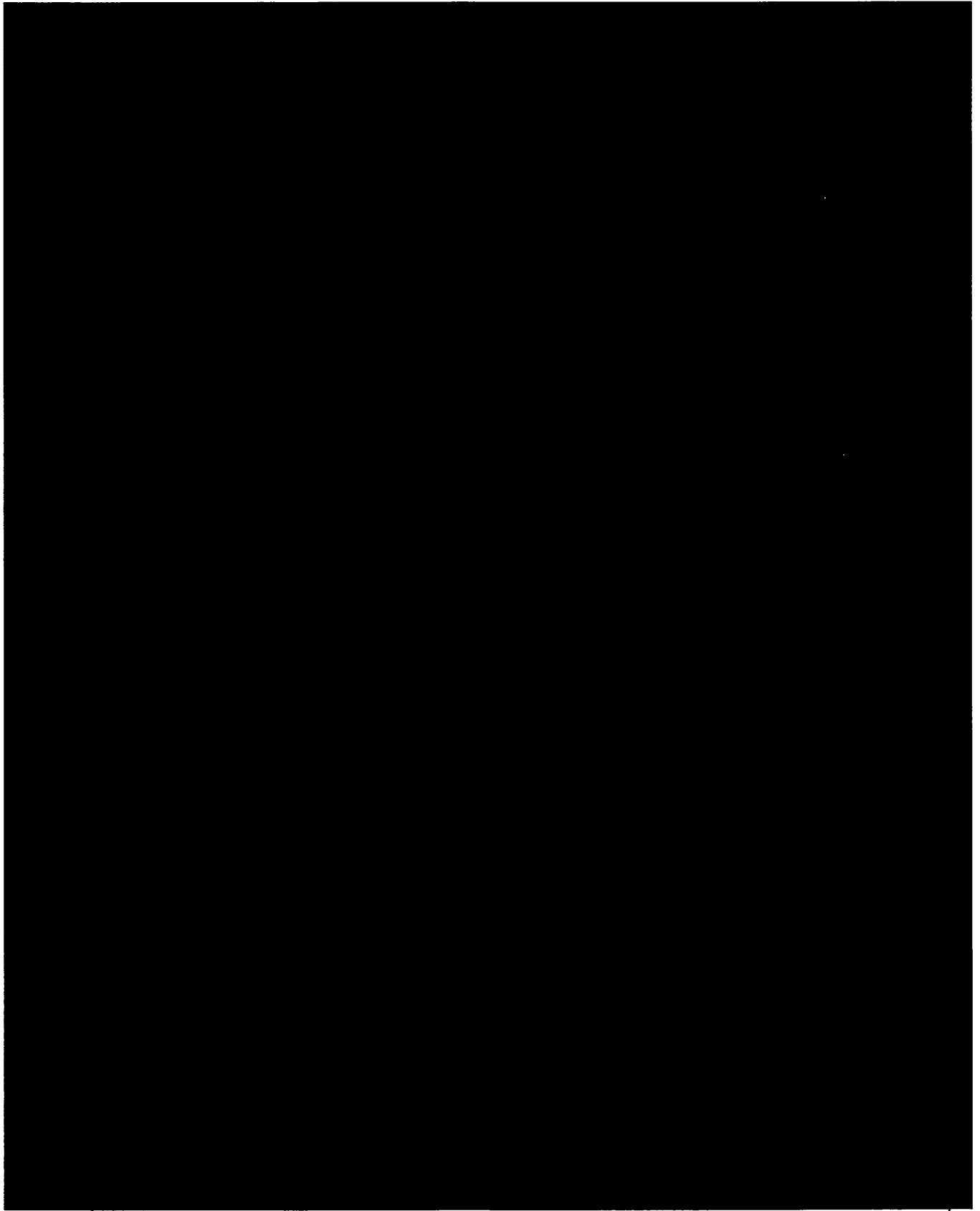


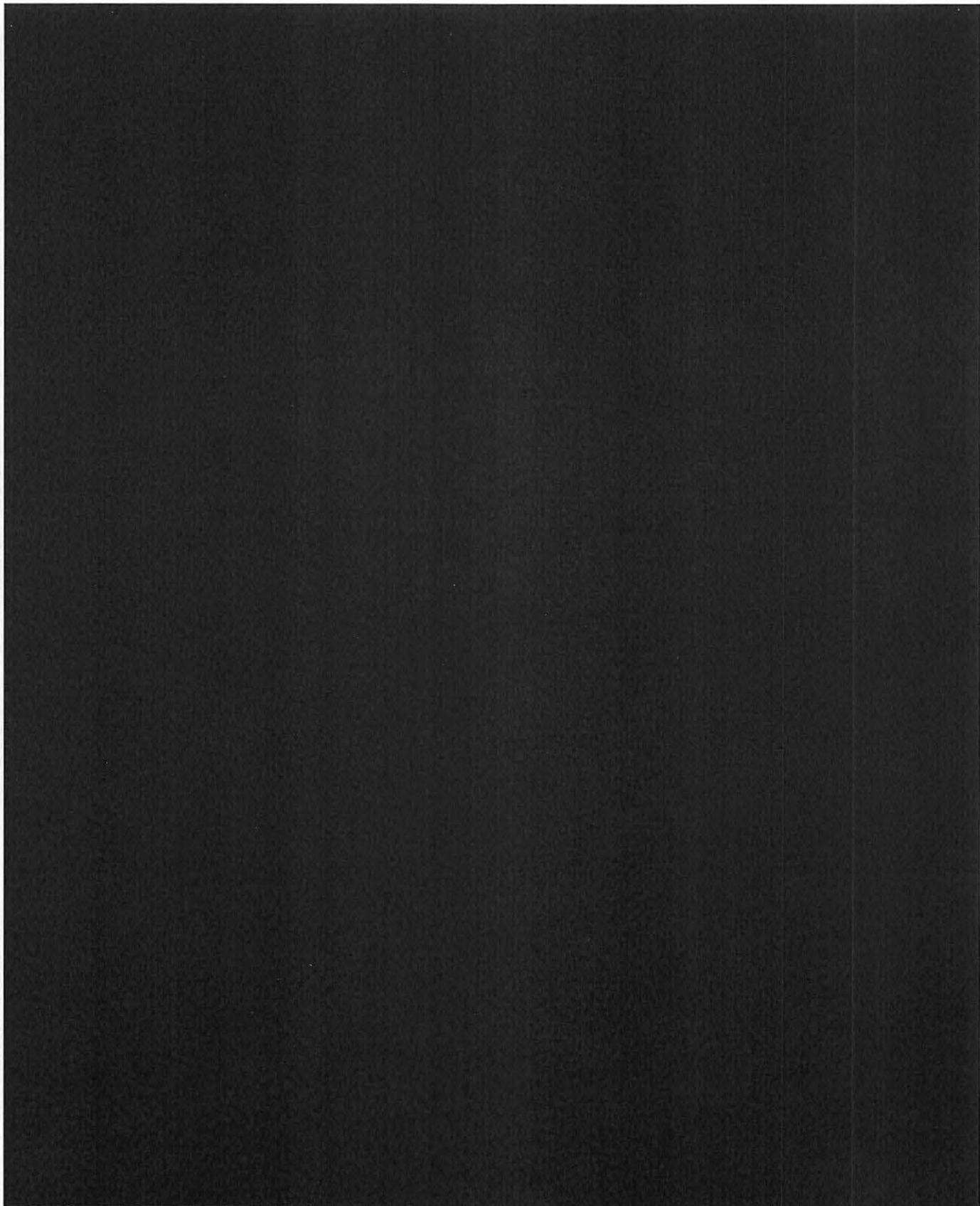


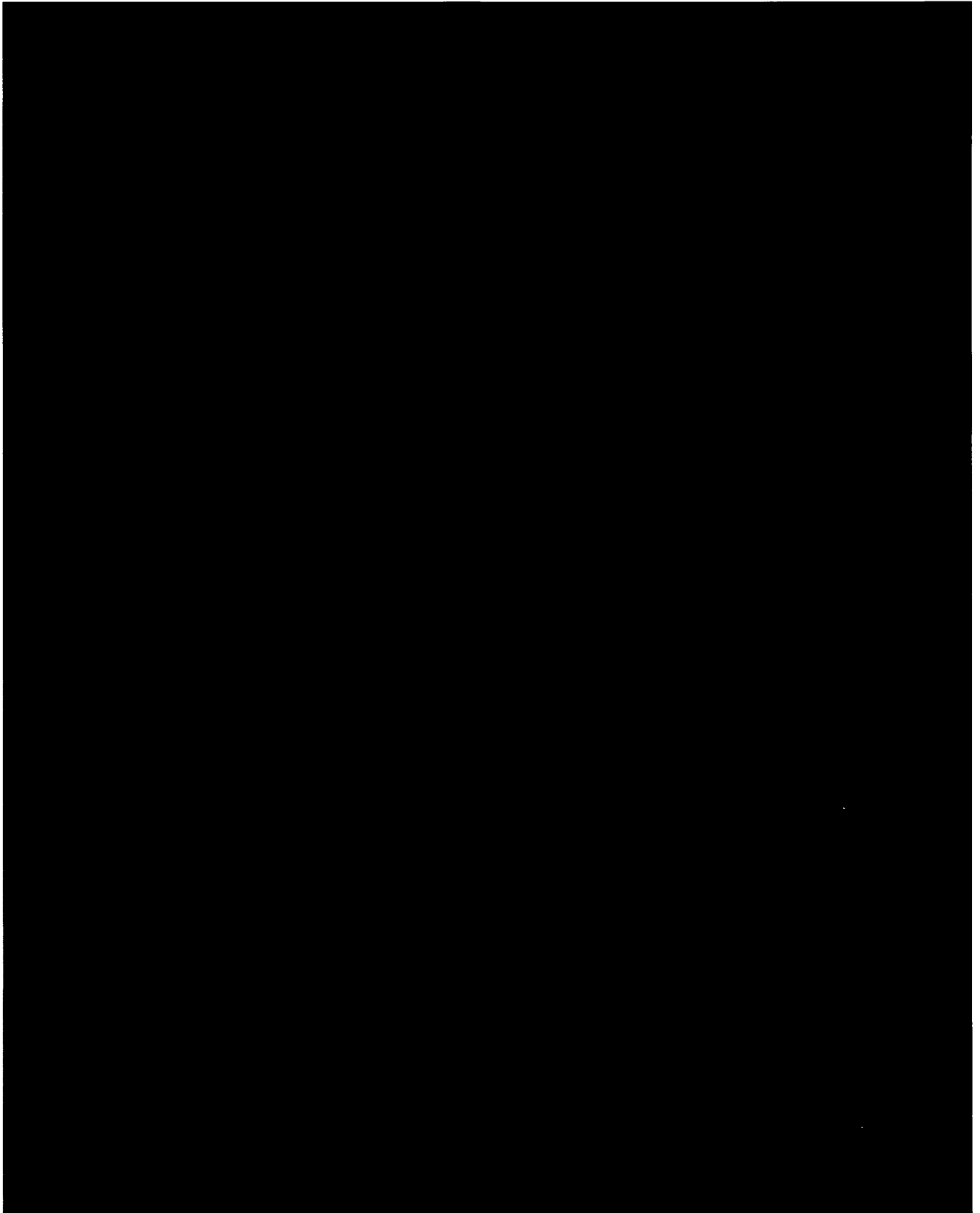


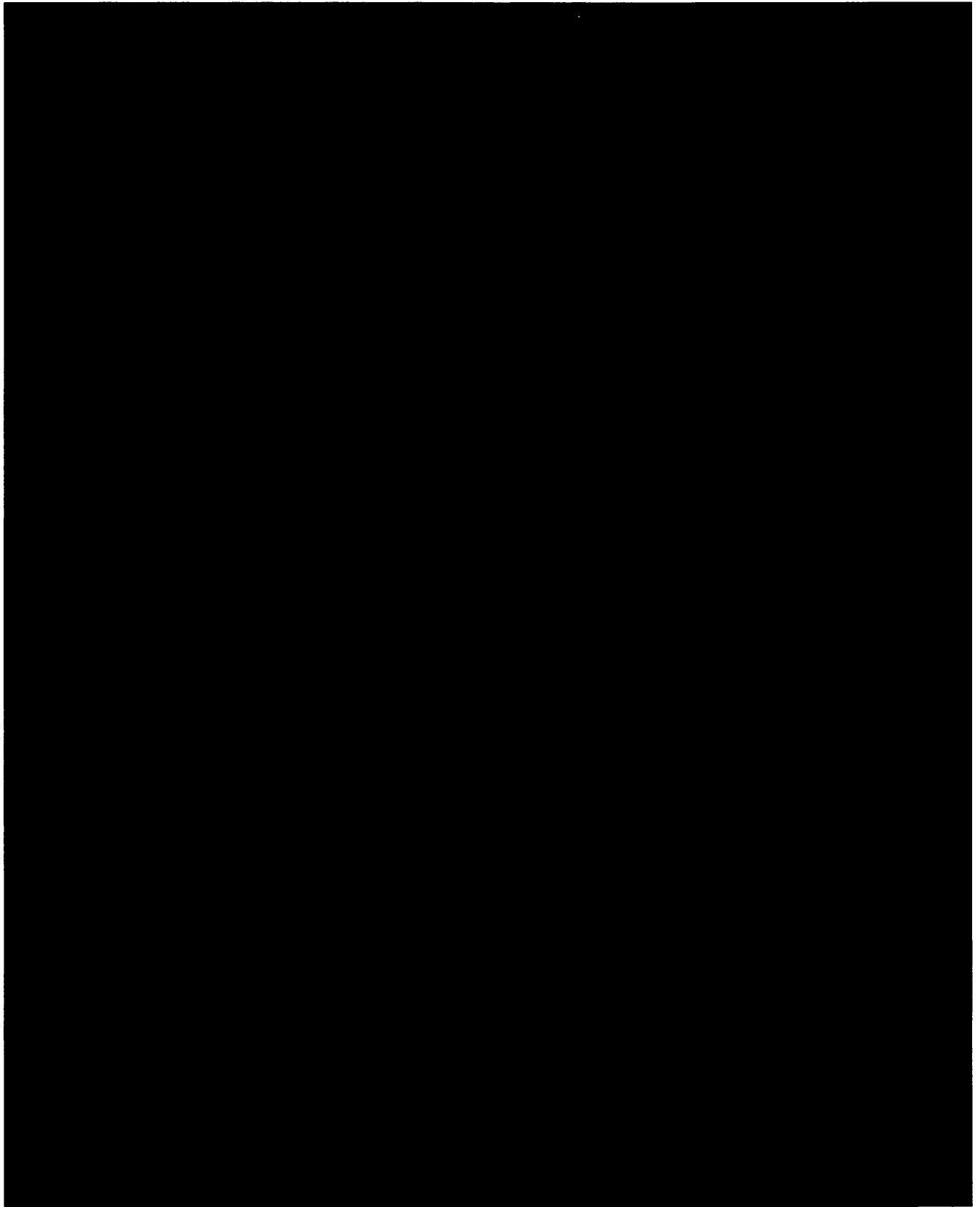


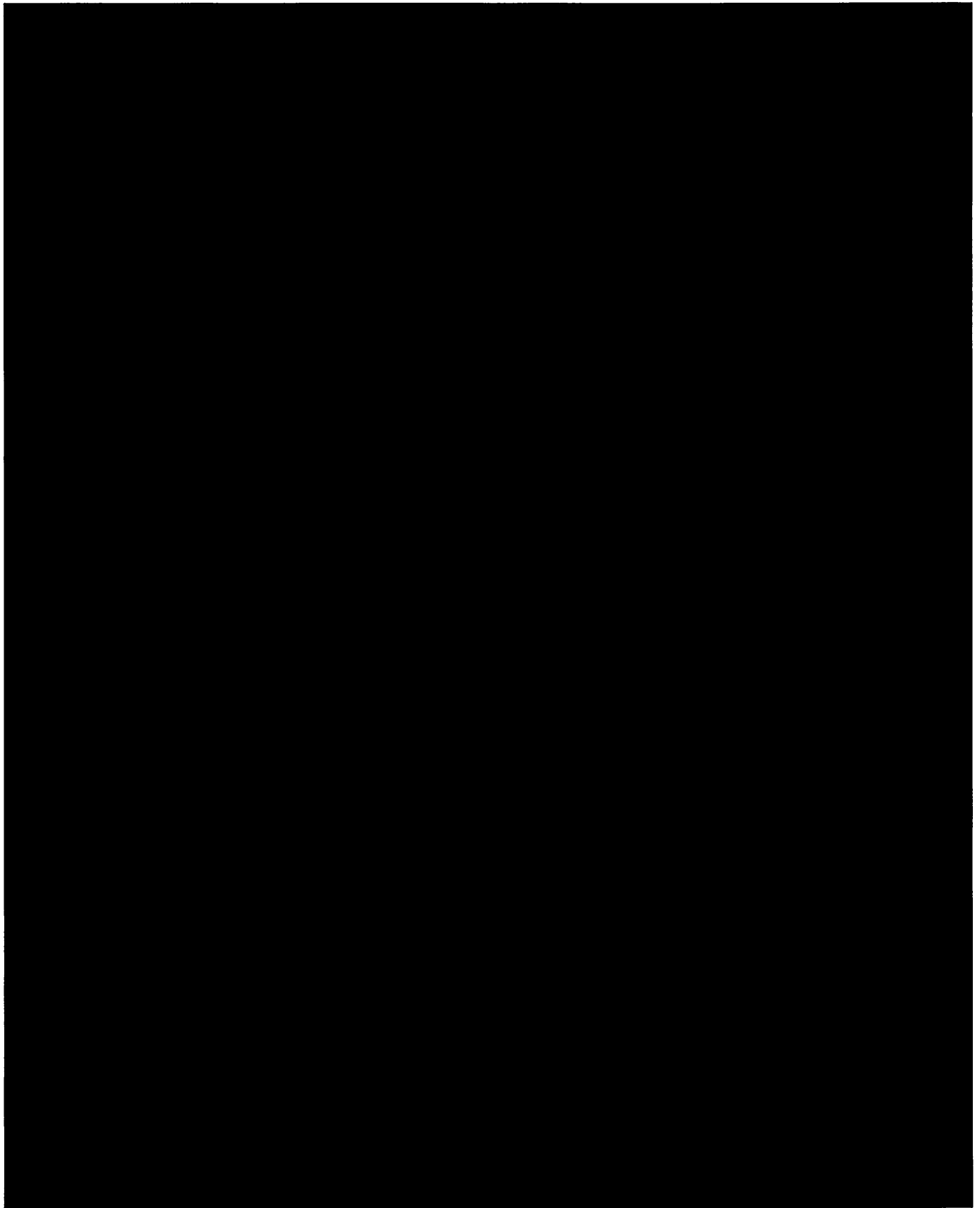


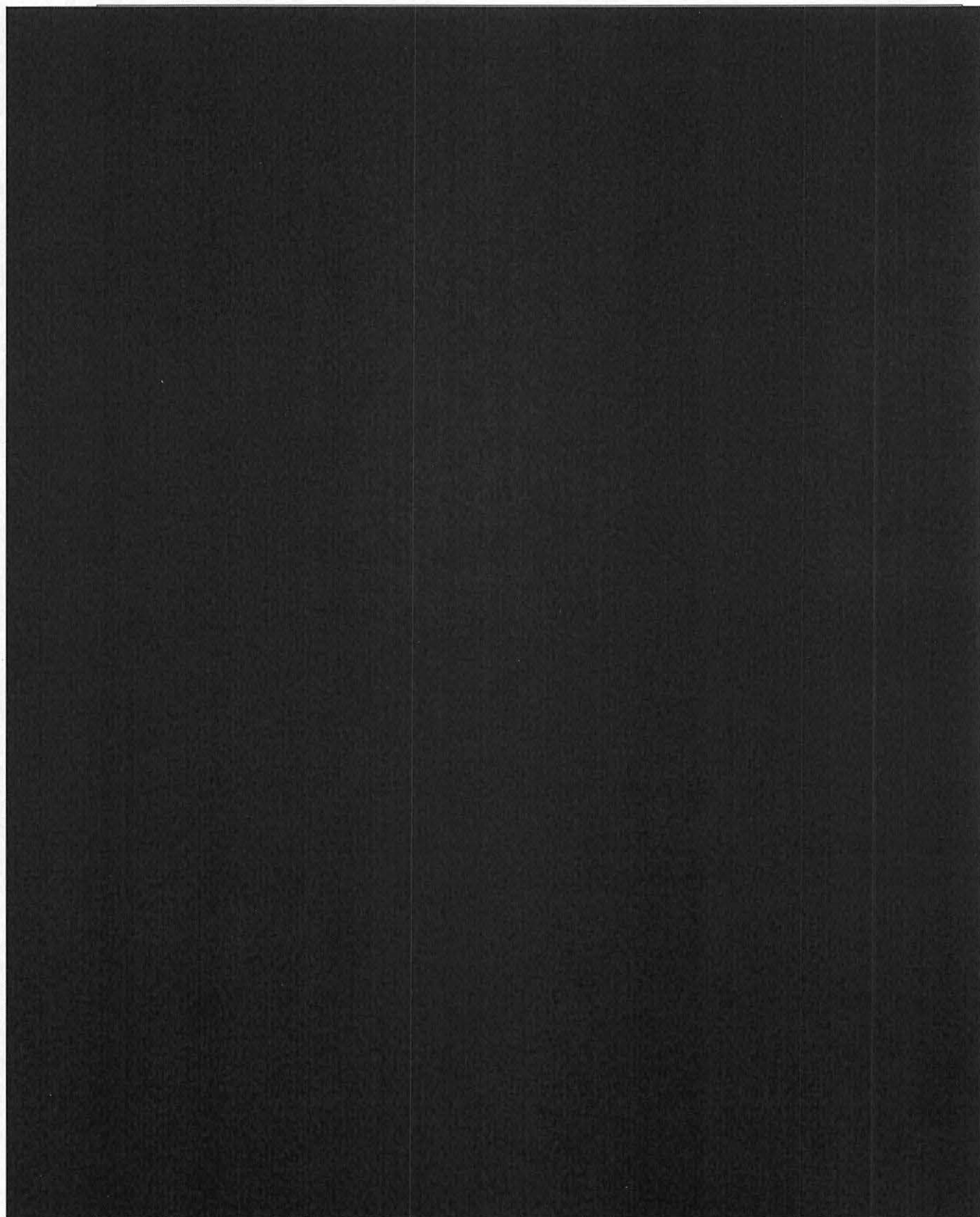


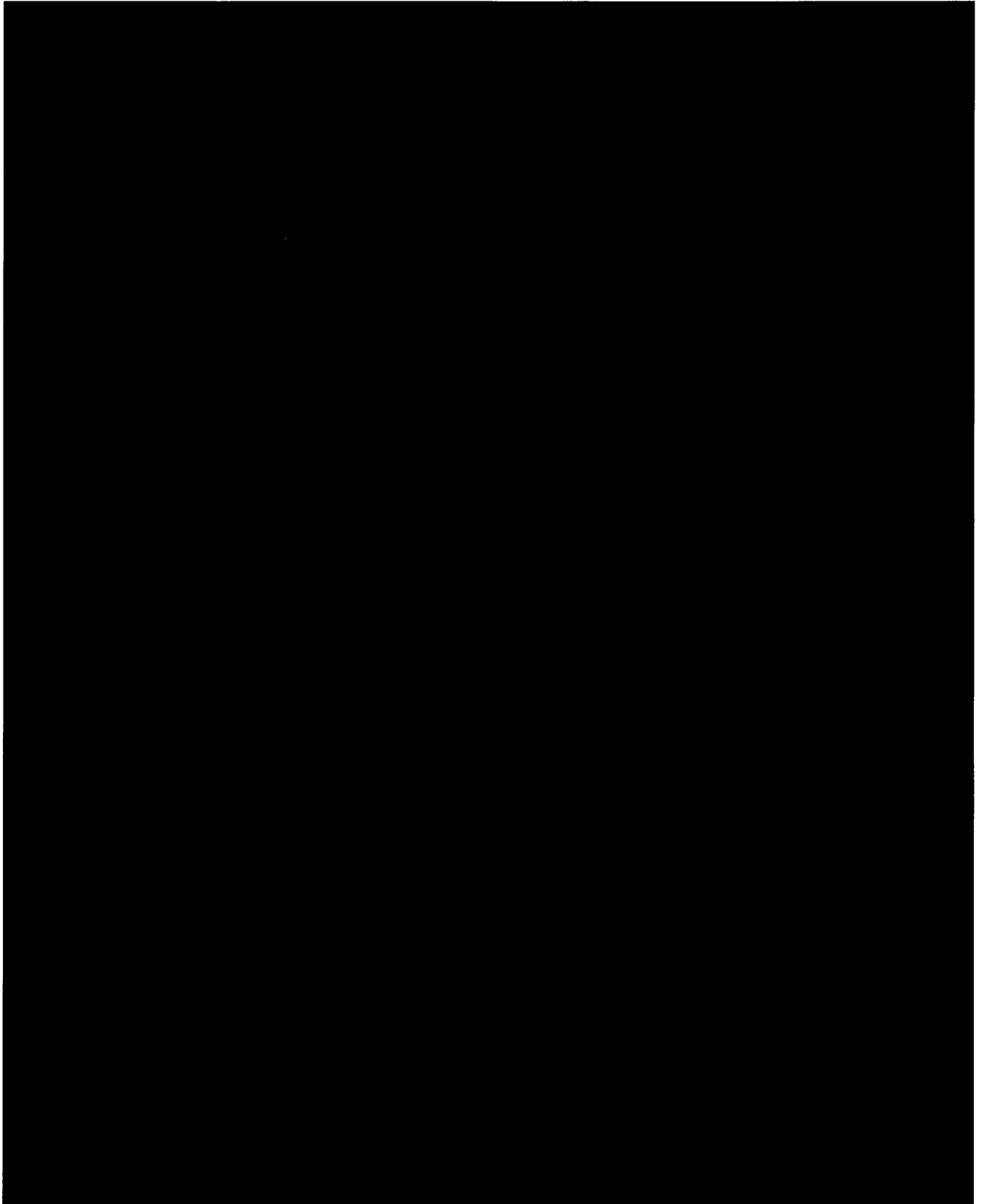


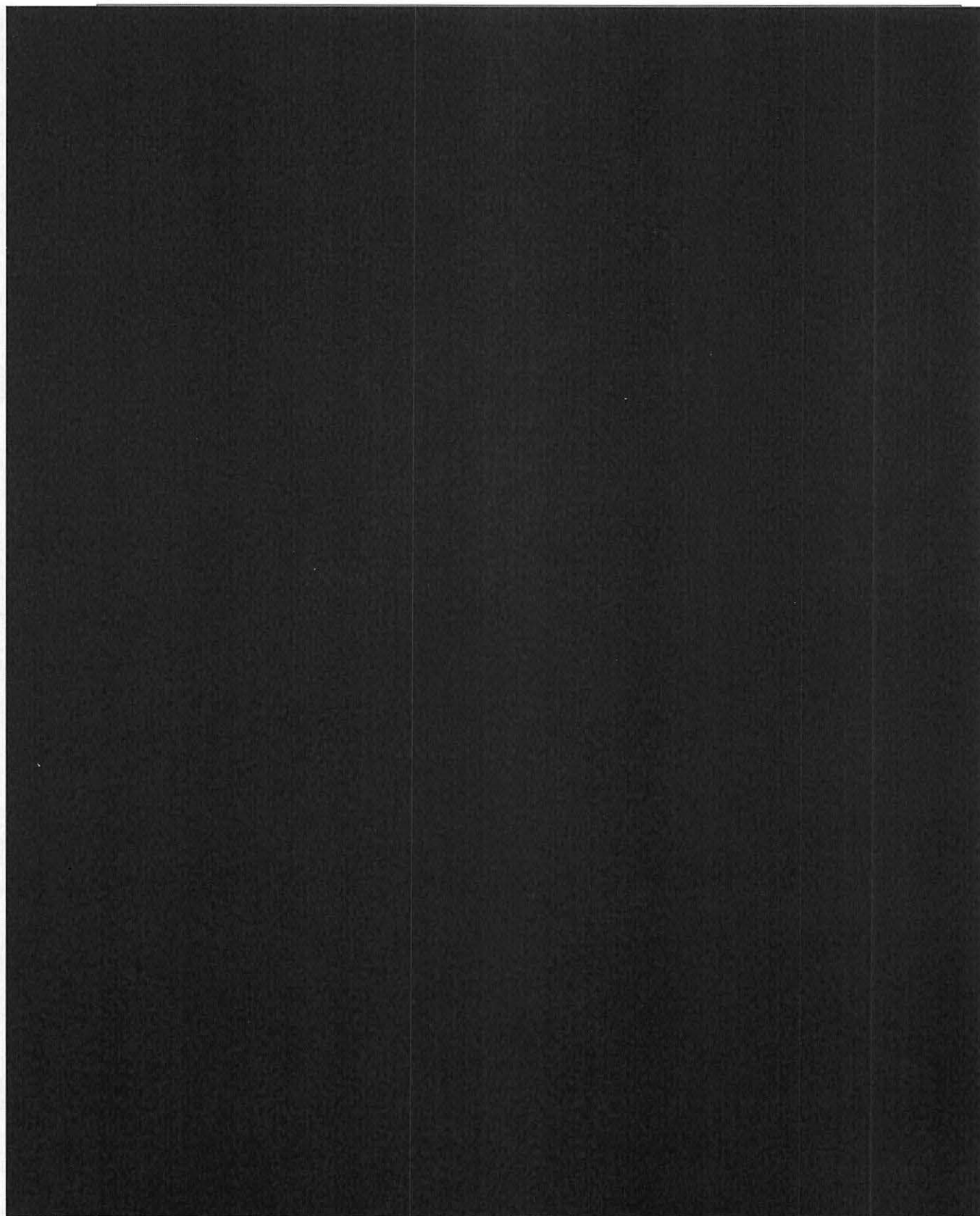


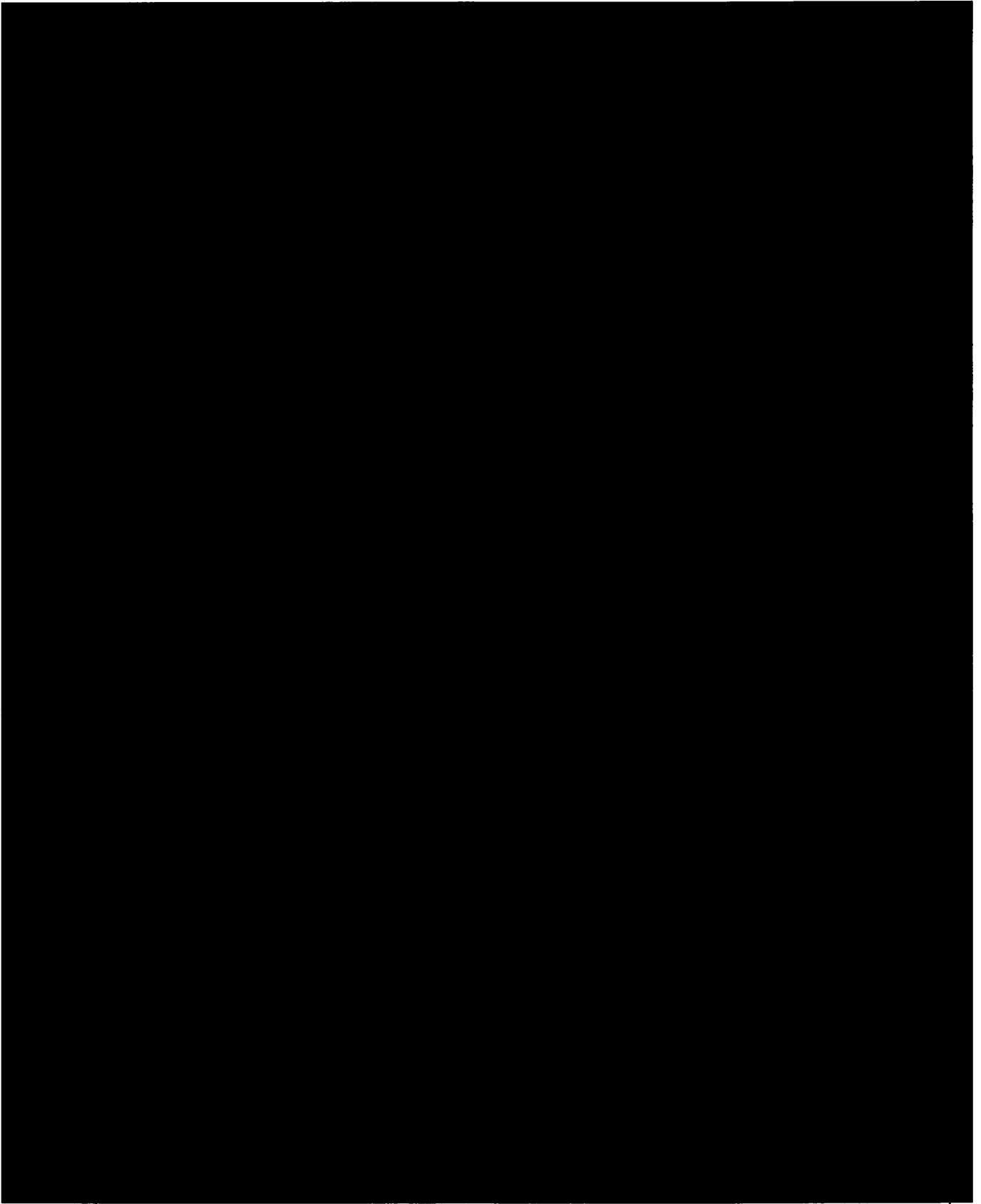


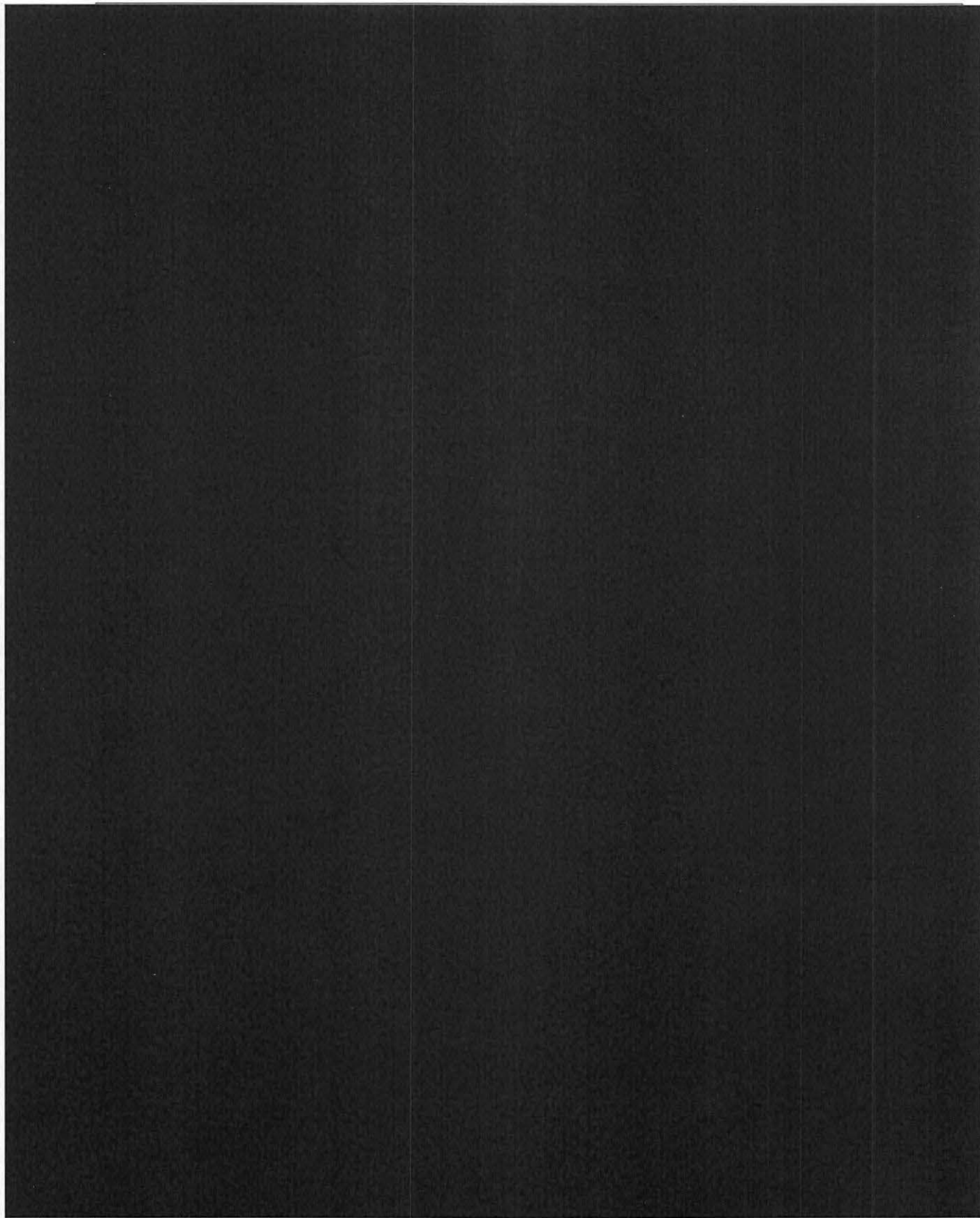


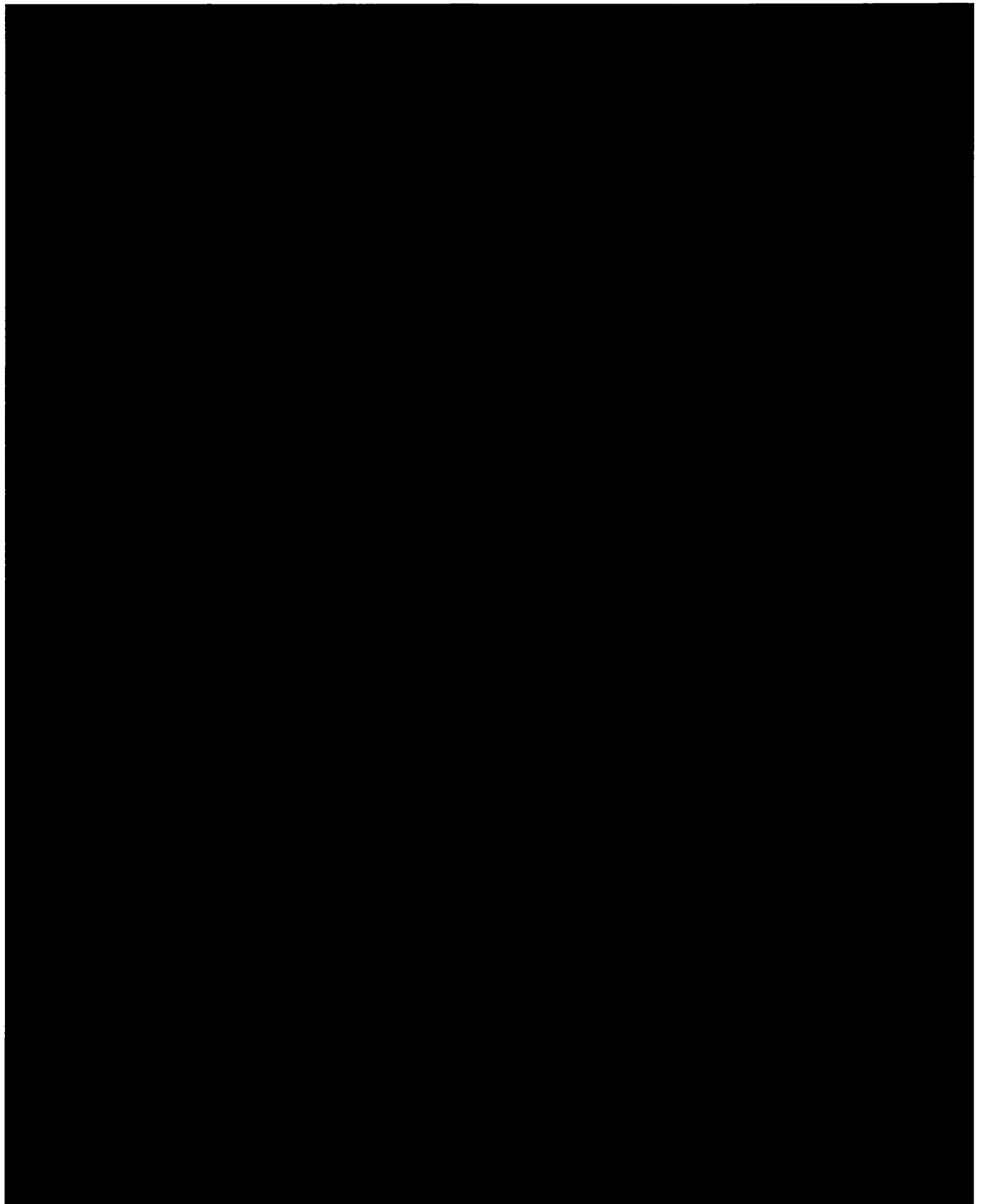


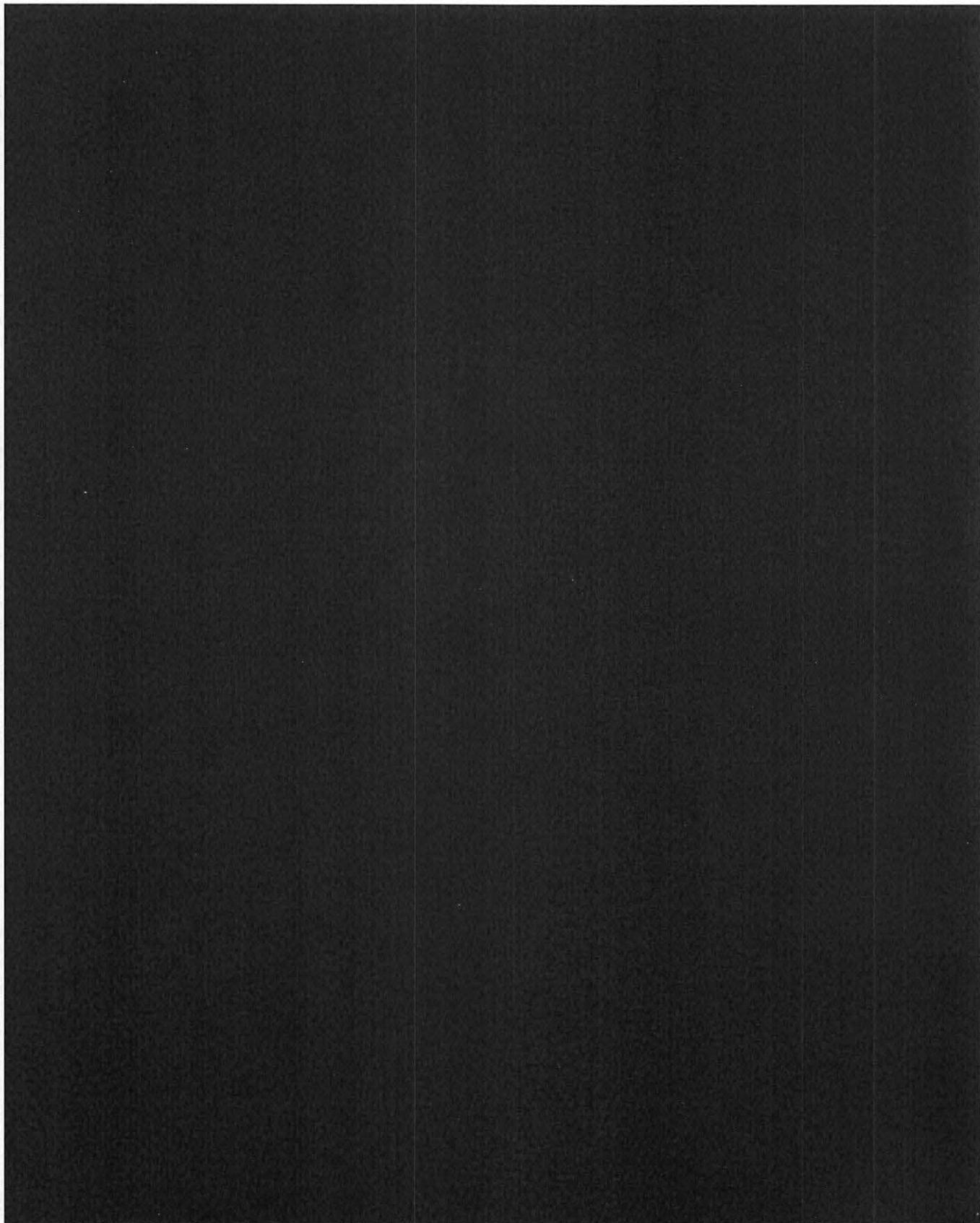


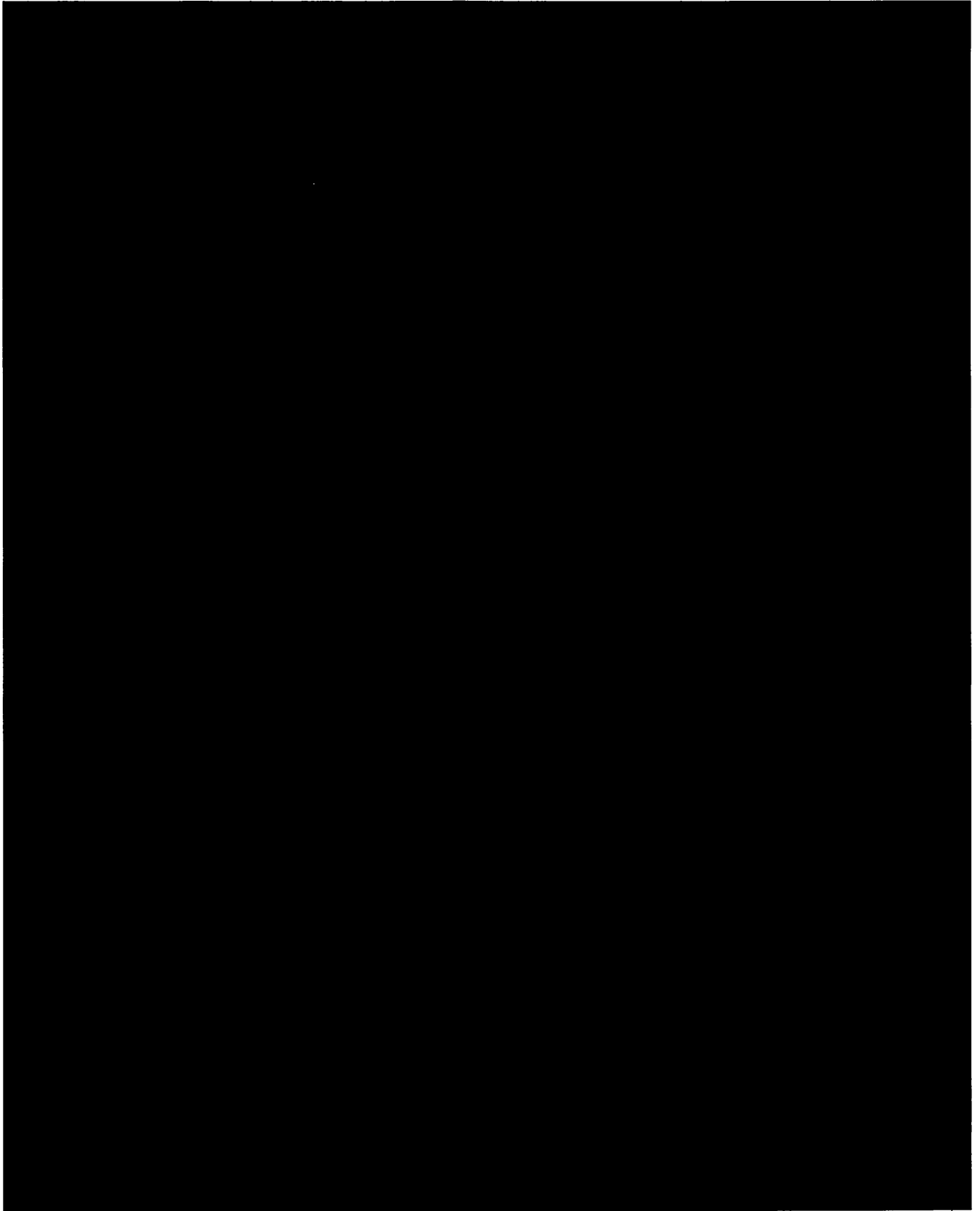


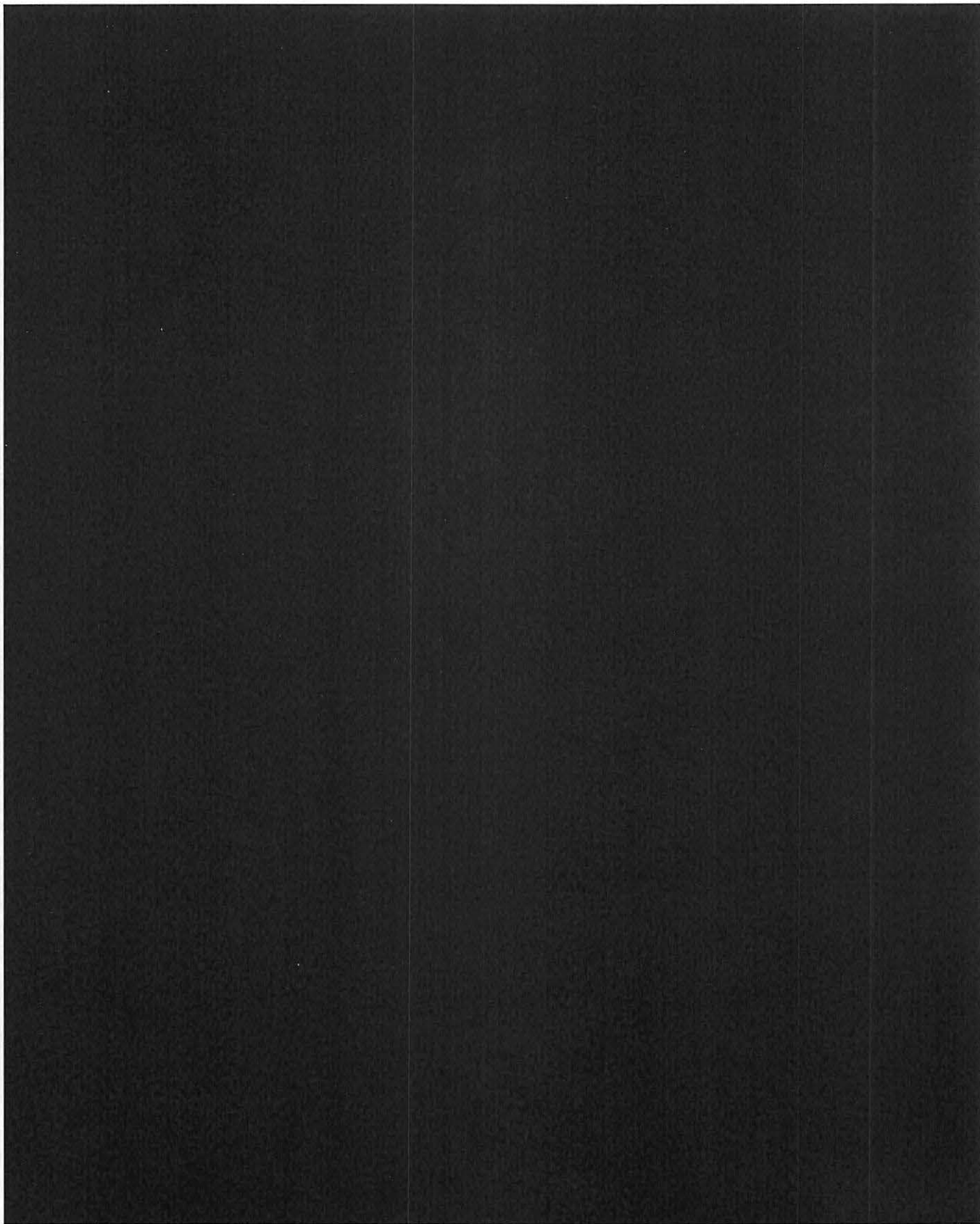


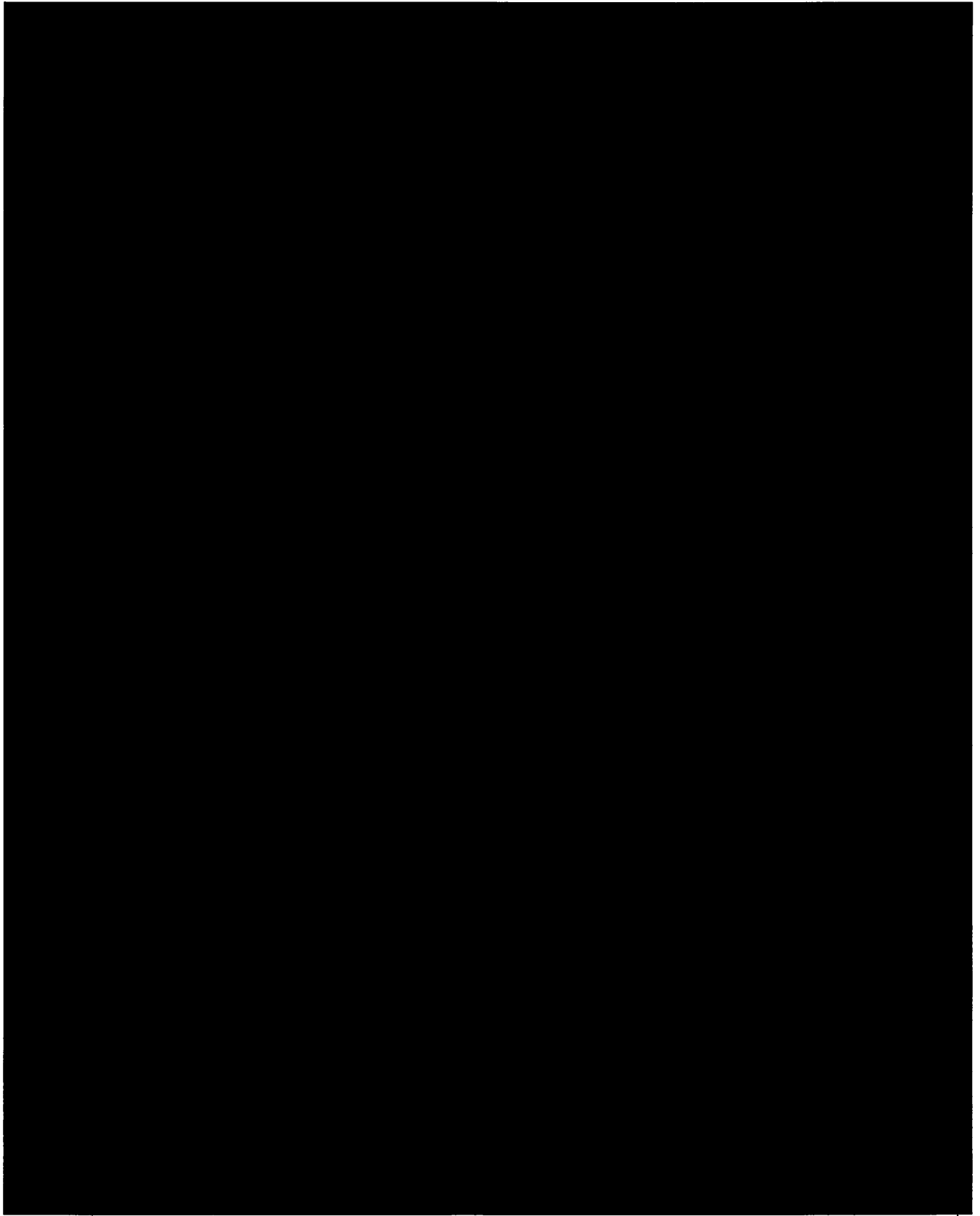


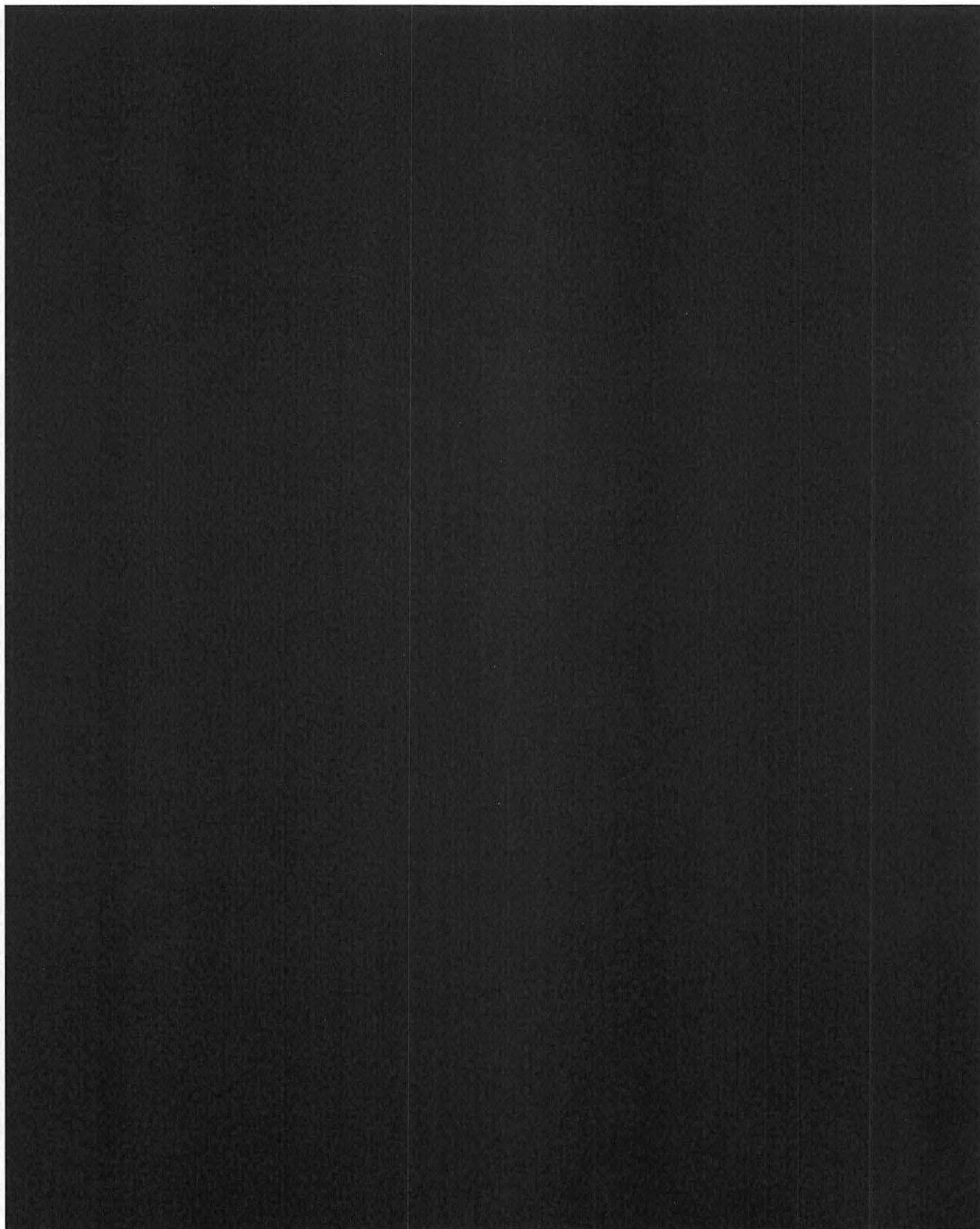


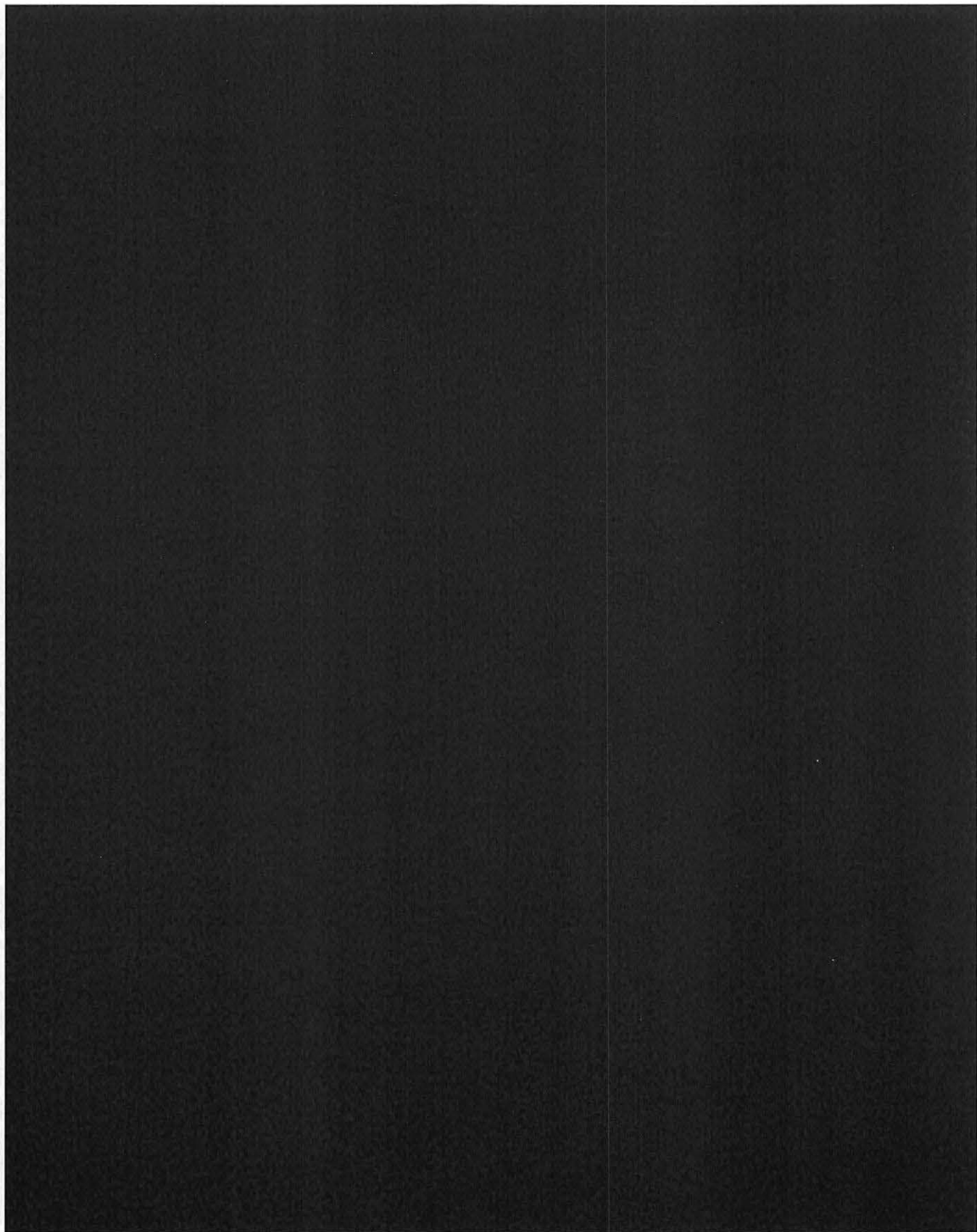


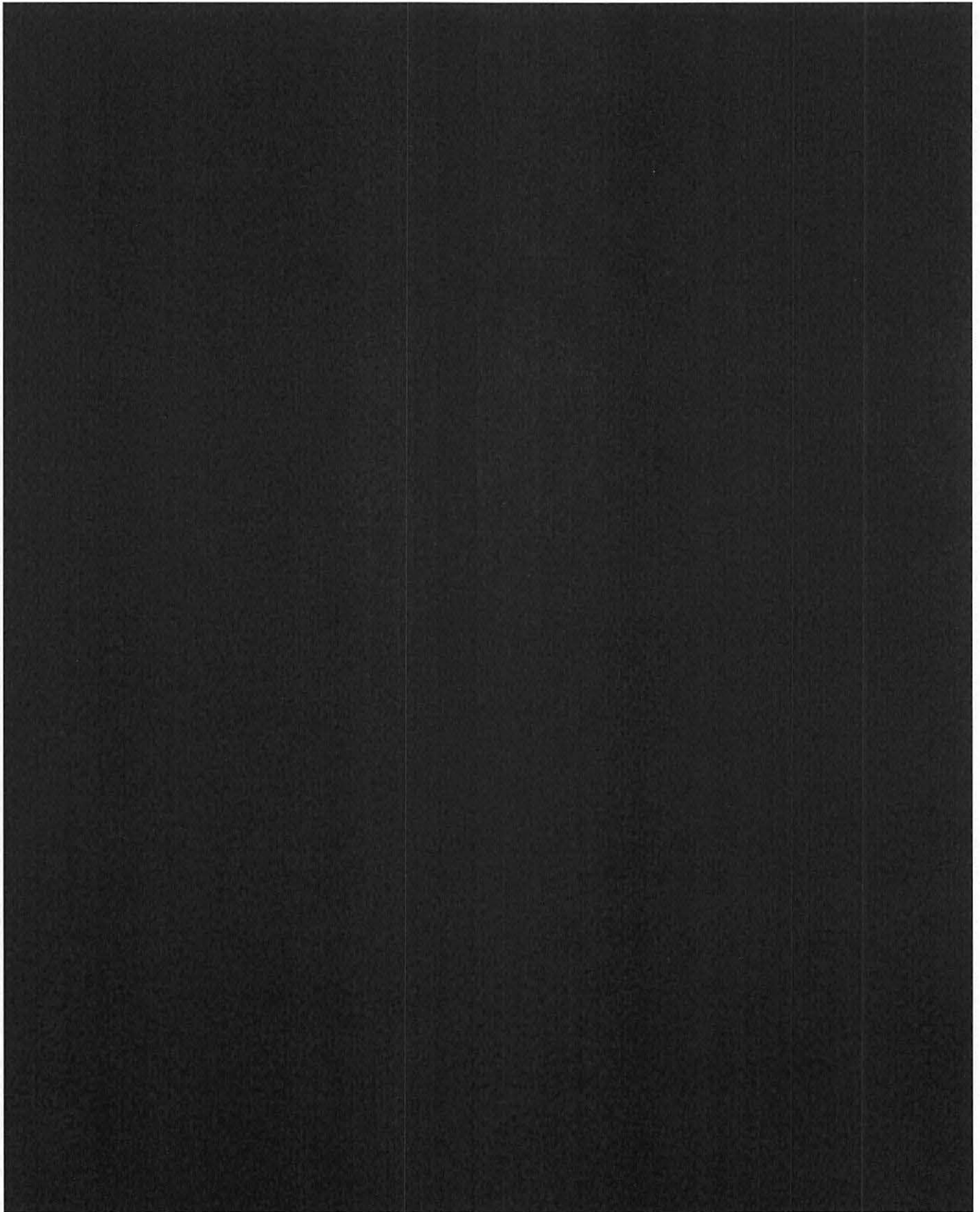


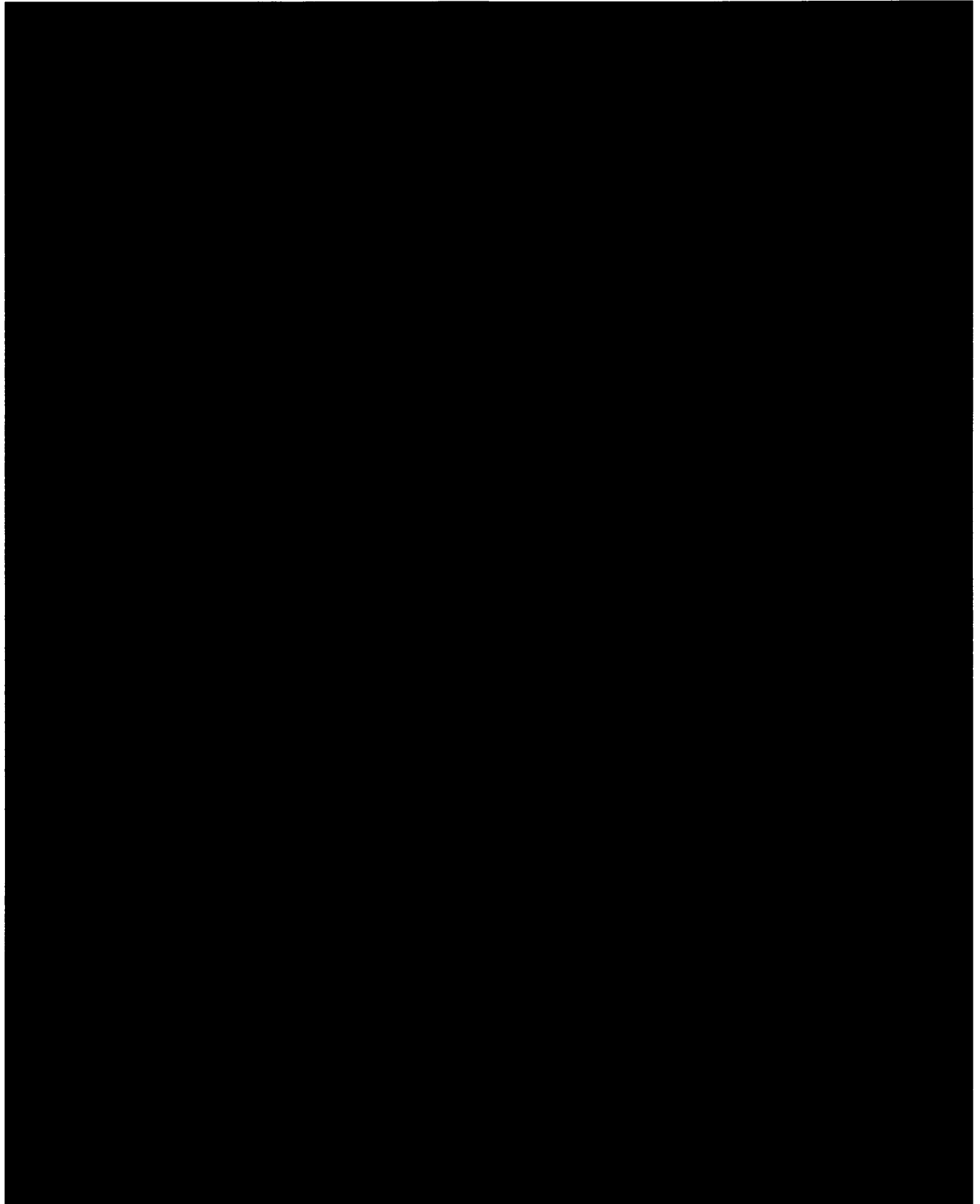


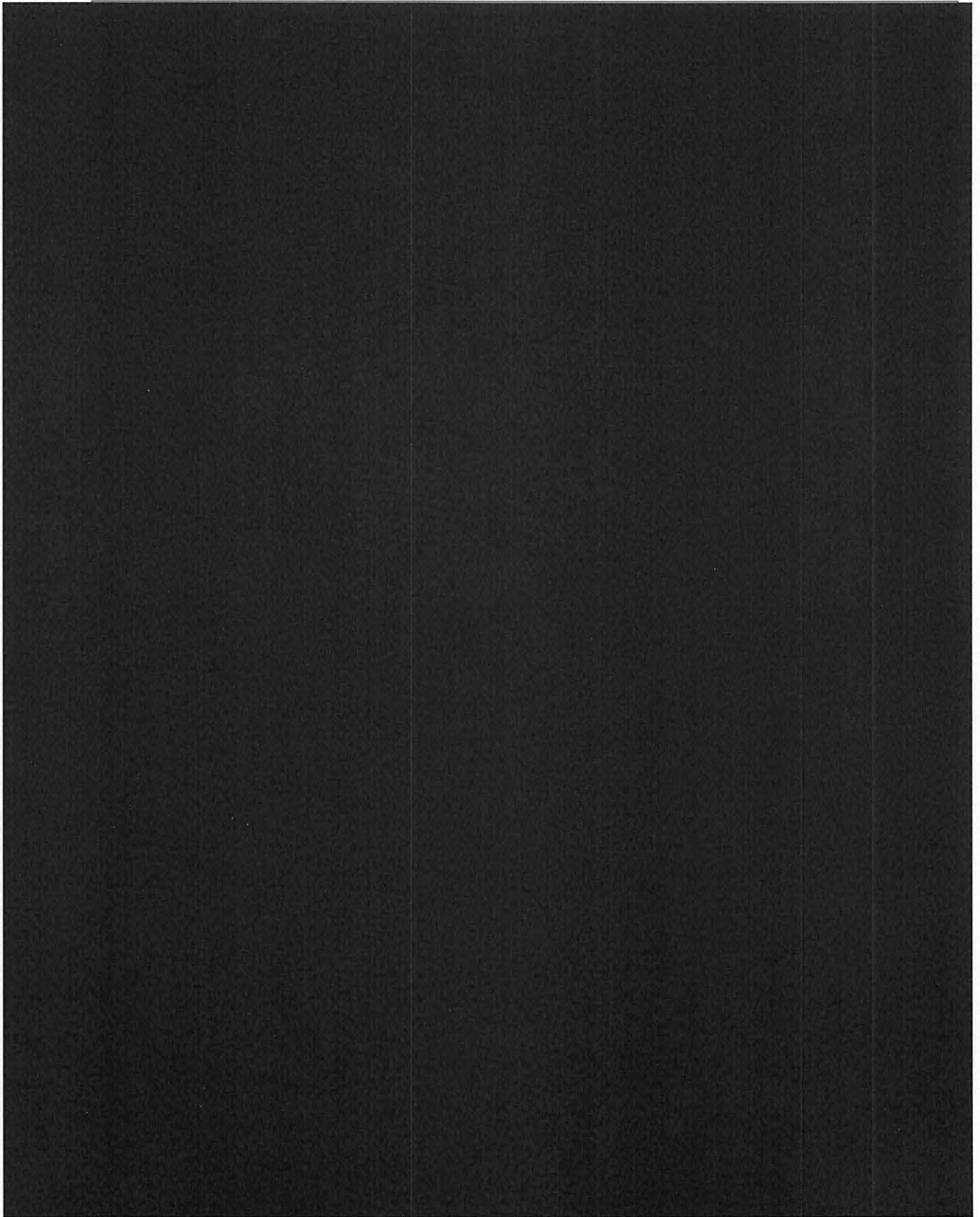


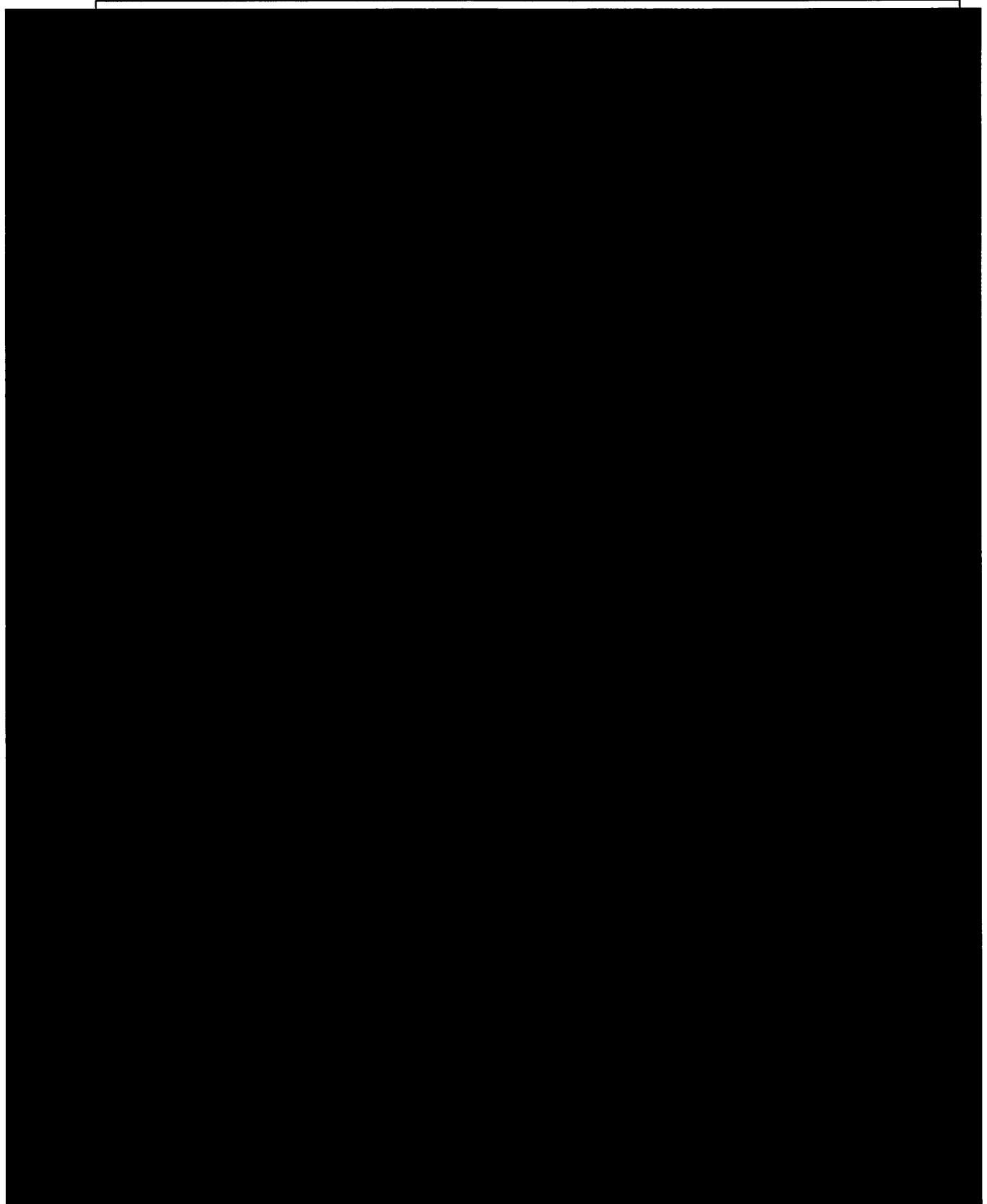


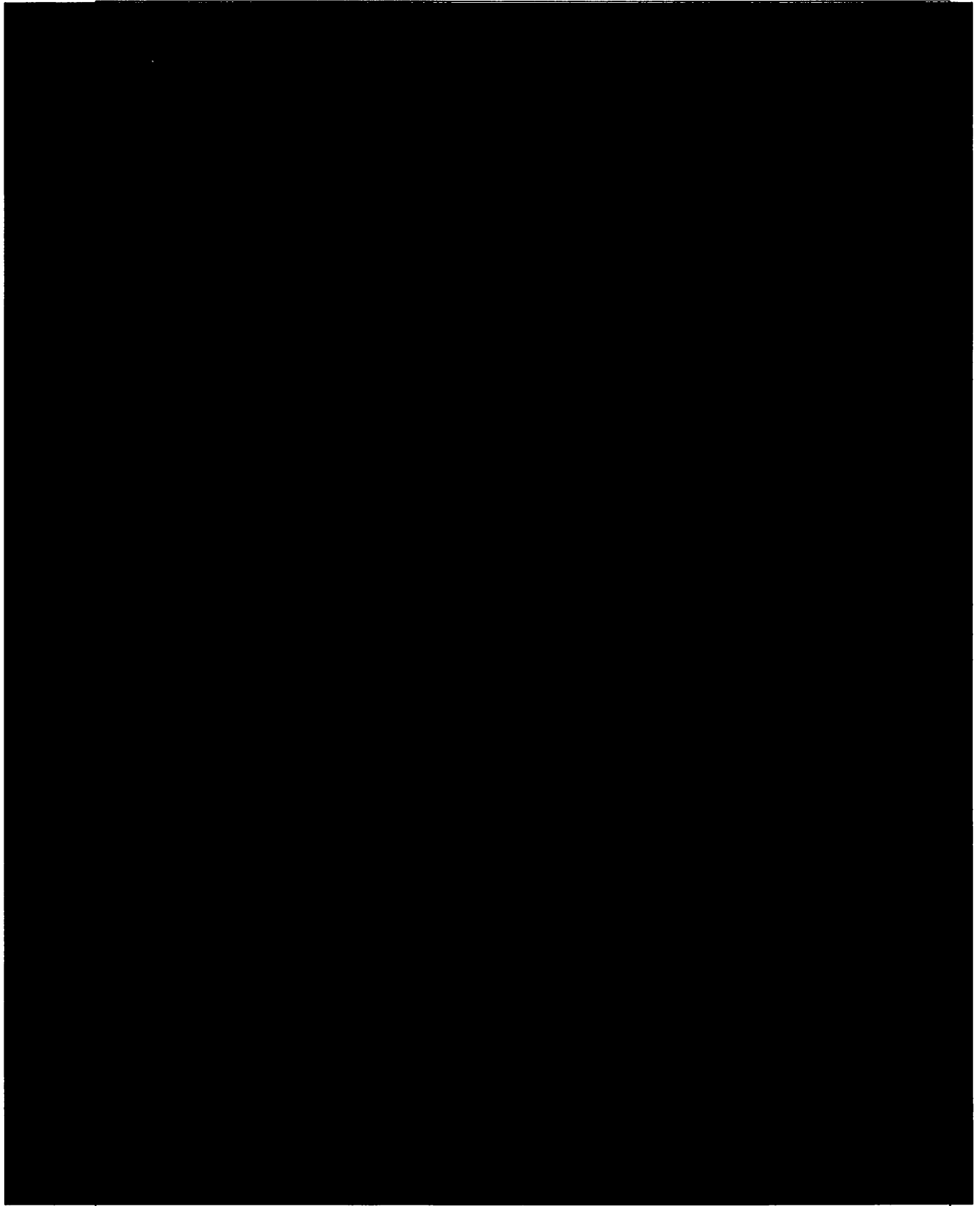


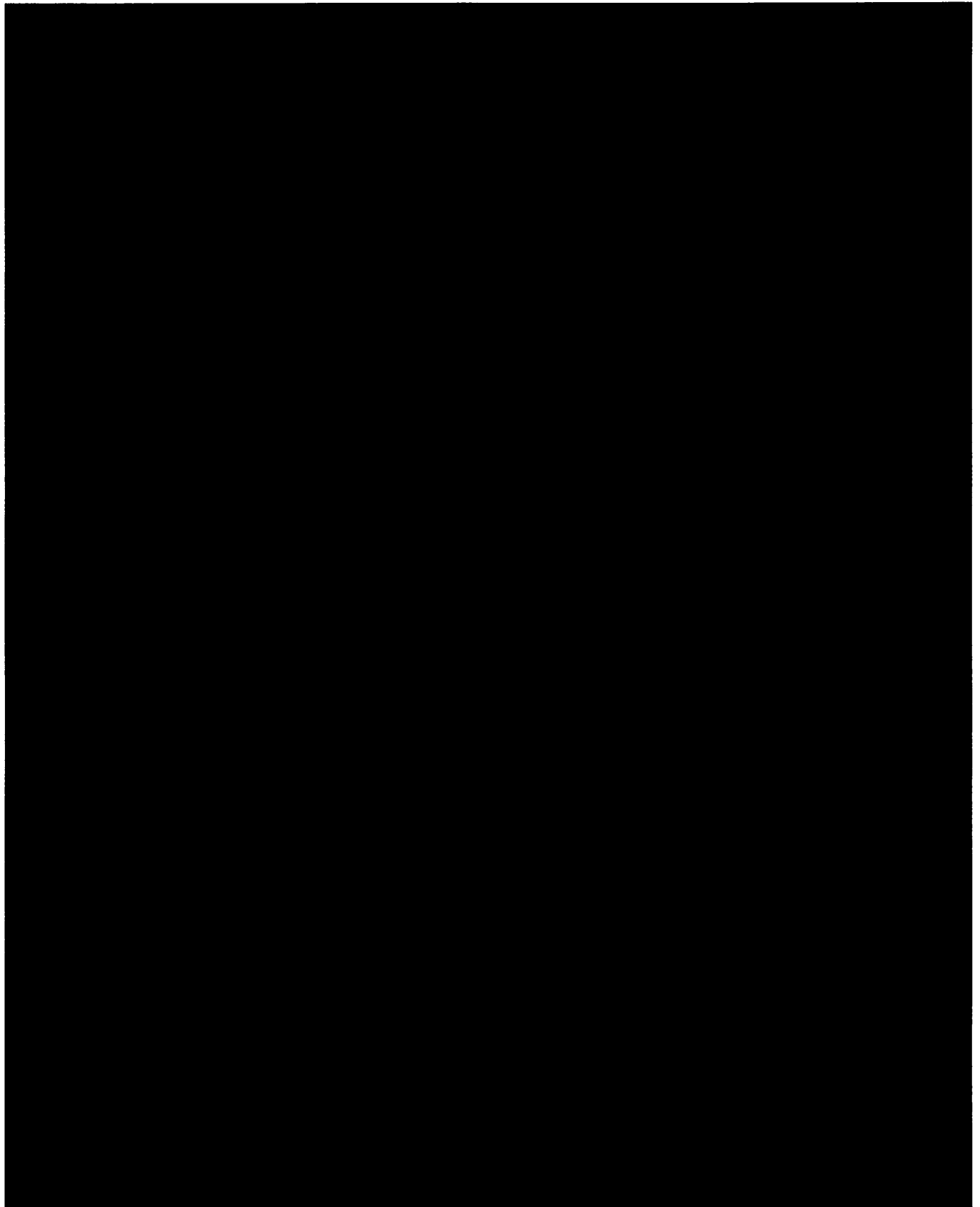


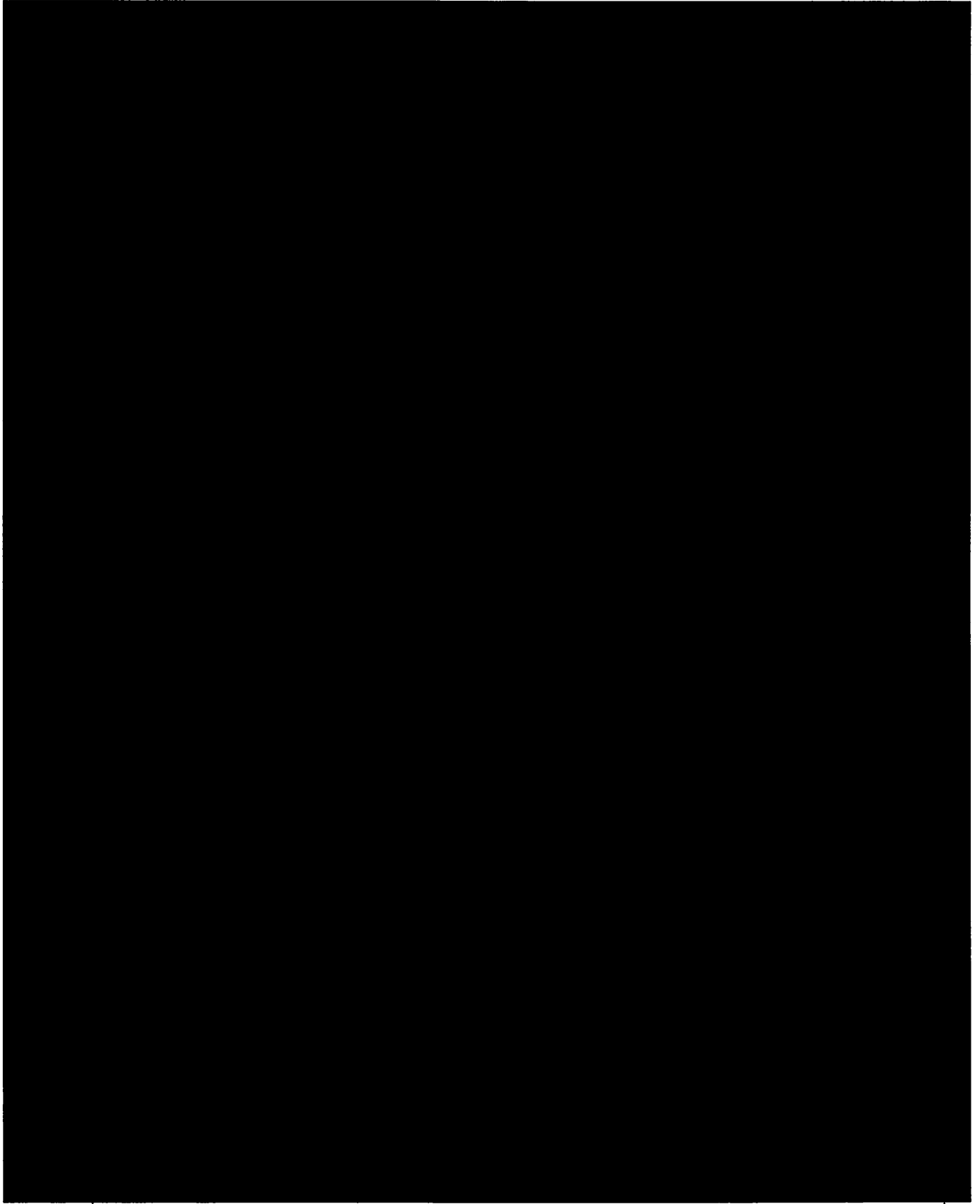


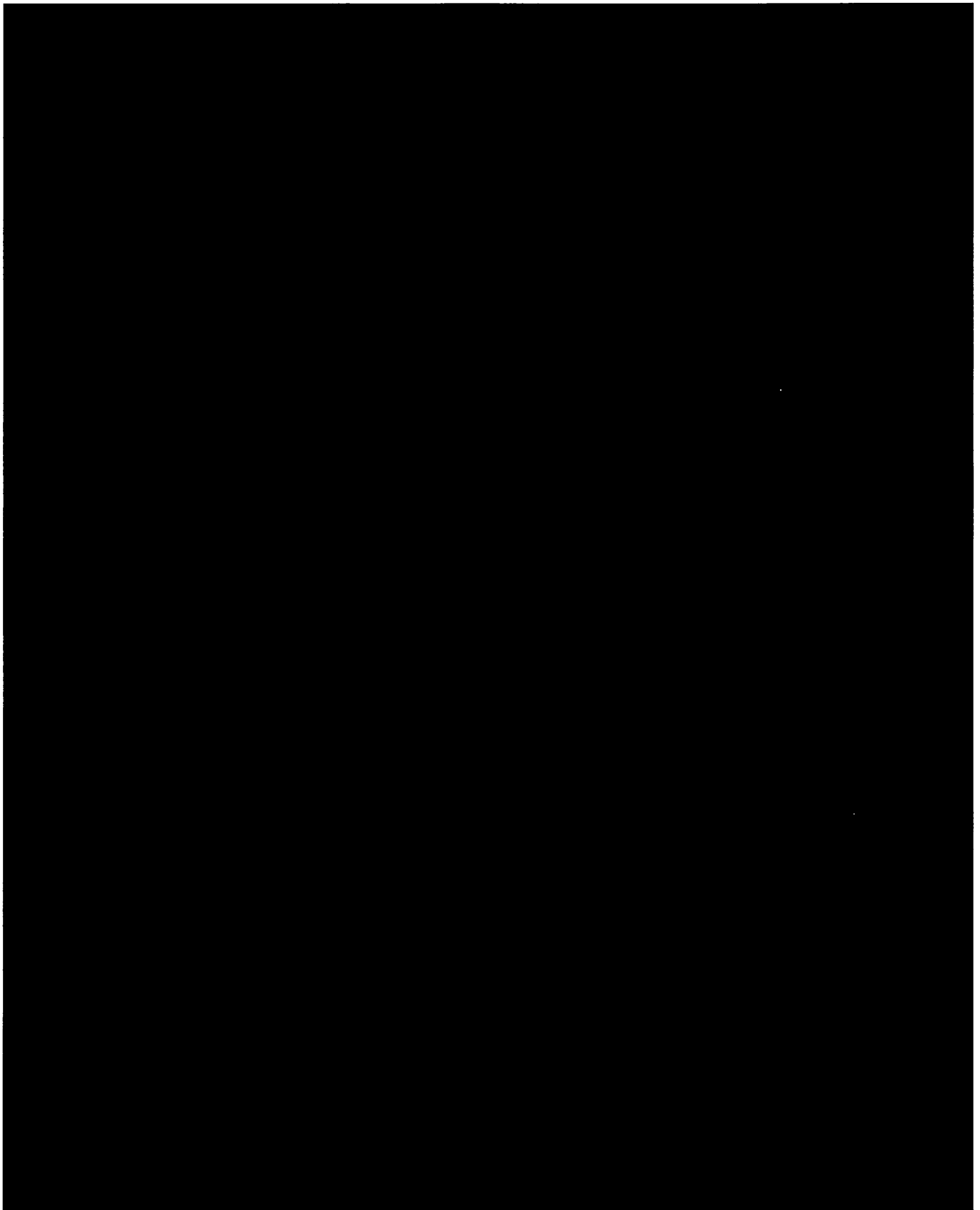


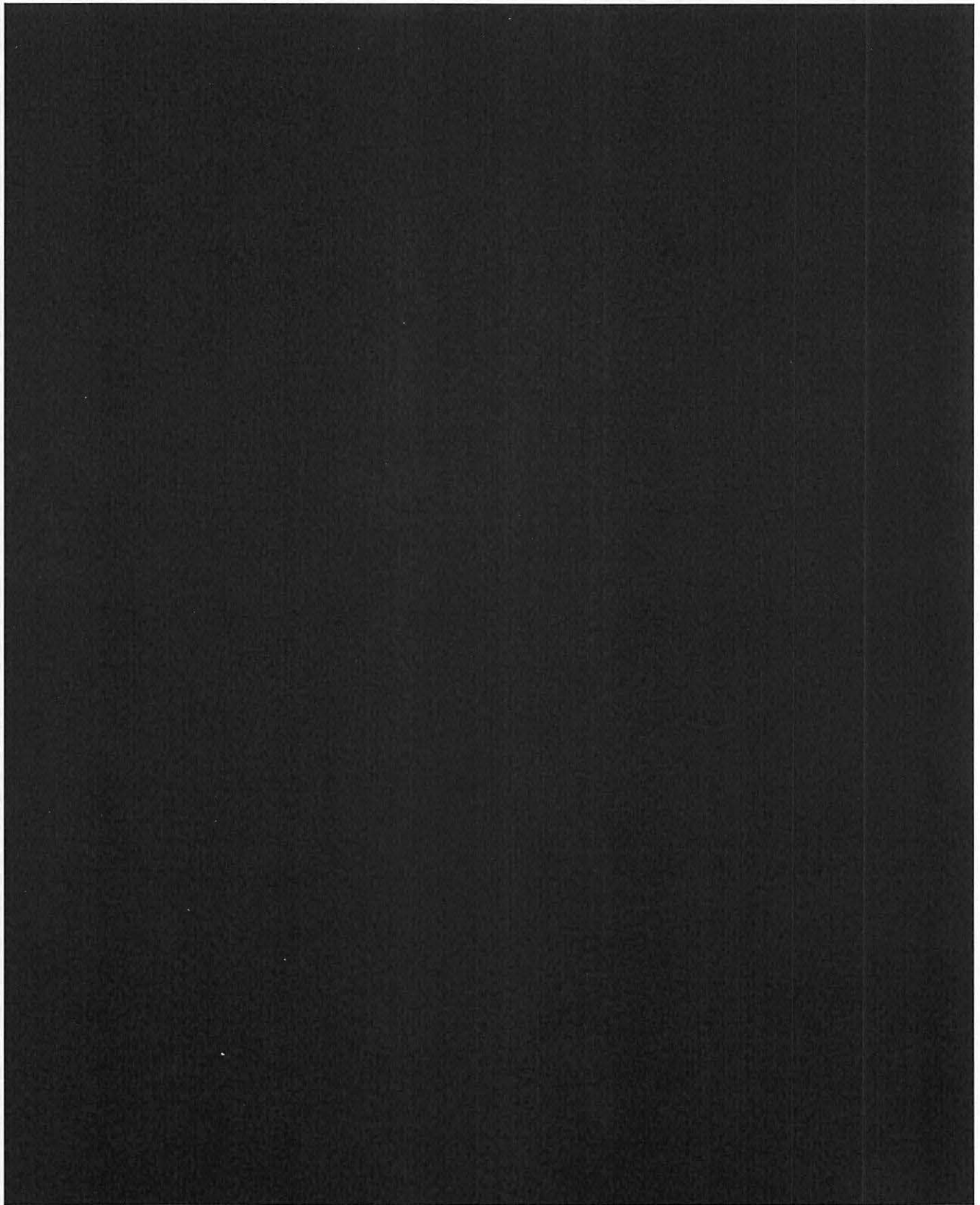


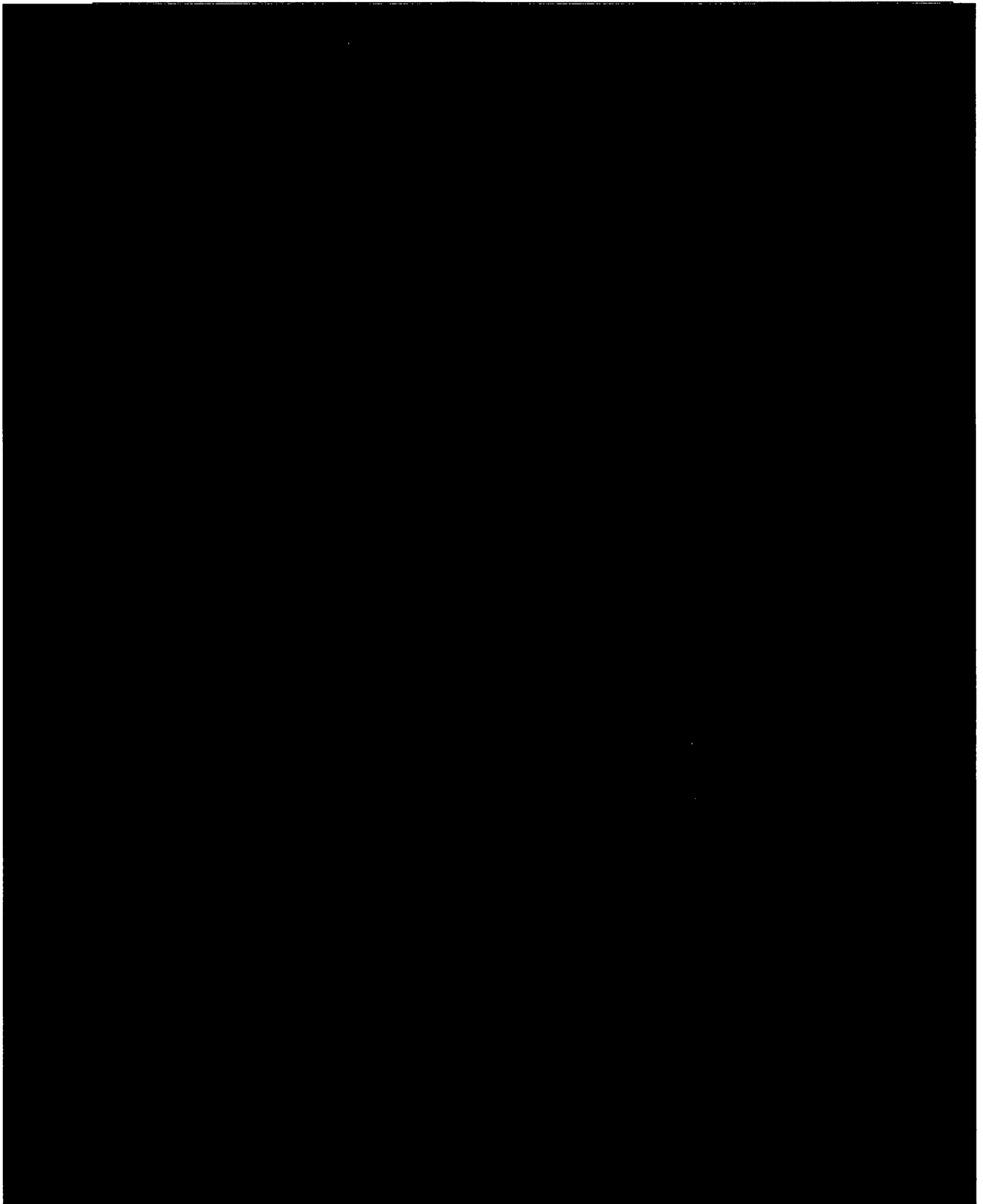


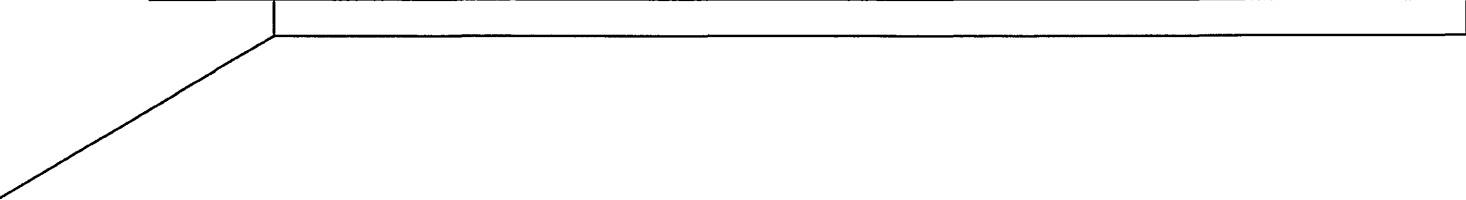
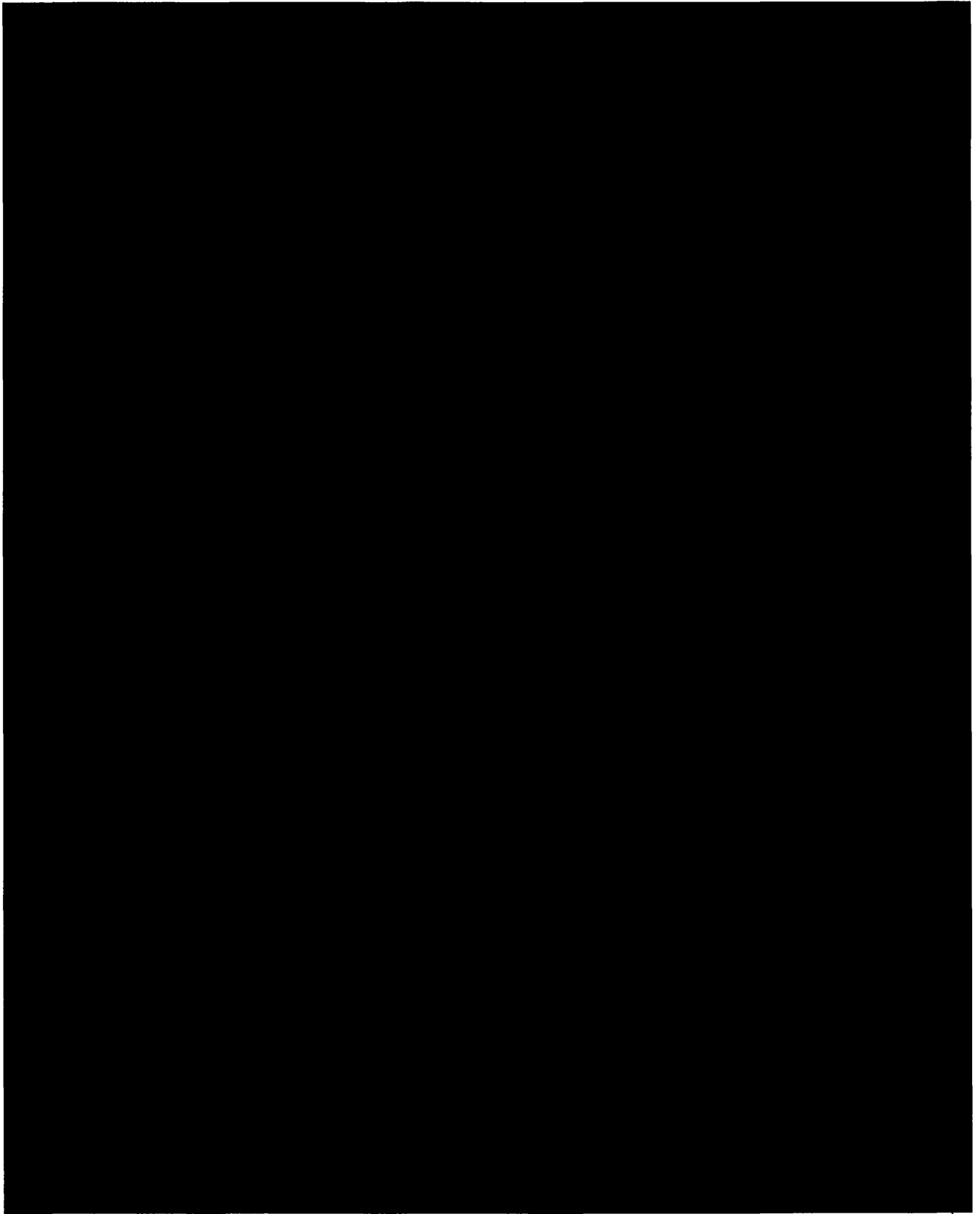


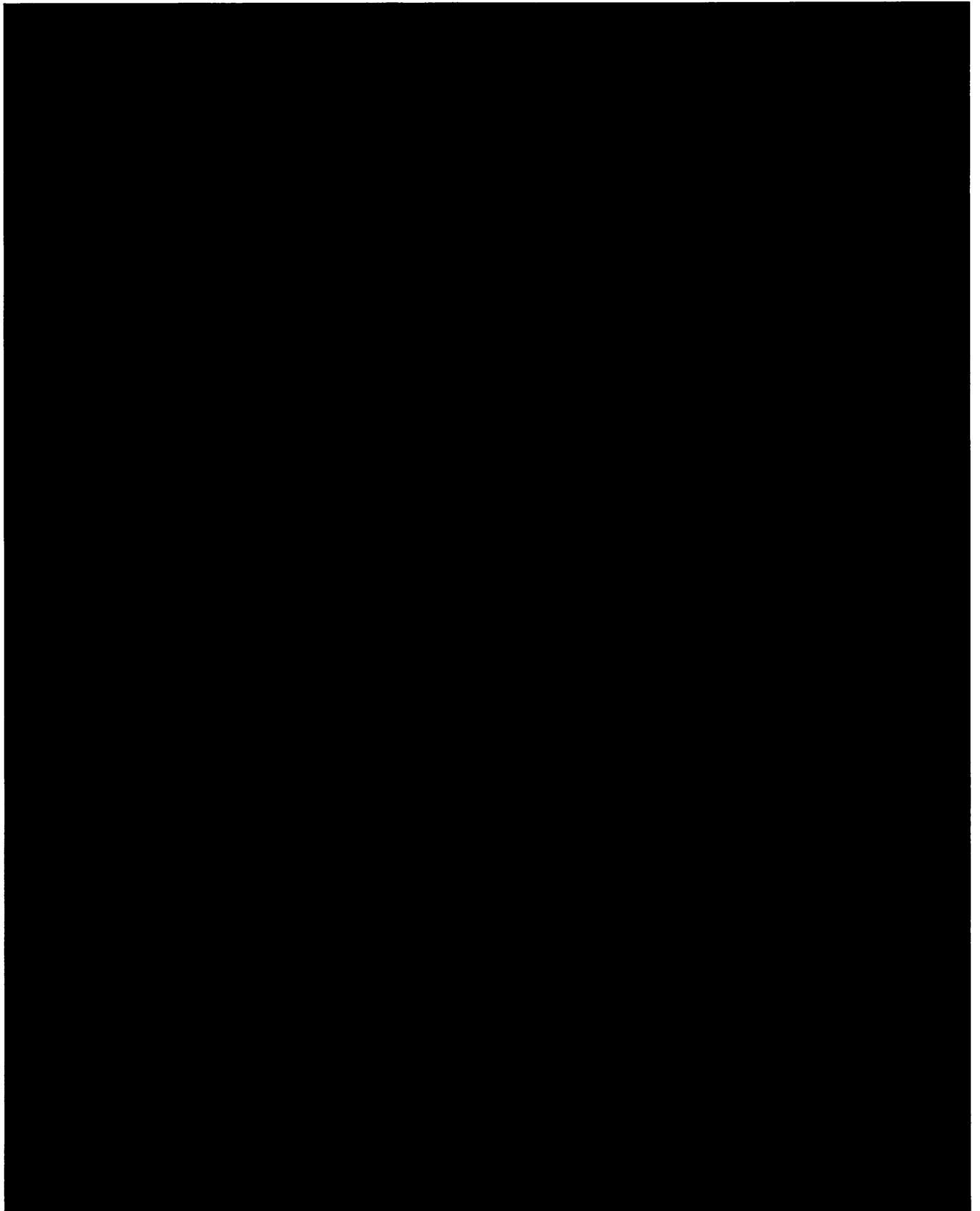


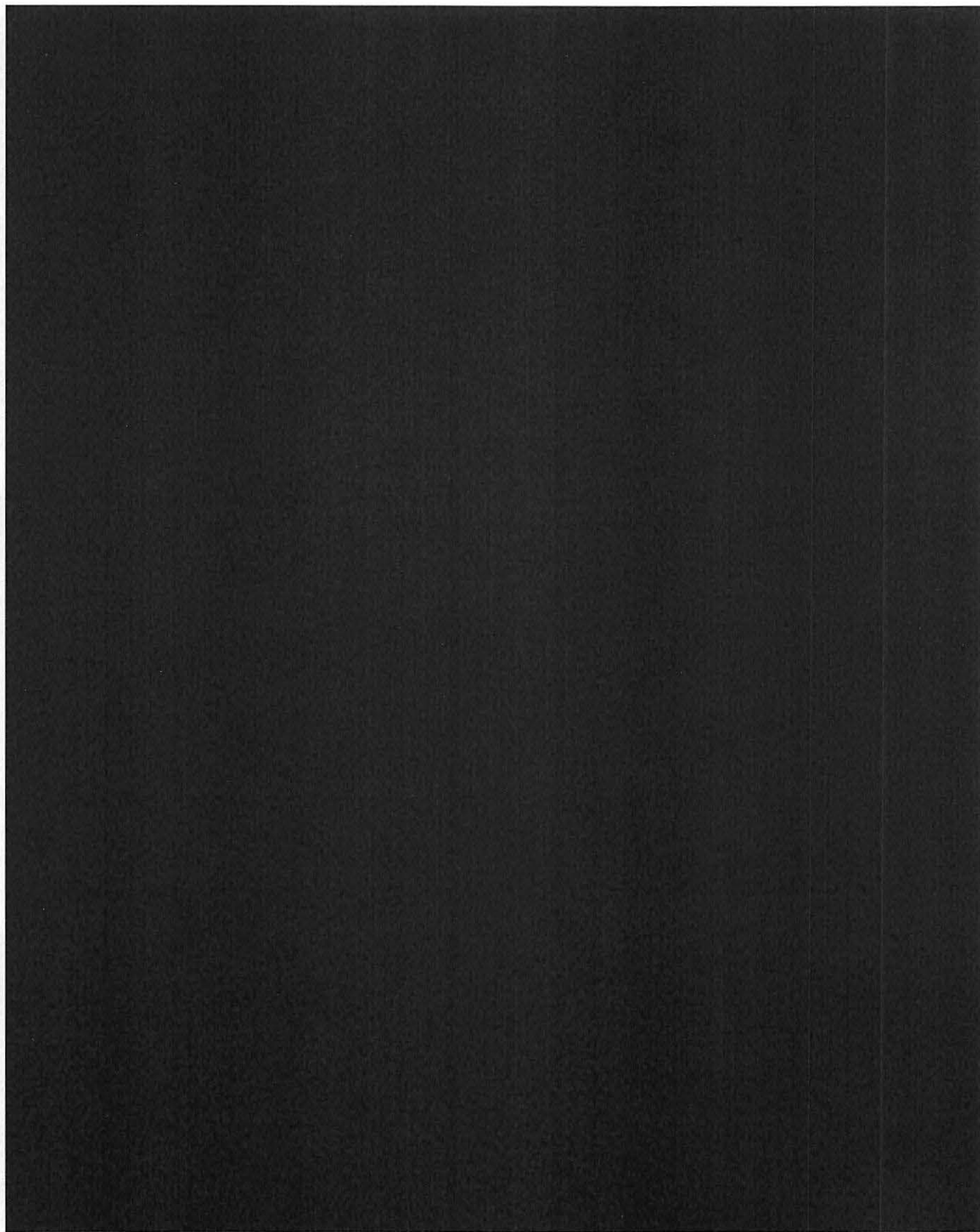


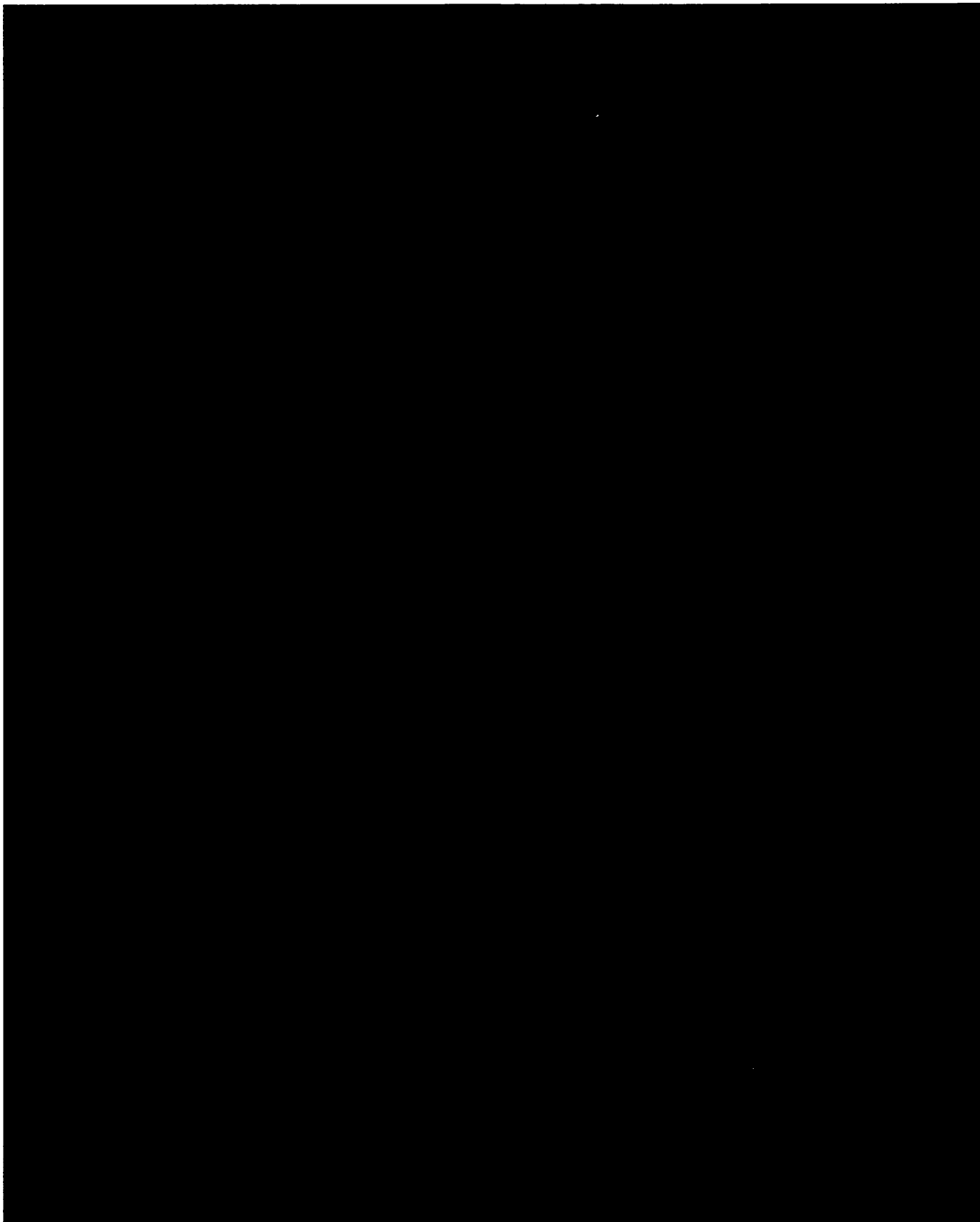


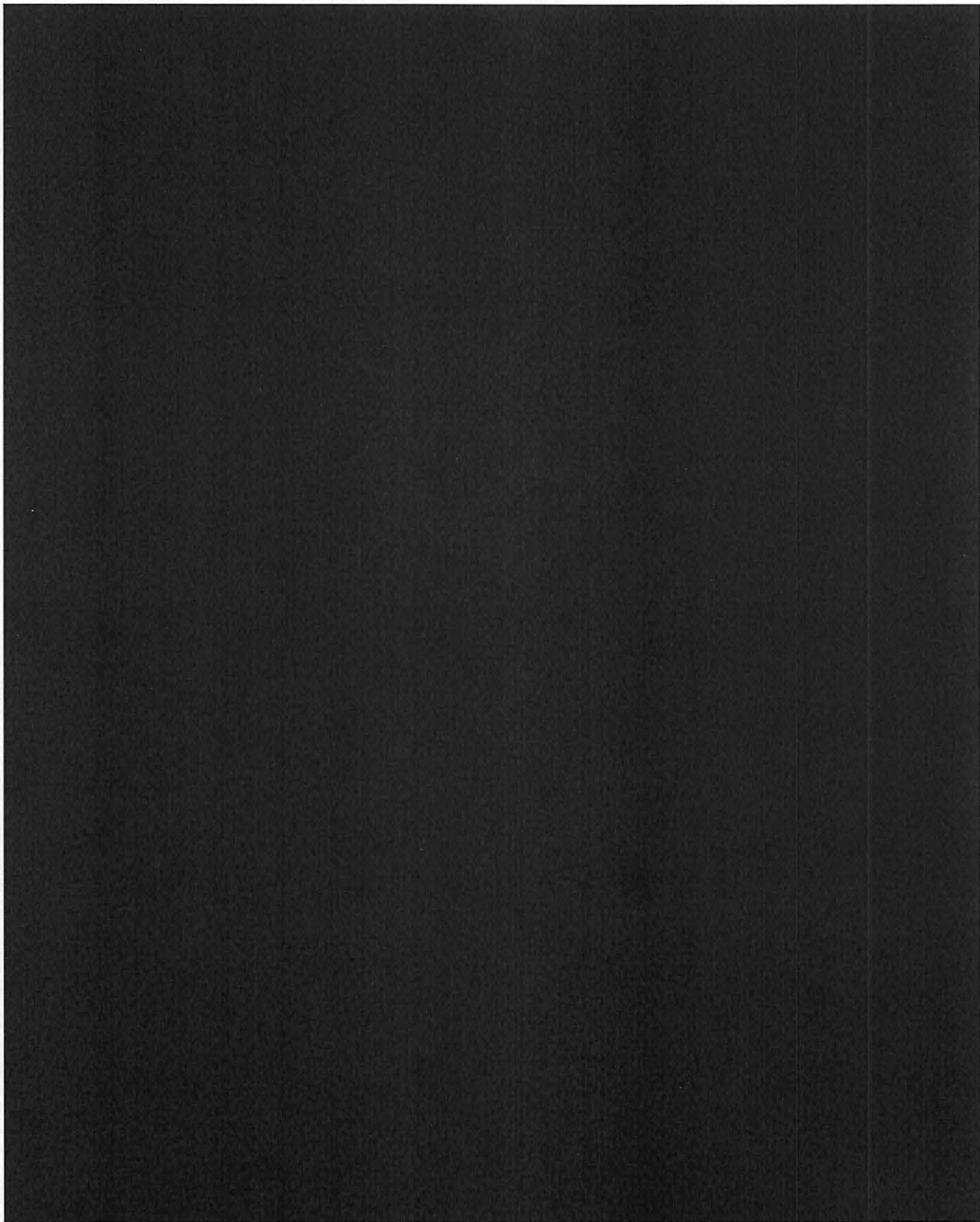


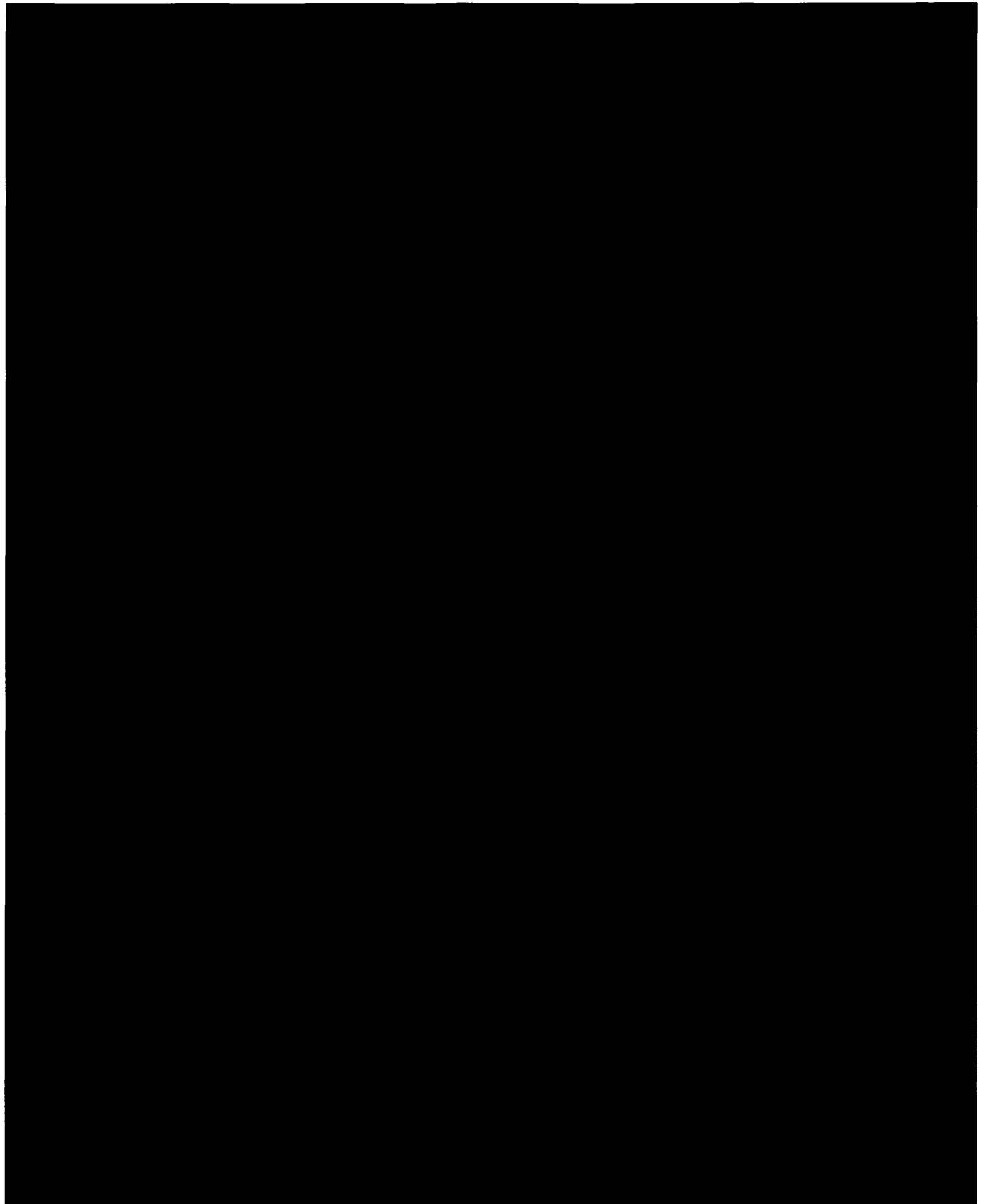


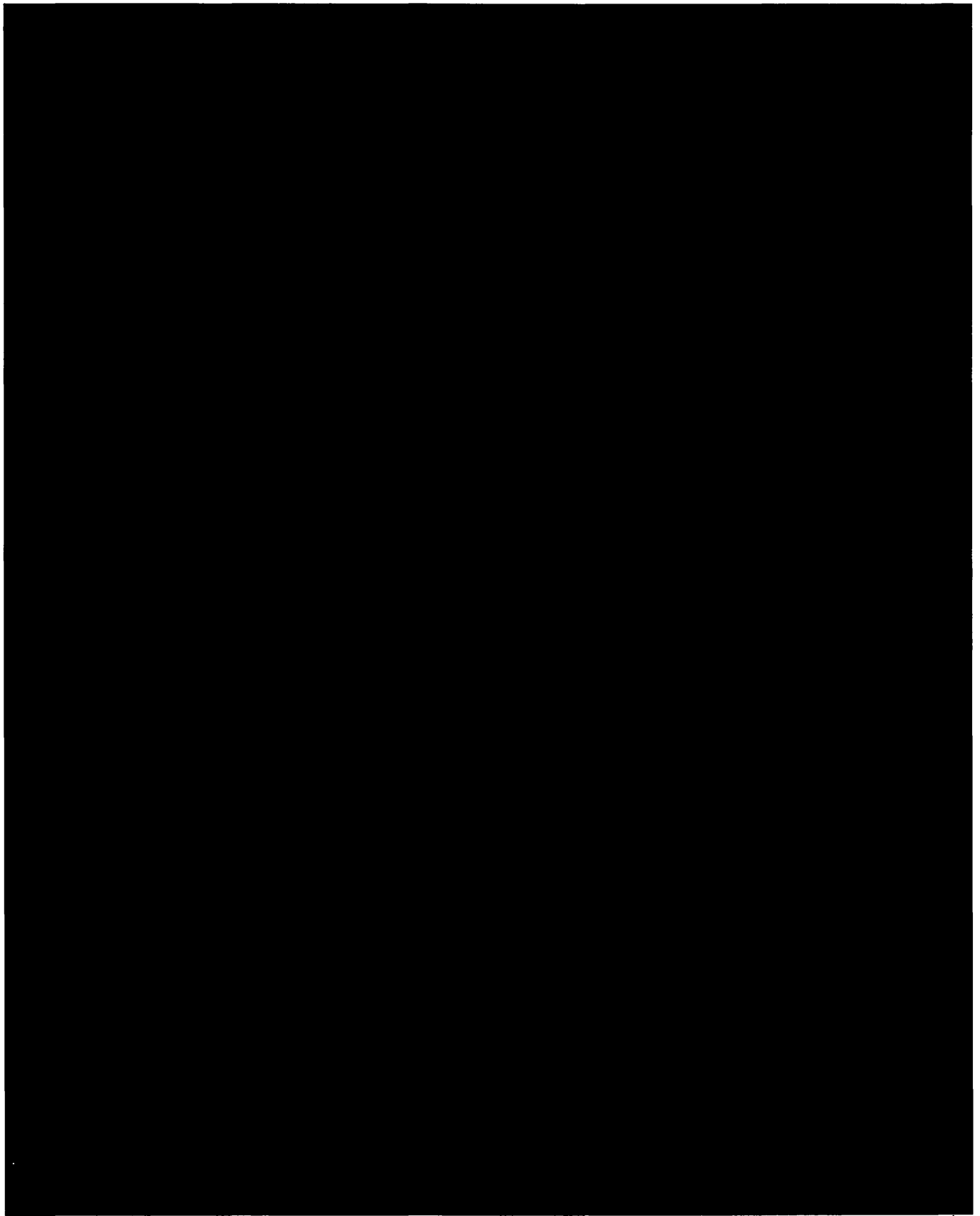


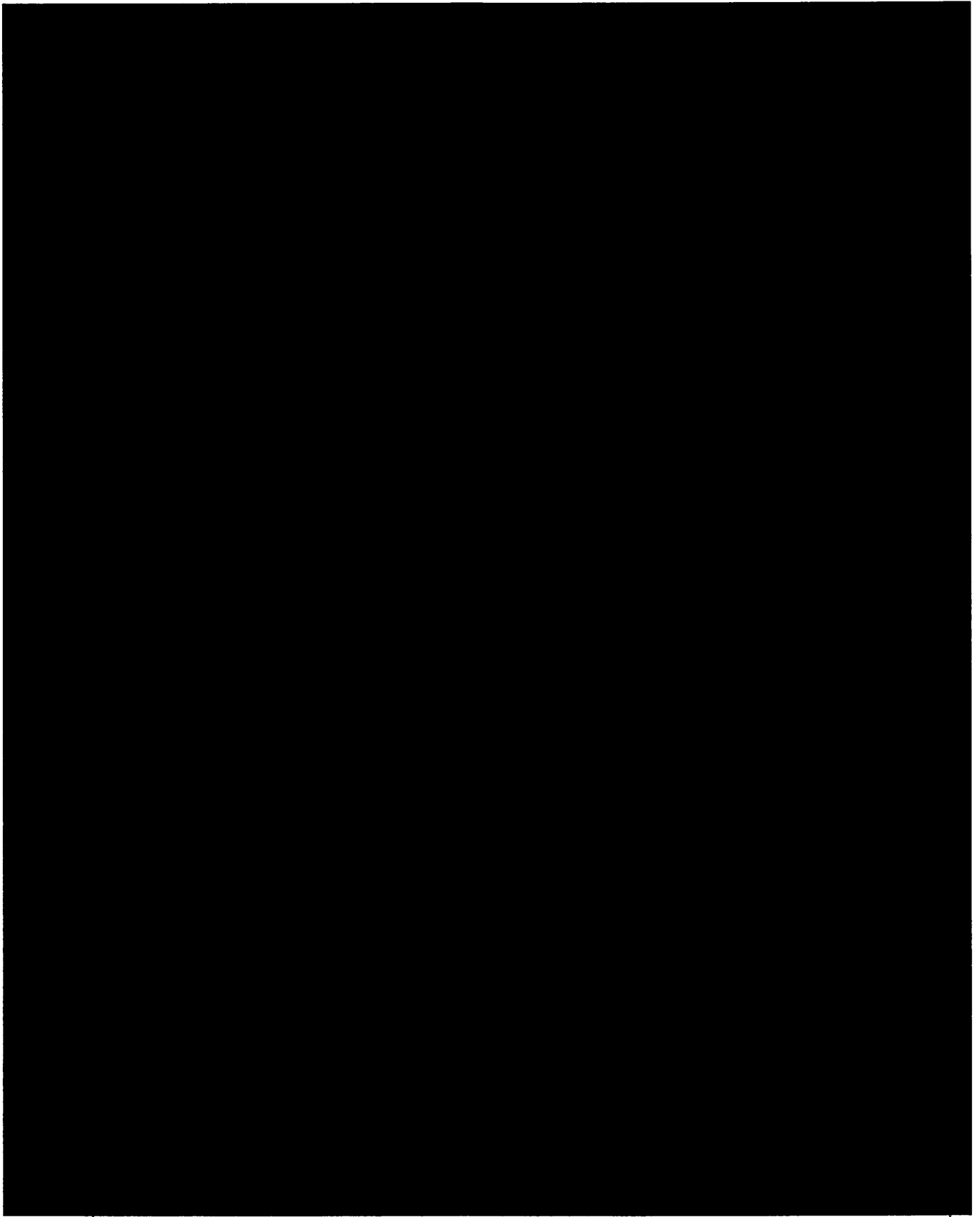


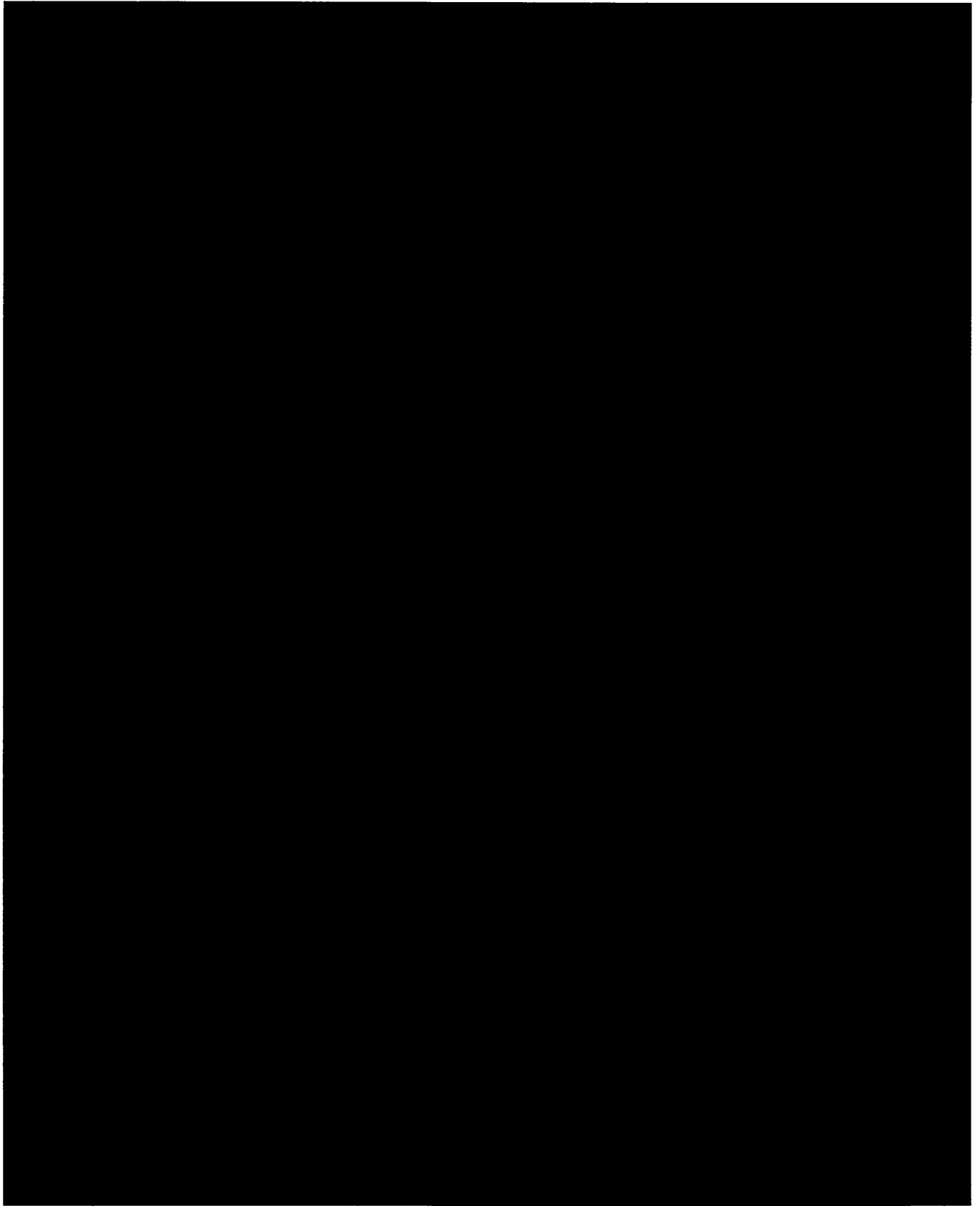


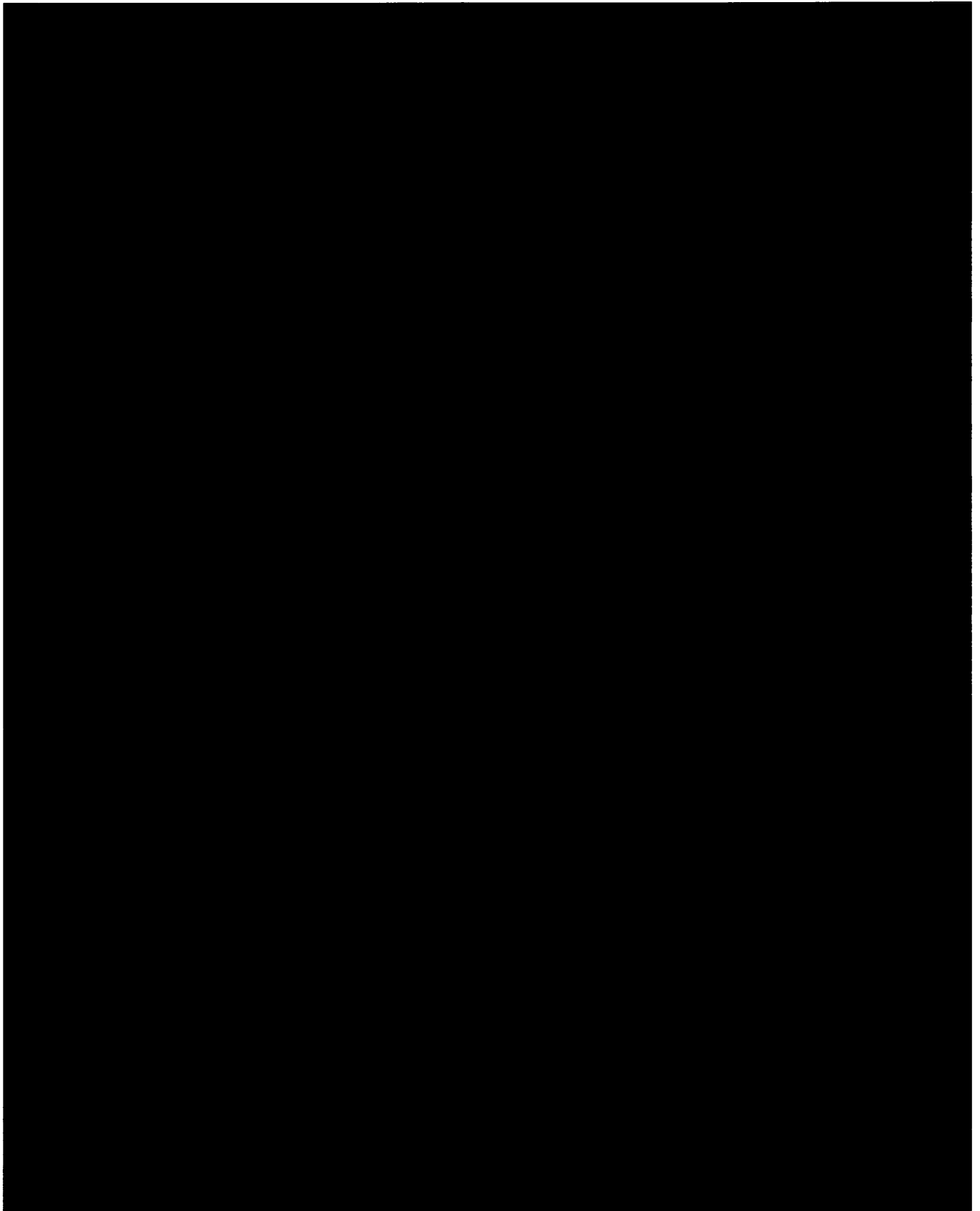


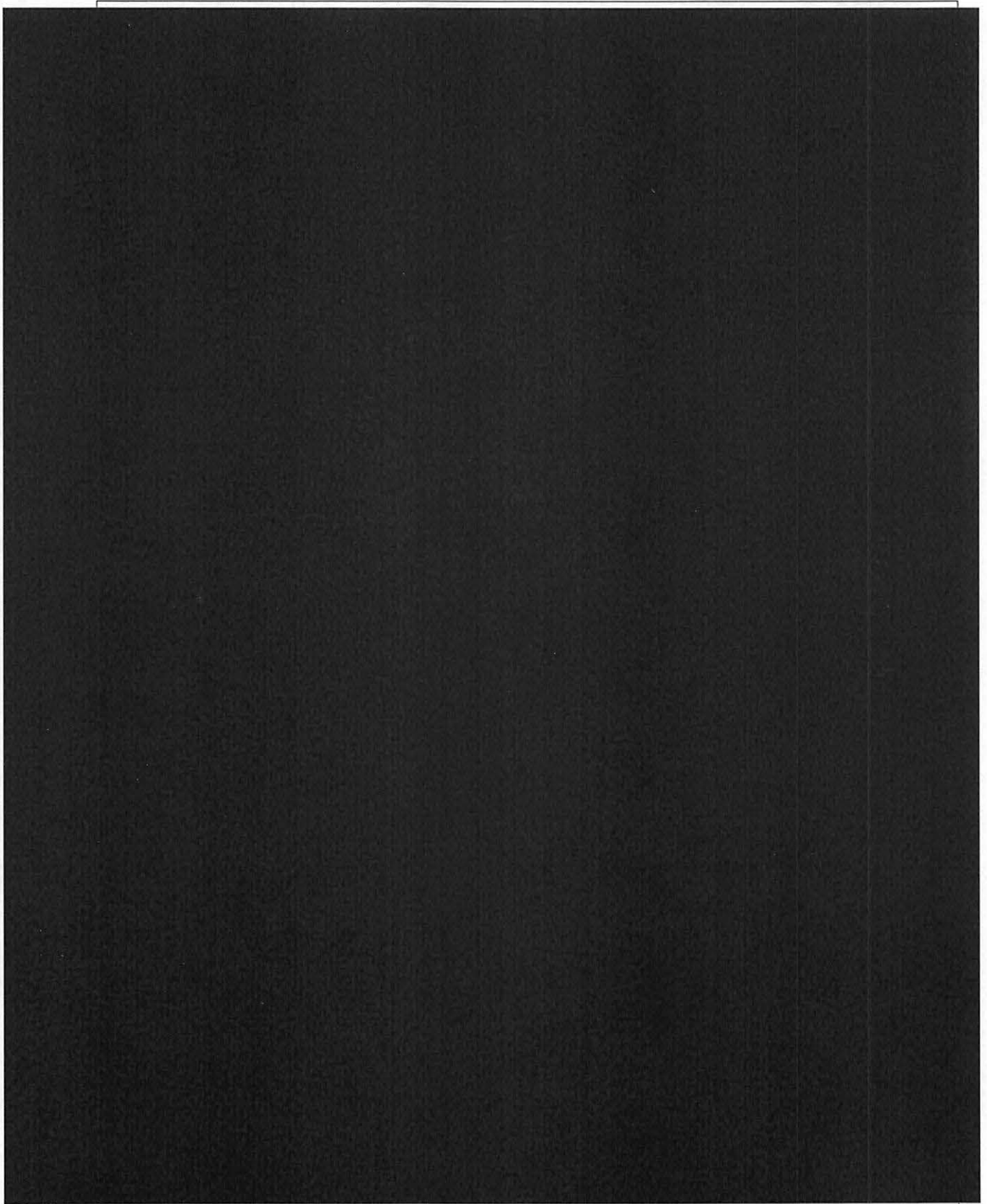


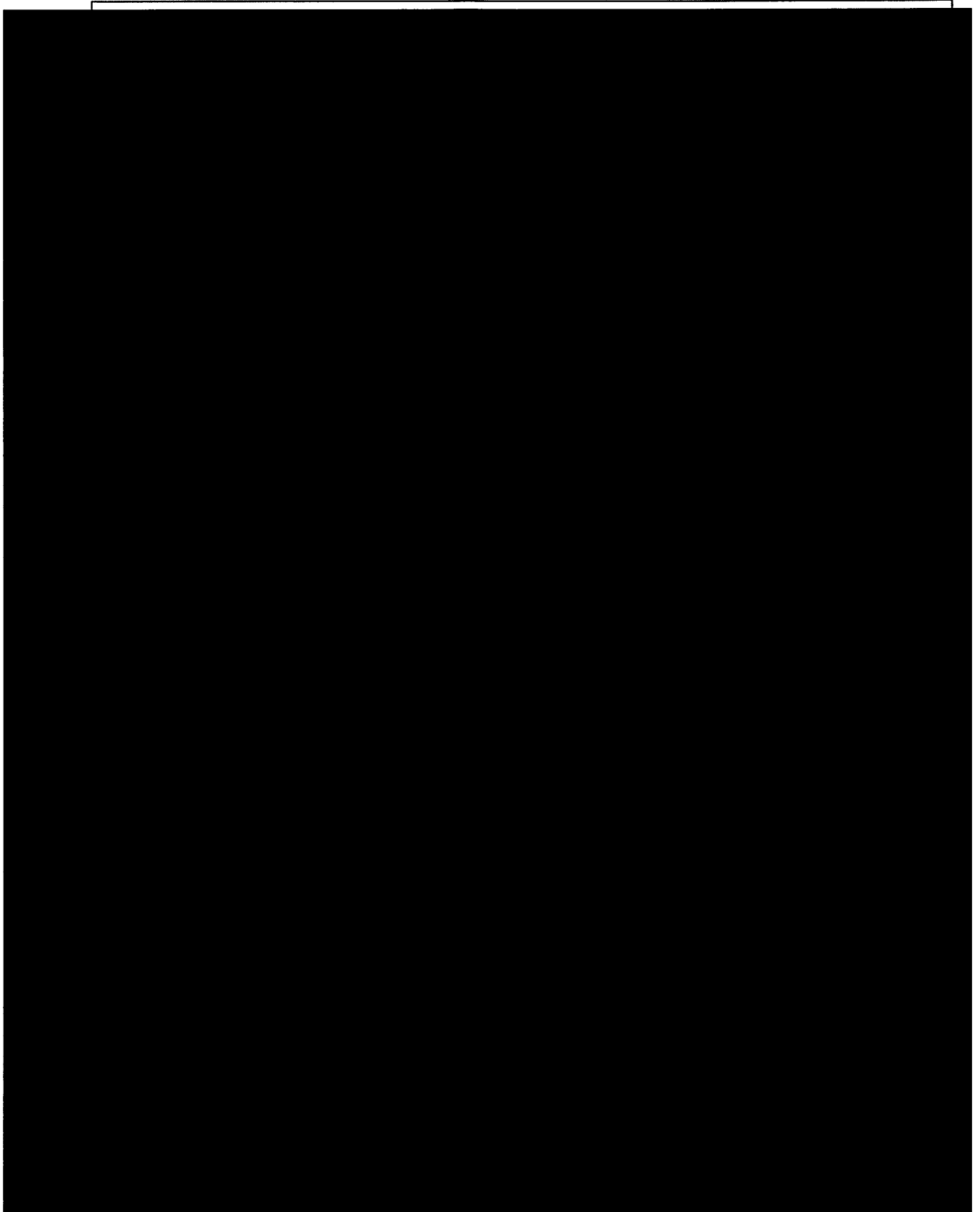


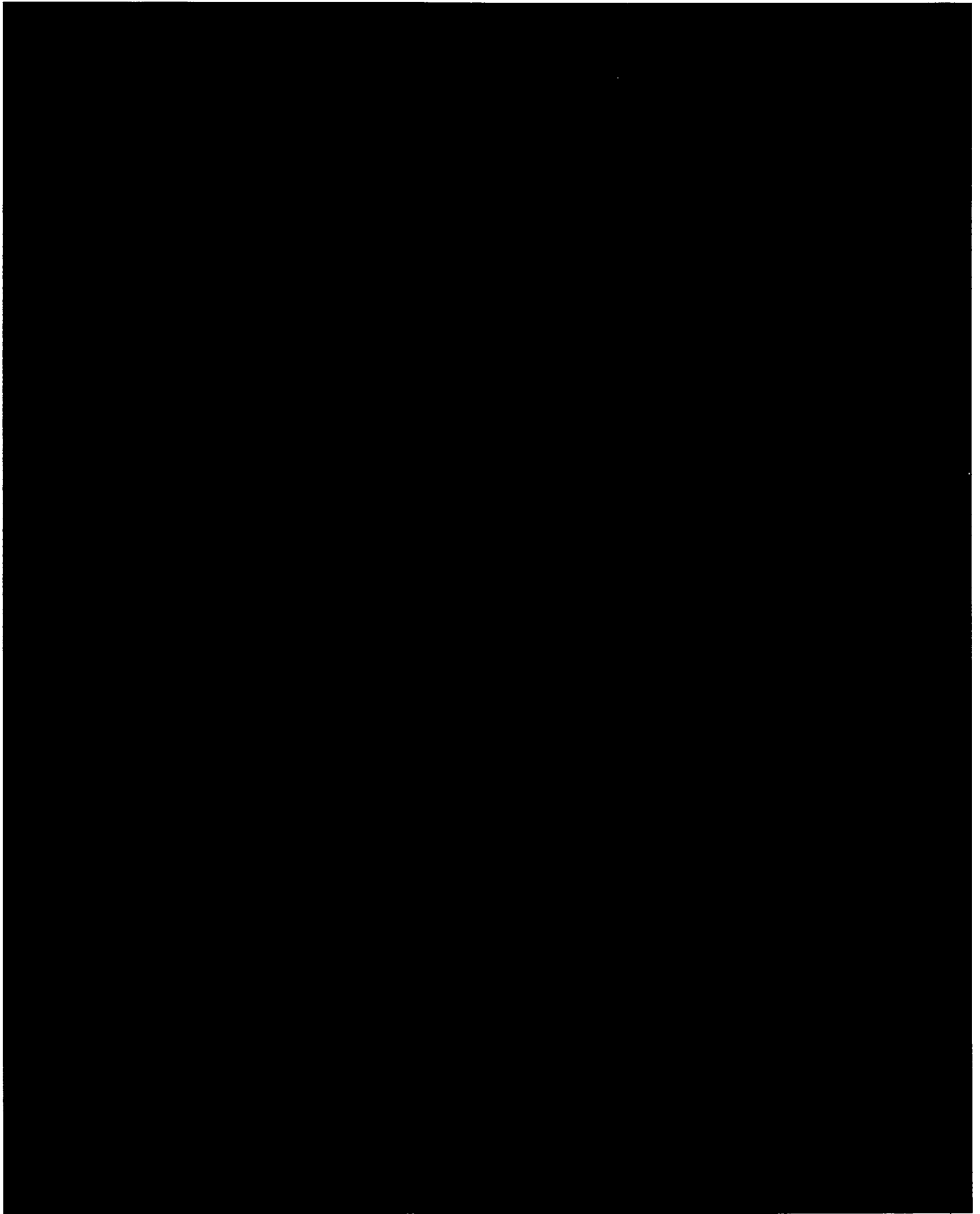


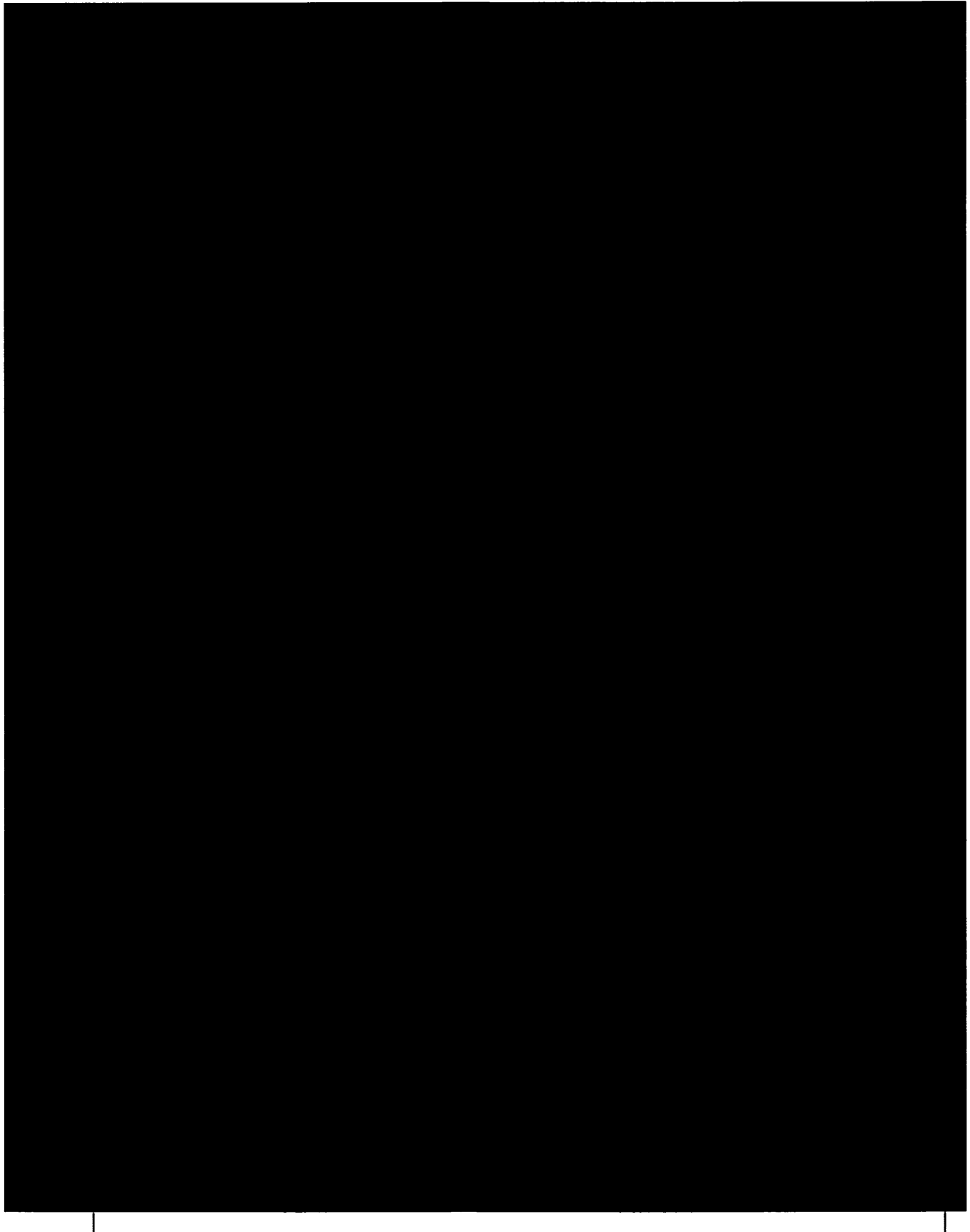


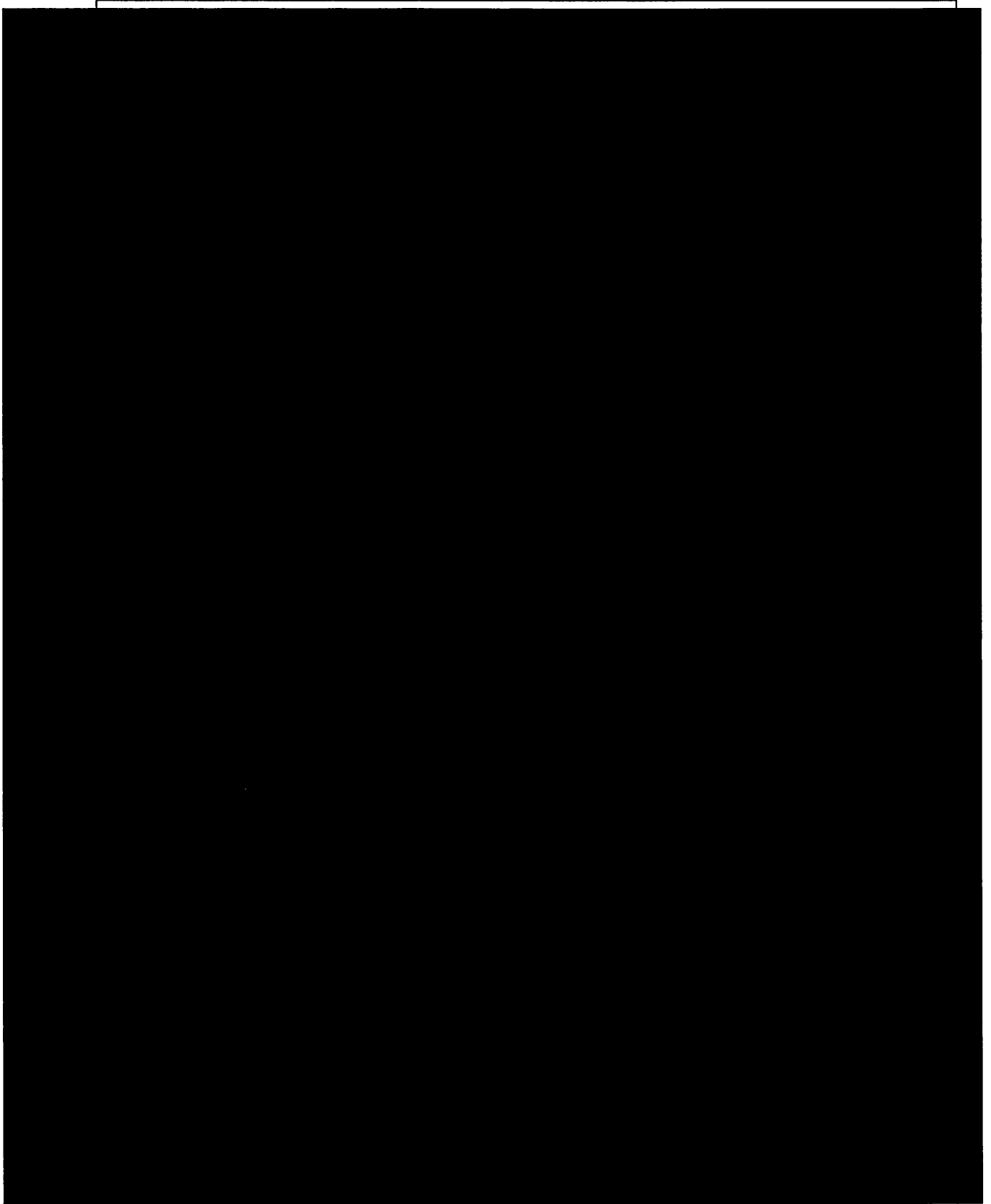


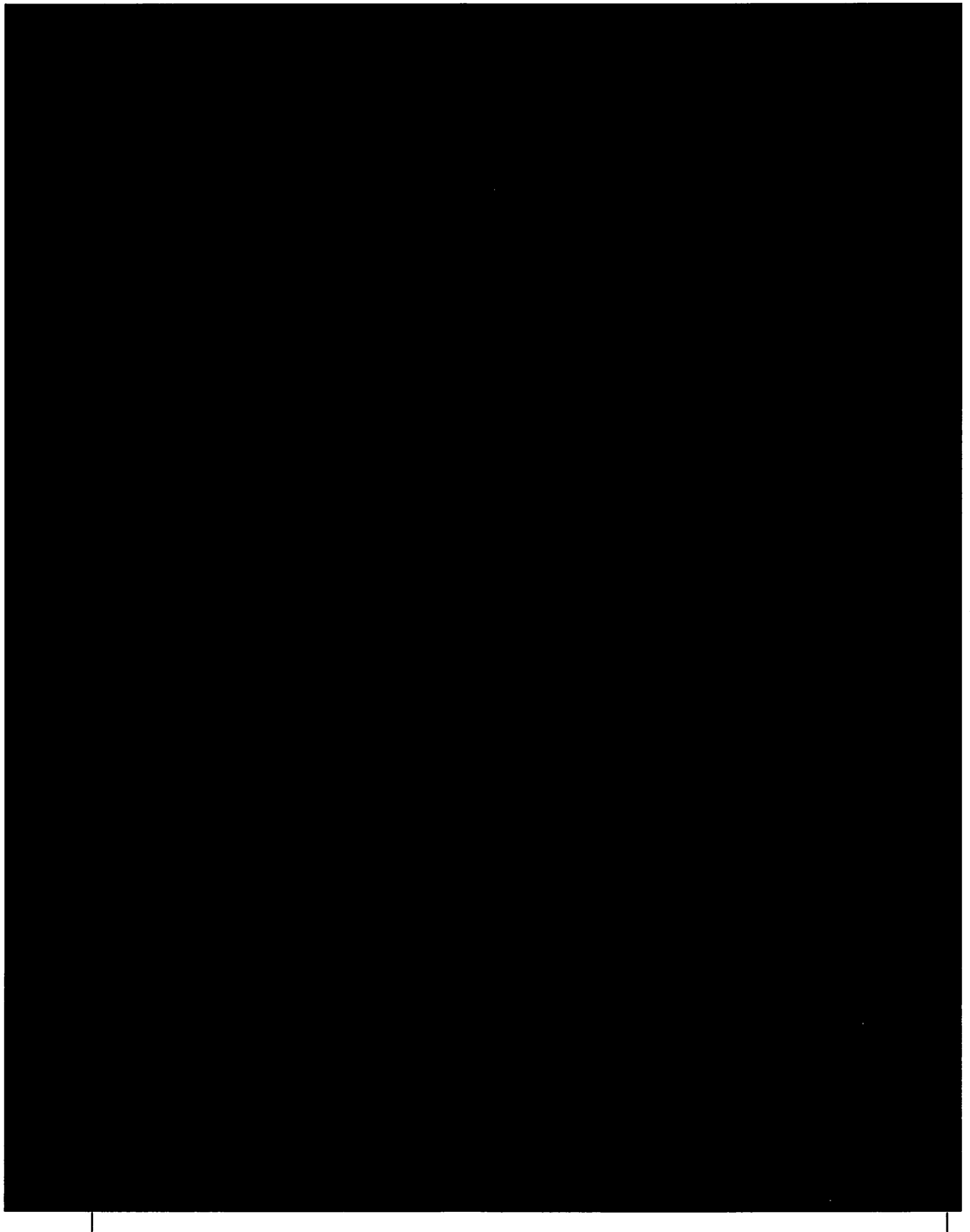


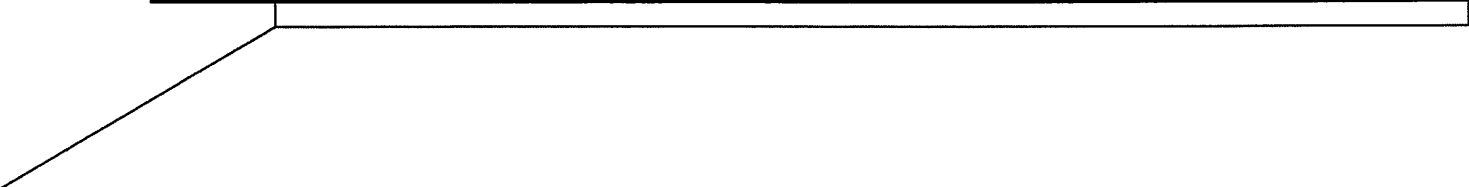
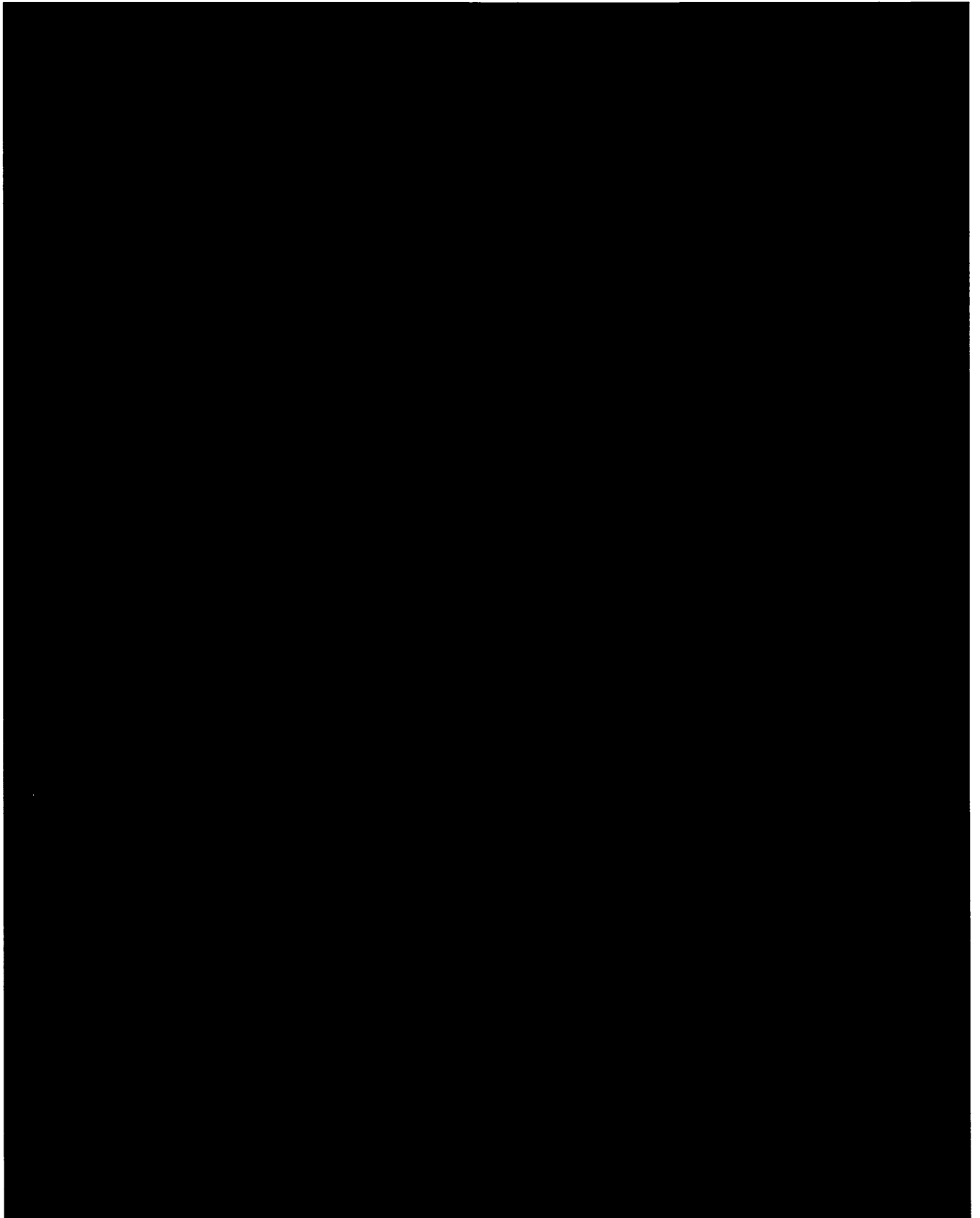


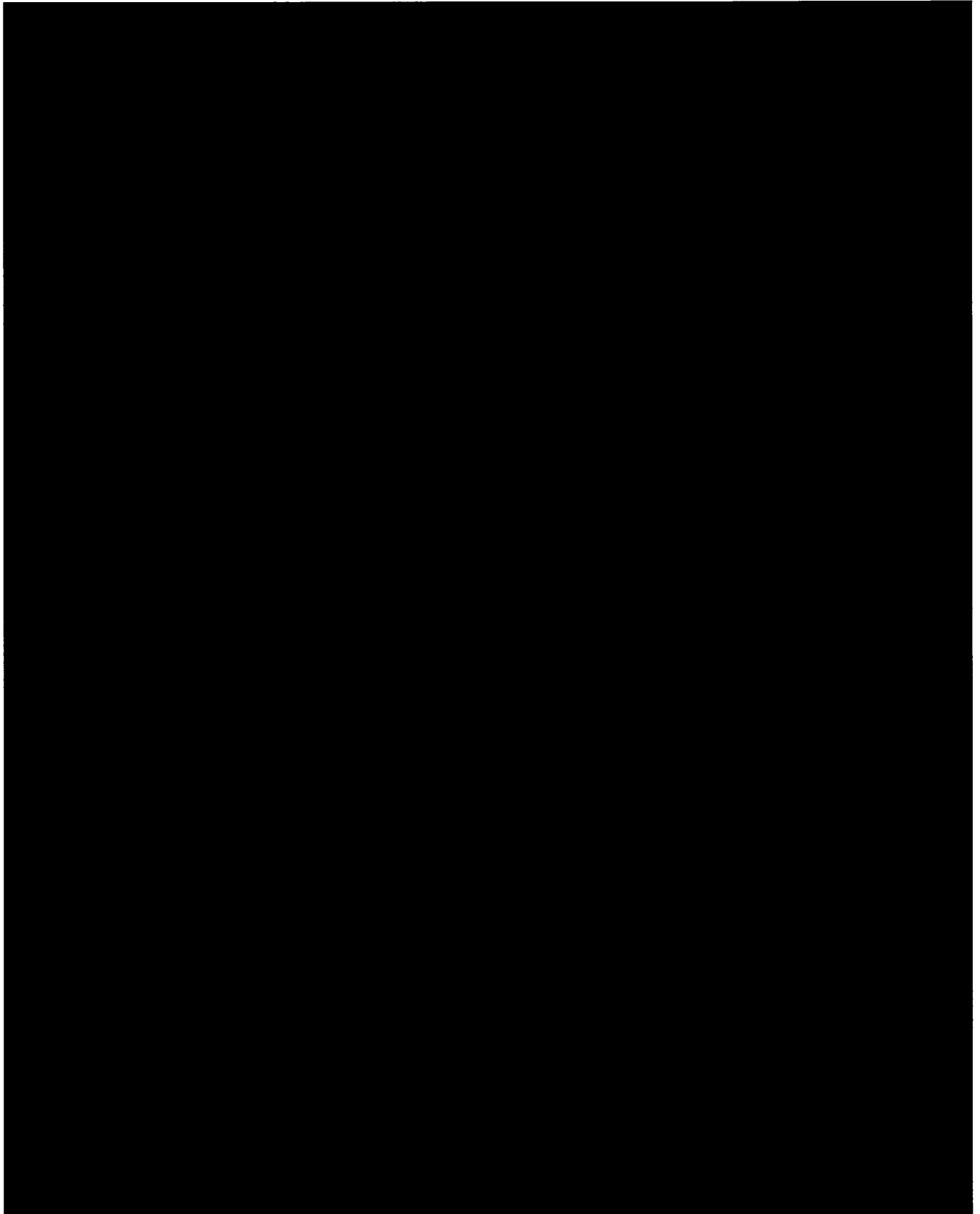


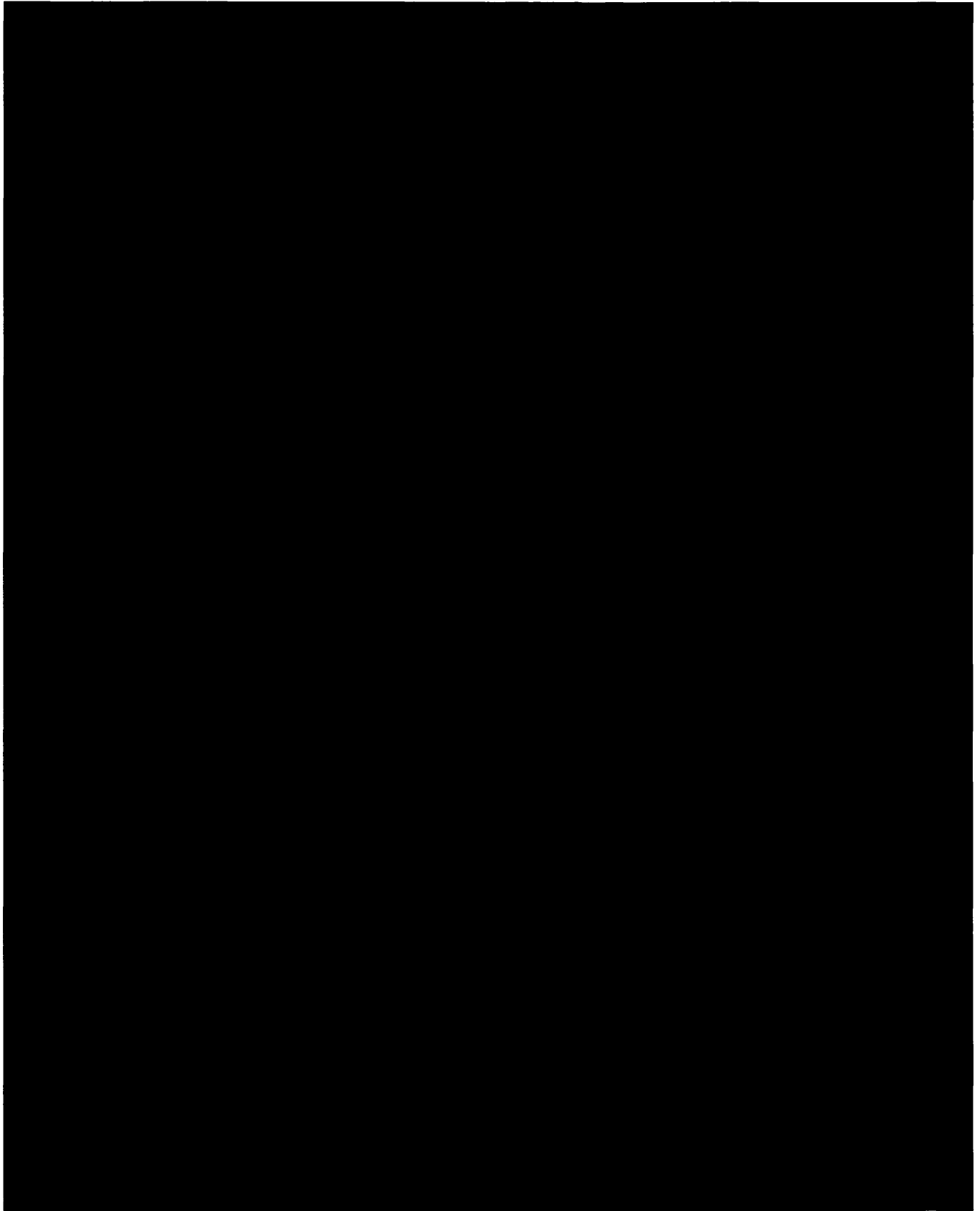


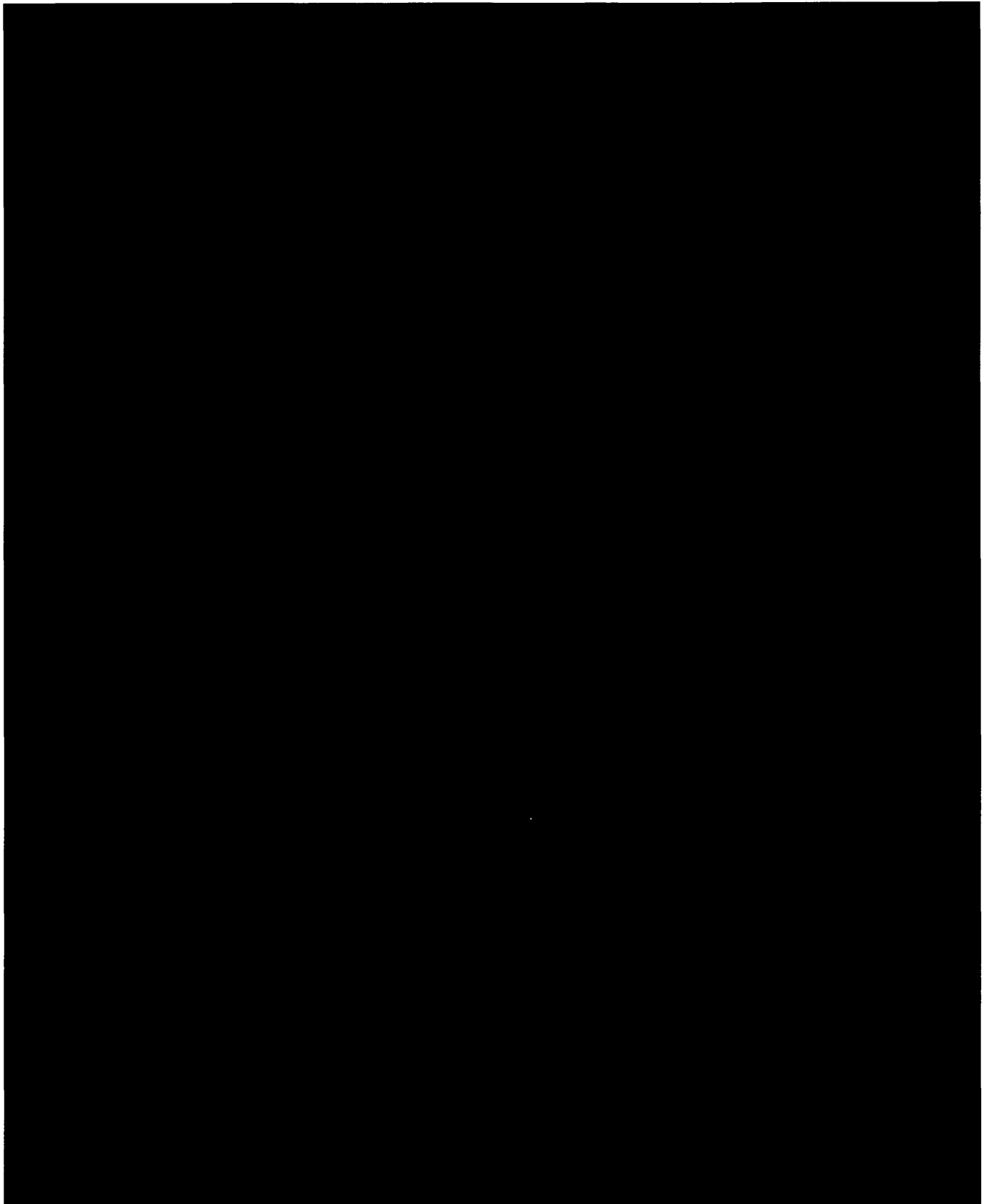


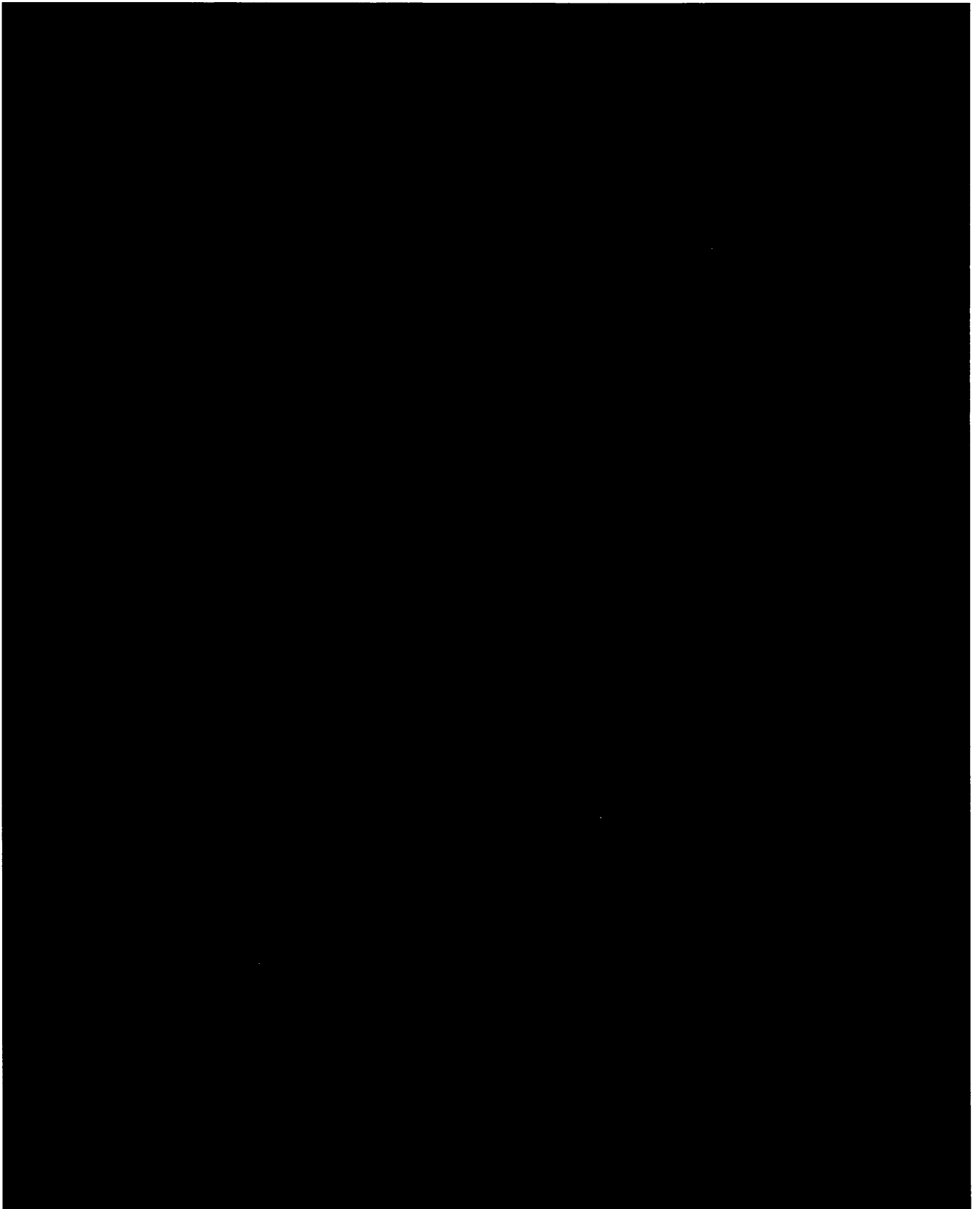


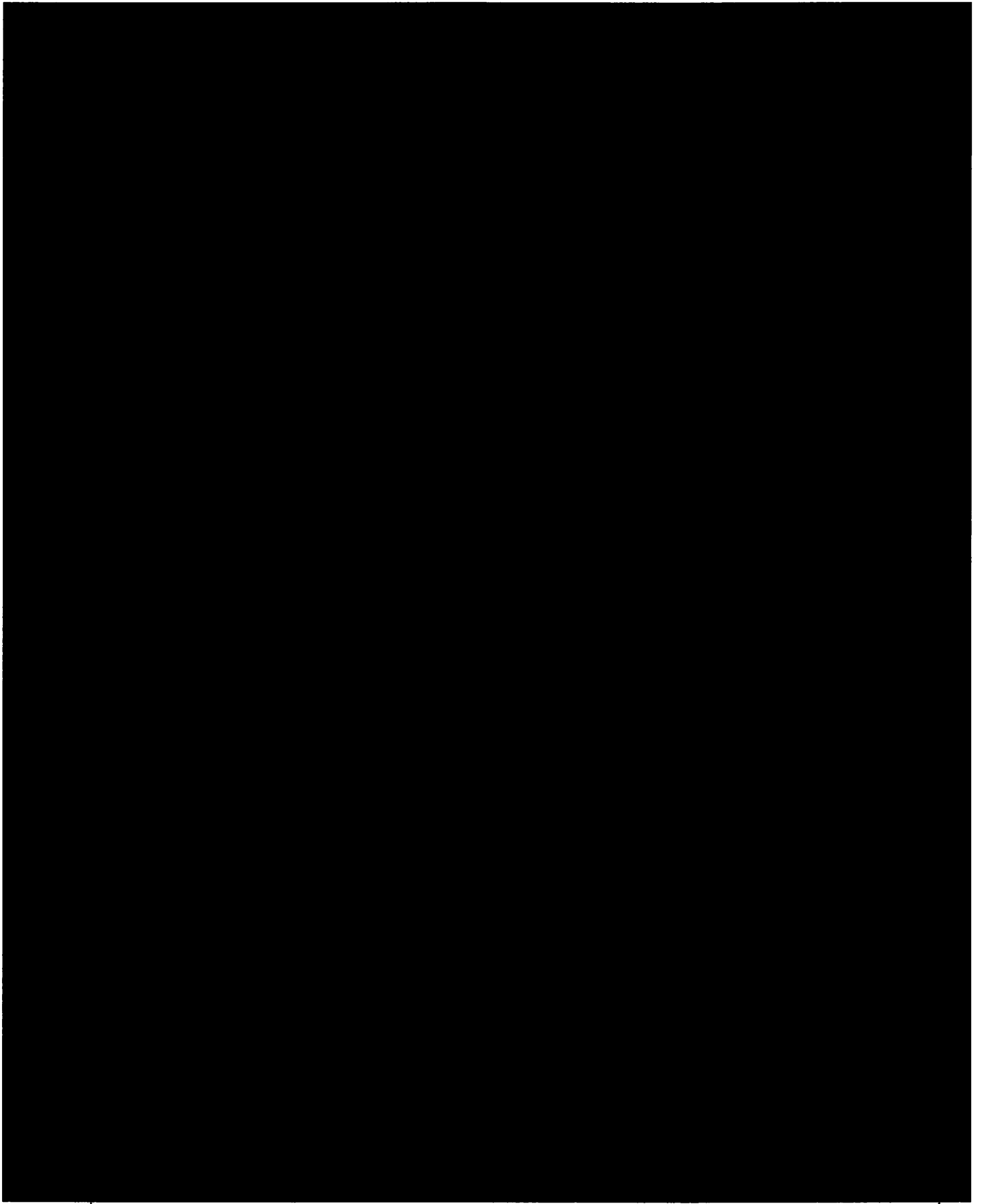


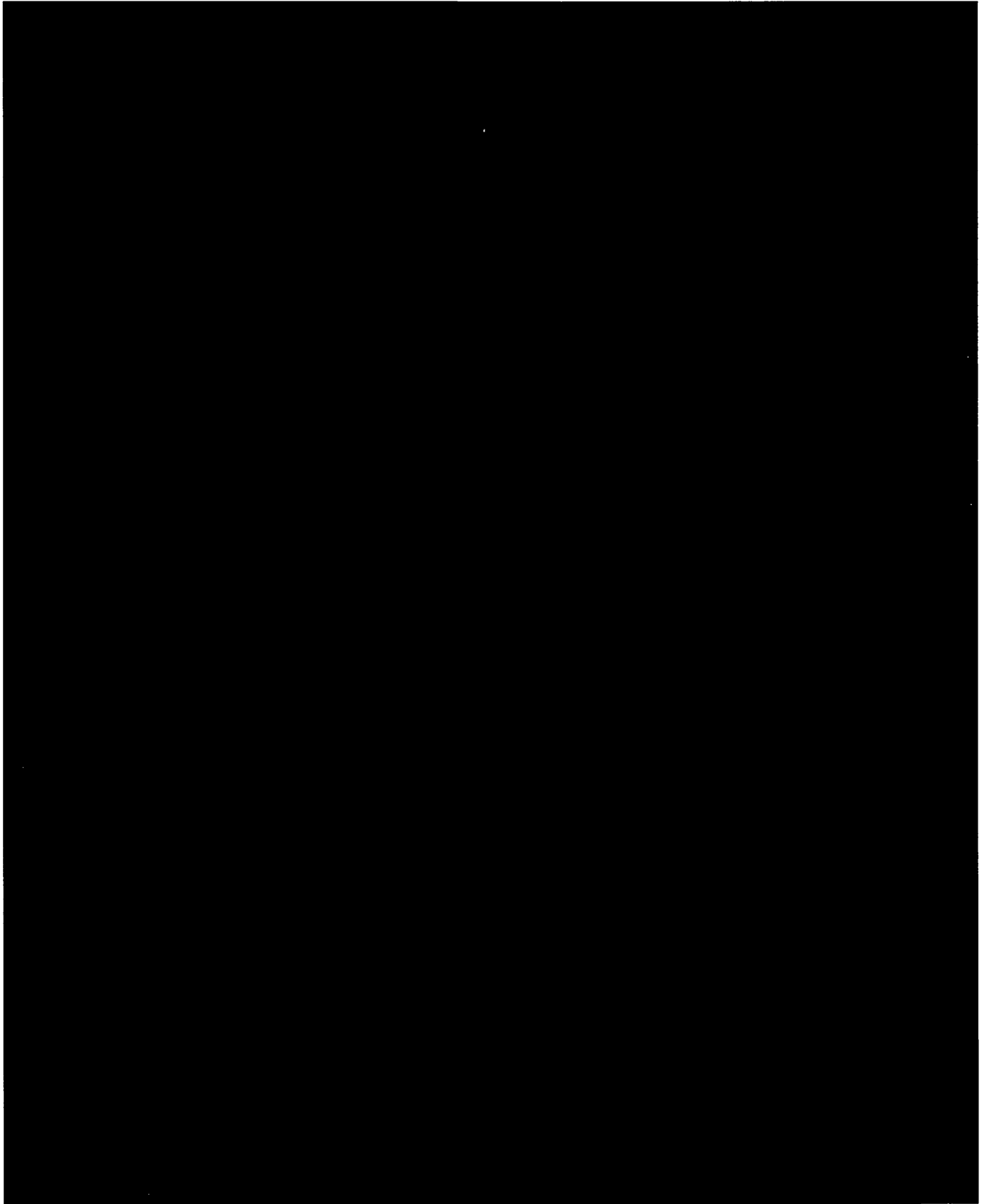


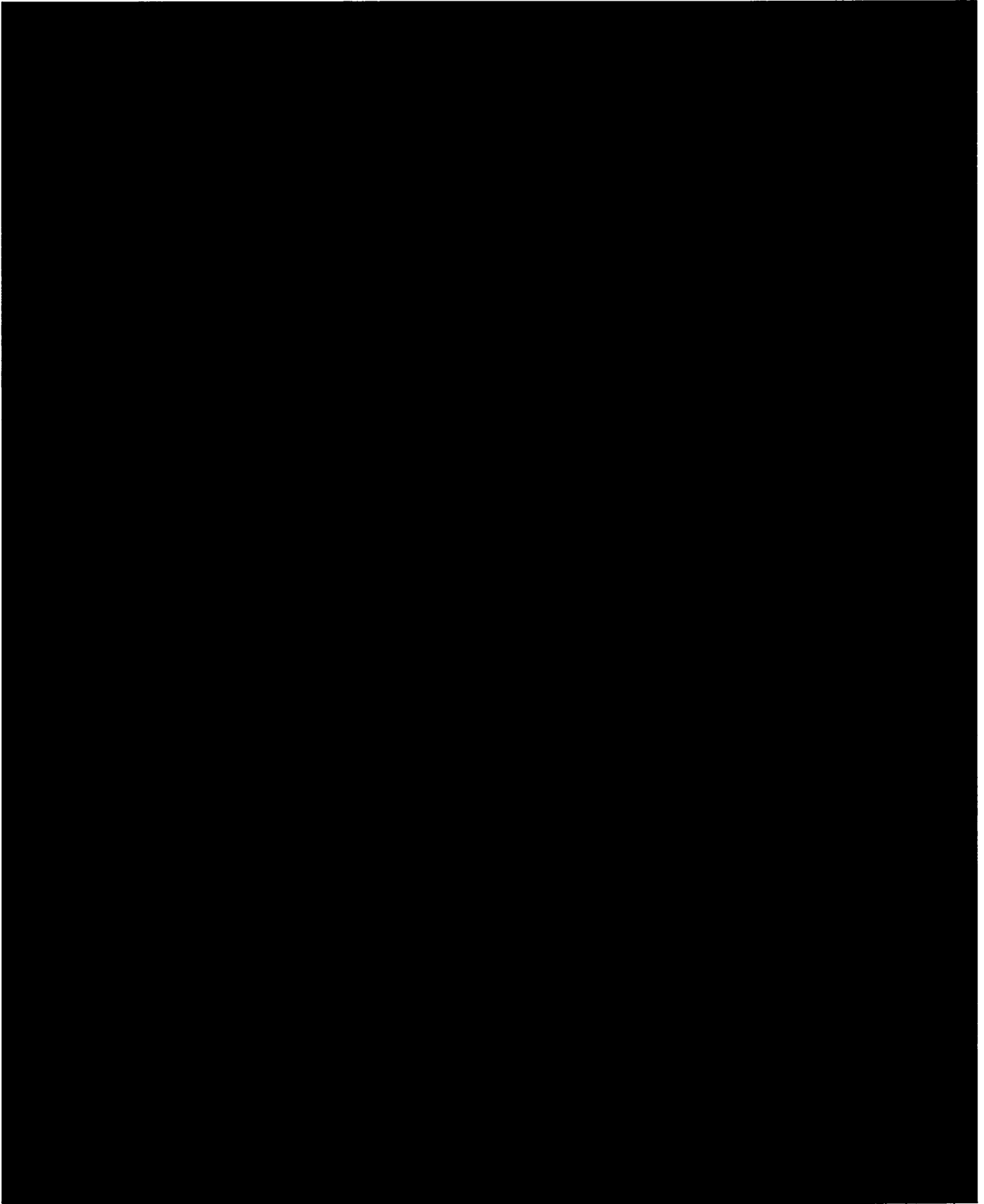


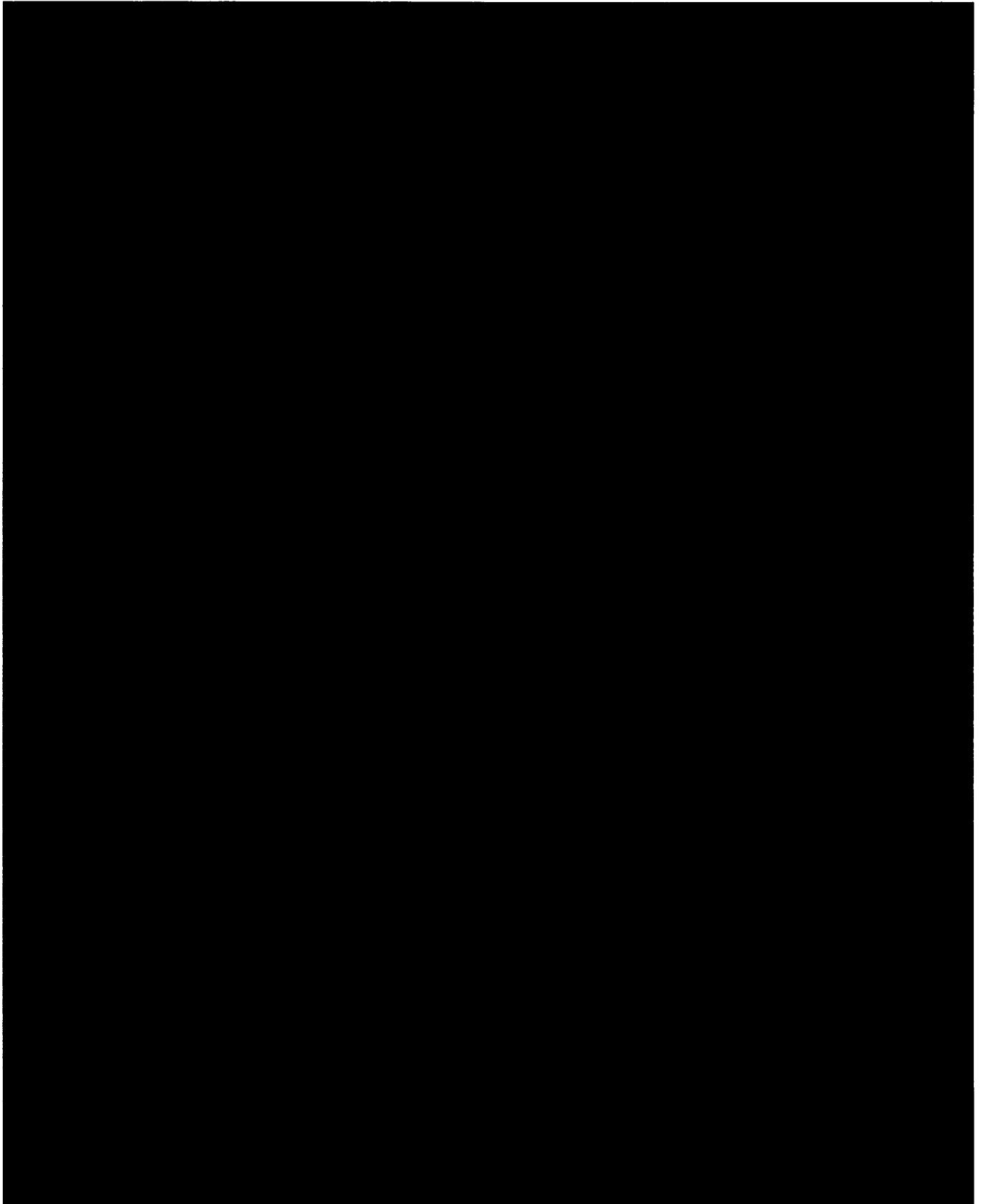


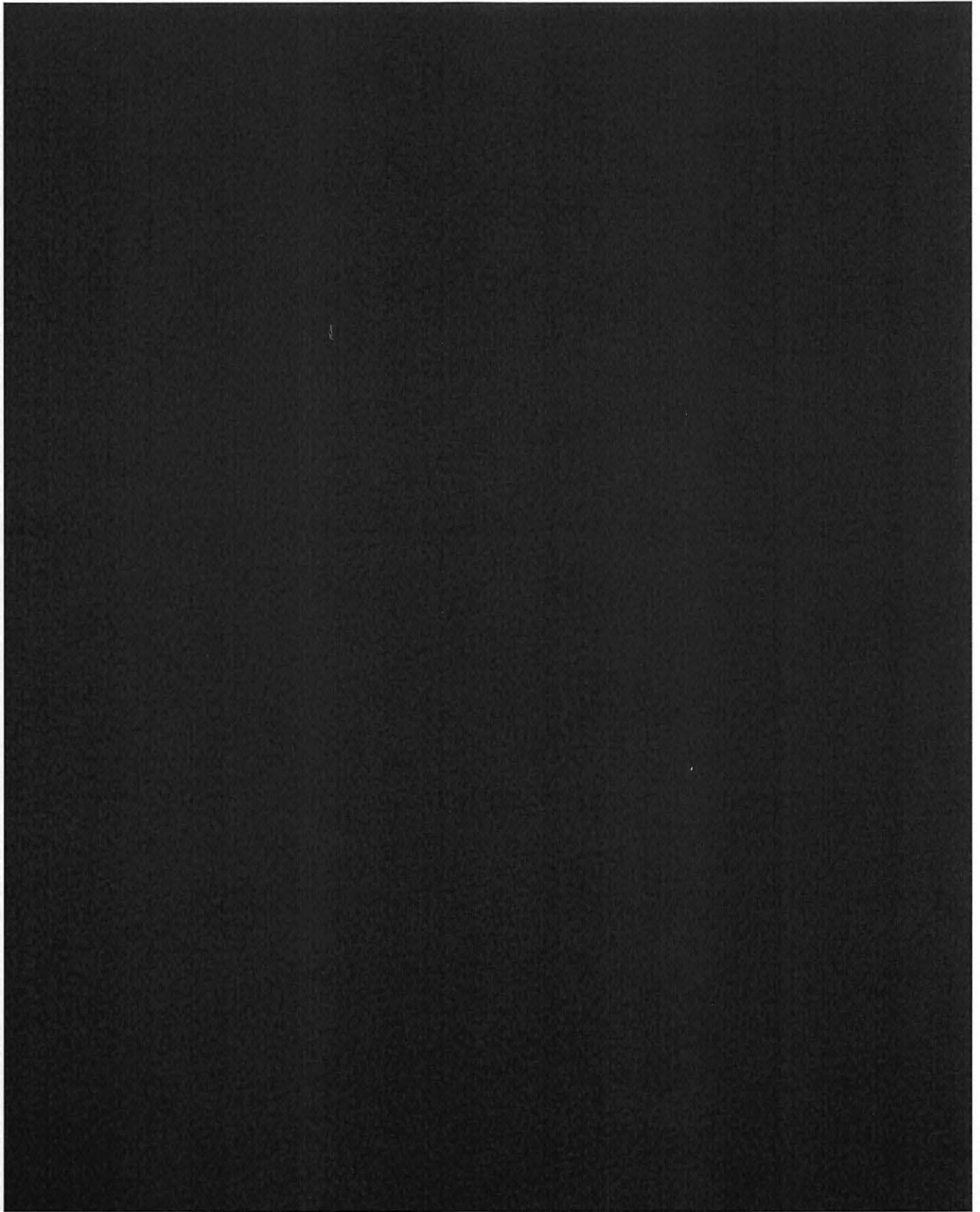


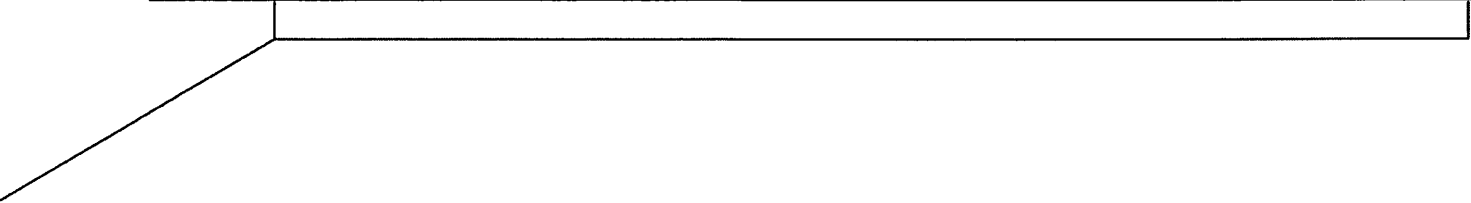
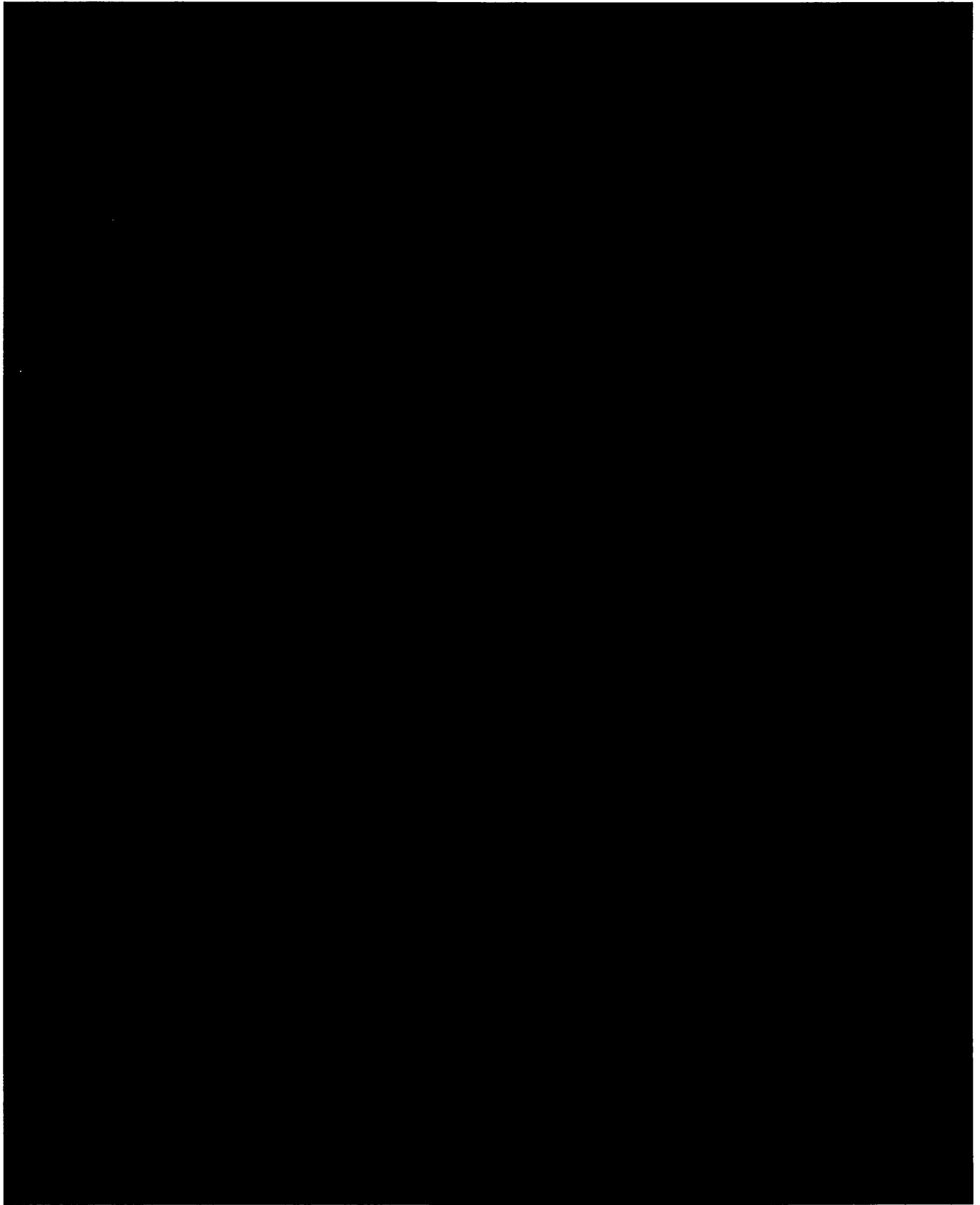


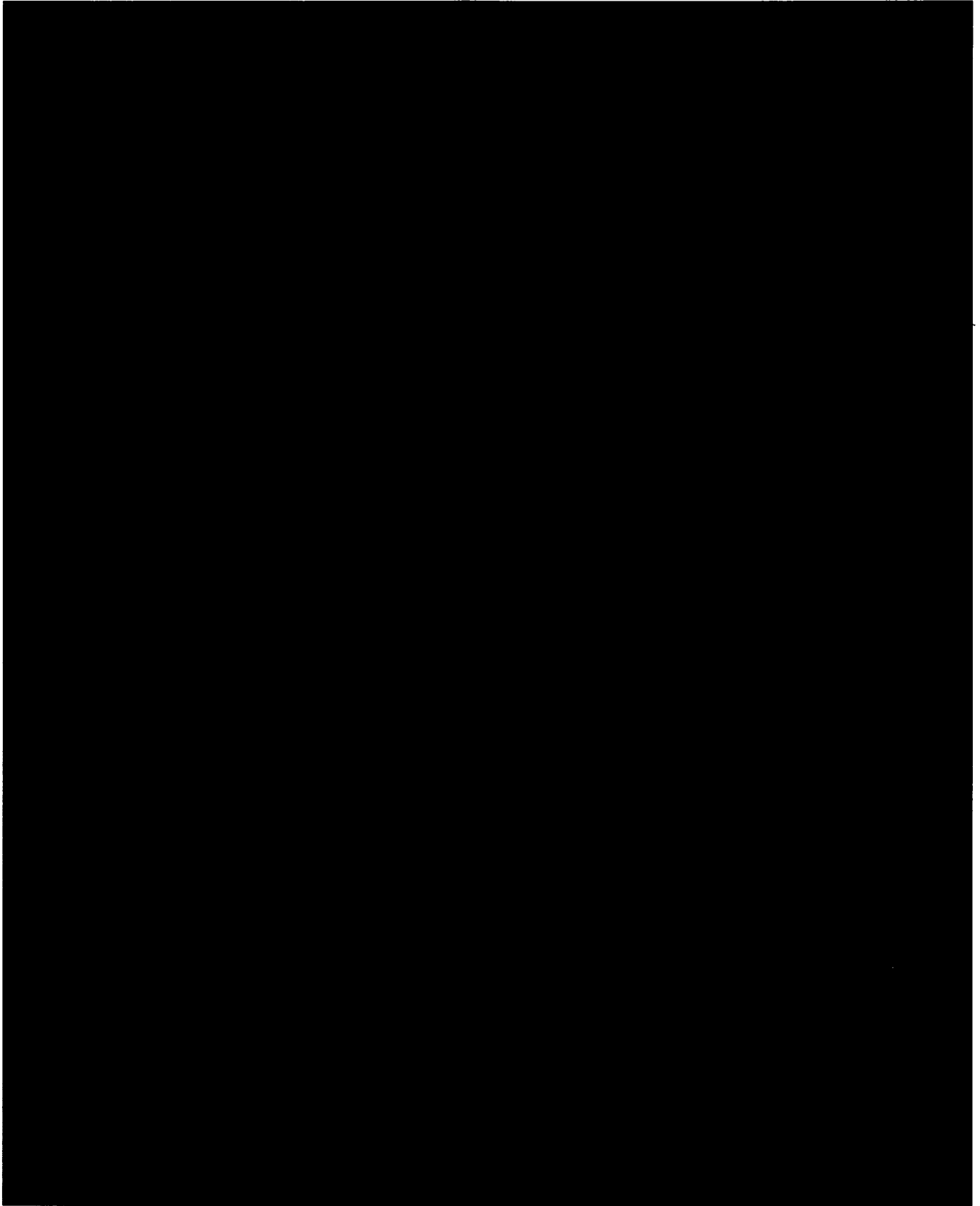


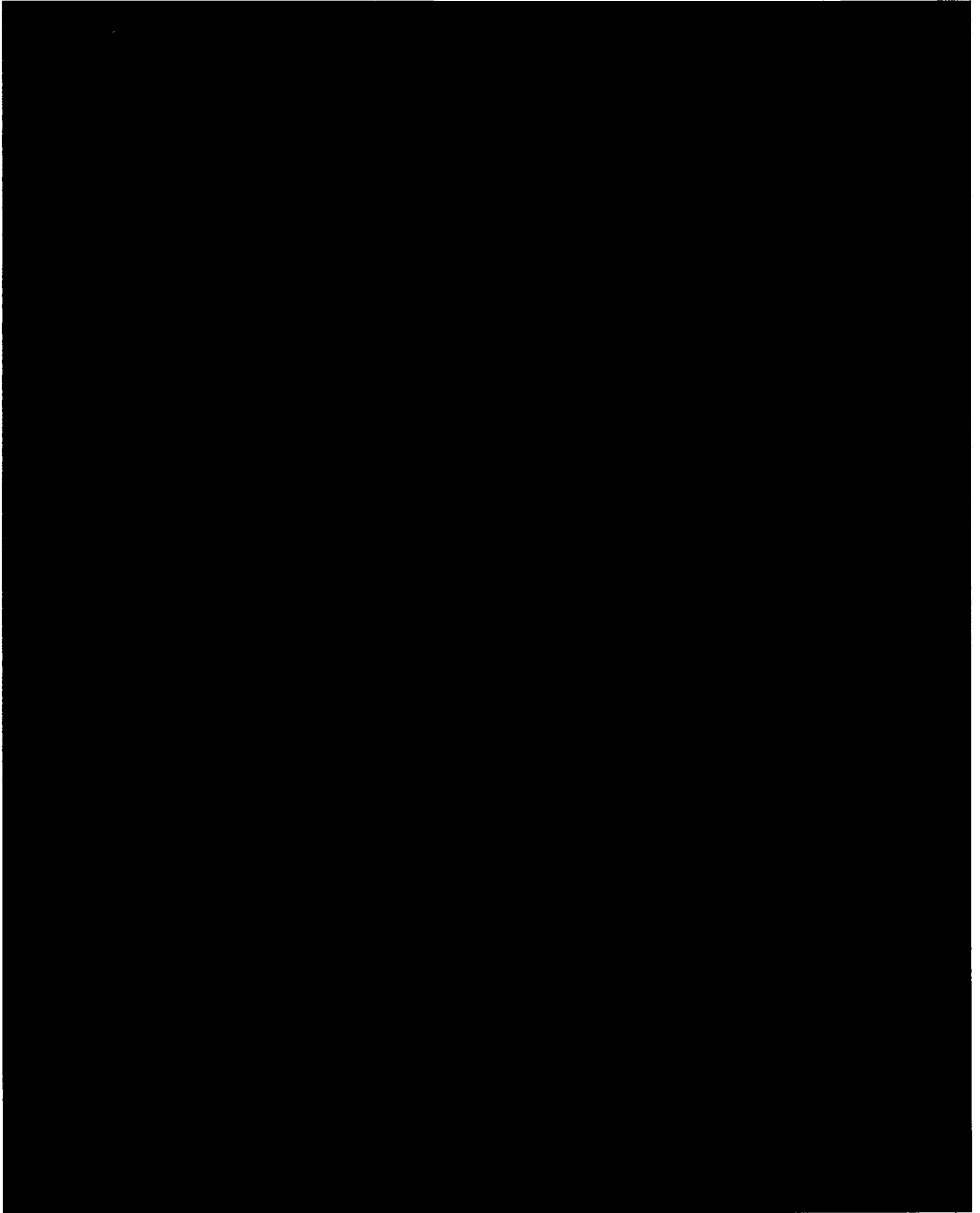


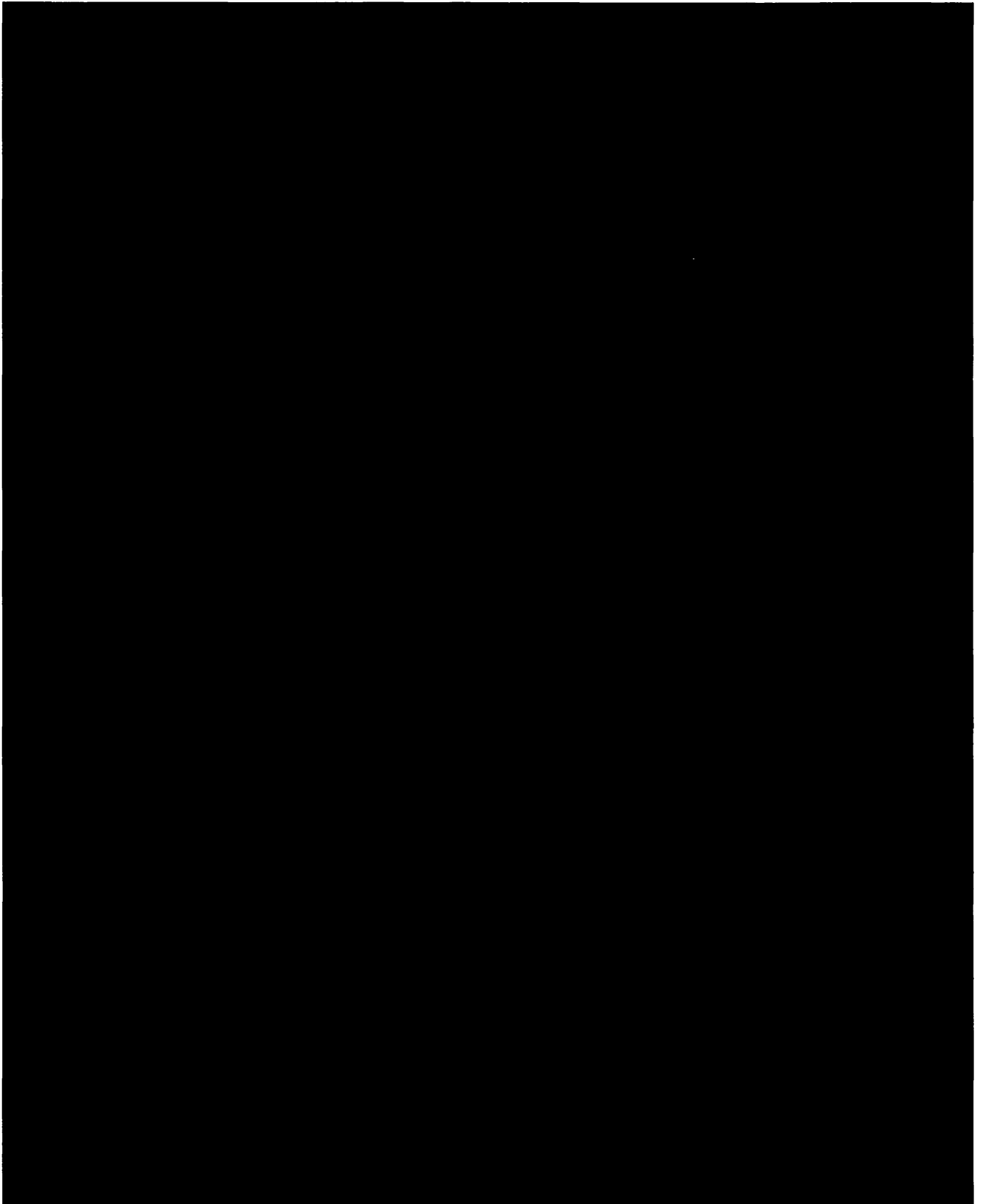


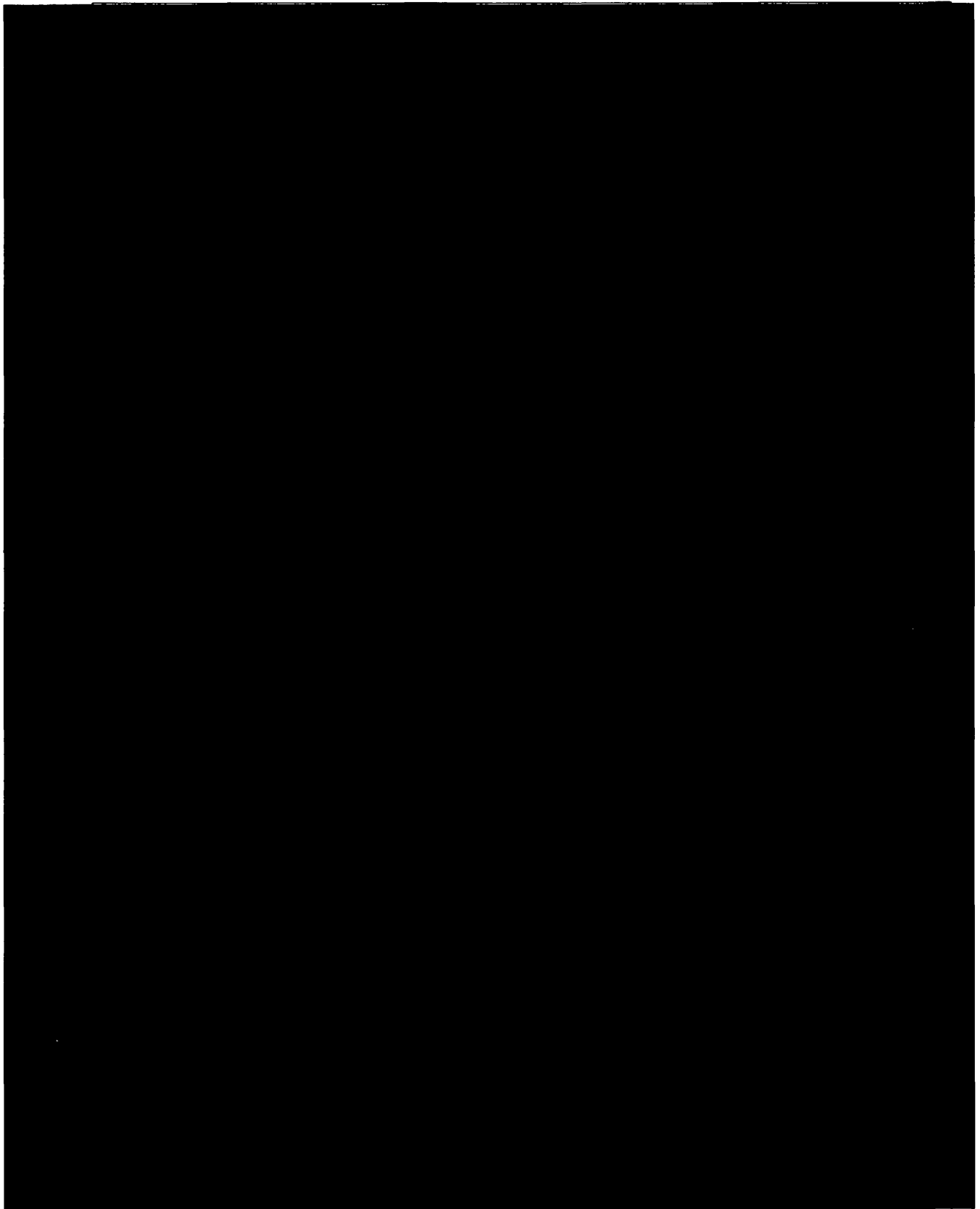


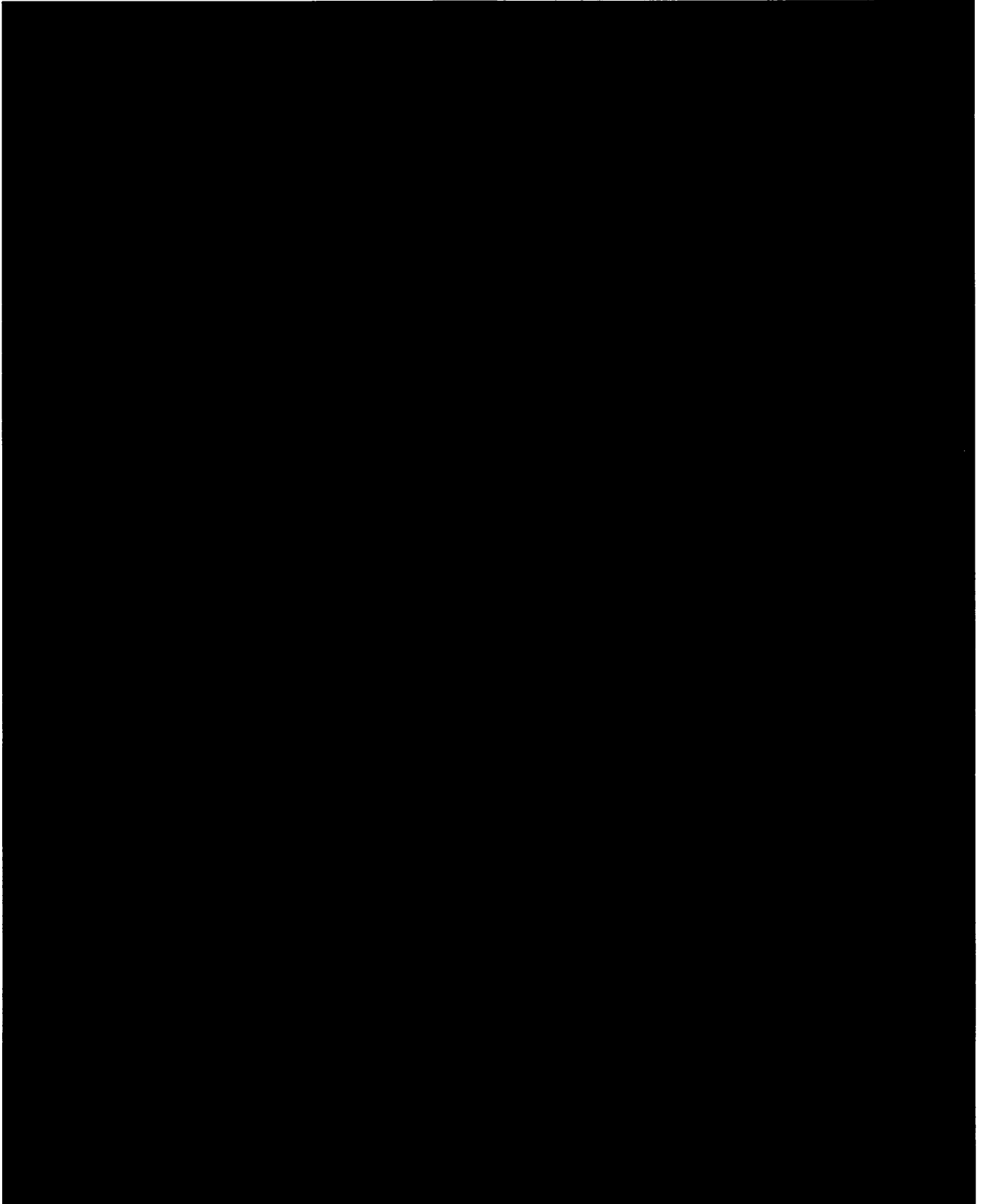












Ryan Schwartz

In Re Bank of America CA Unemployment Benefits Litigation

Schwartz - December 4, 2024

C E R T I F I C A T I O N

STATE OF NEW YORK)

) ss:

COUNTY OF WESTCHESTER)

I, LORRAINE B. ABATE, a Certified Shorthand Reporter and Notary Public of the State of New York and Registered Professional Reporter, do hereby certify the foregoing to be a true and accurate transcript of my original stenographic notes taken of RYAN SCHWARTZ at the time and place hereinbefore set forth.

I further certify that I am not related, by blood or marriage, to any of the parties in this matter and that I am in no way interested in the outcome of this matter.



LORRAINE B. ABATE, CSR, RPR

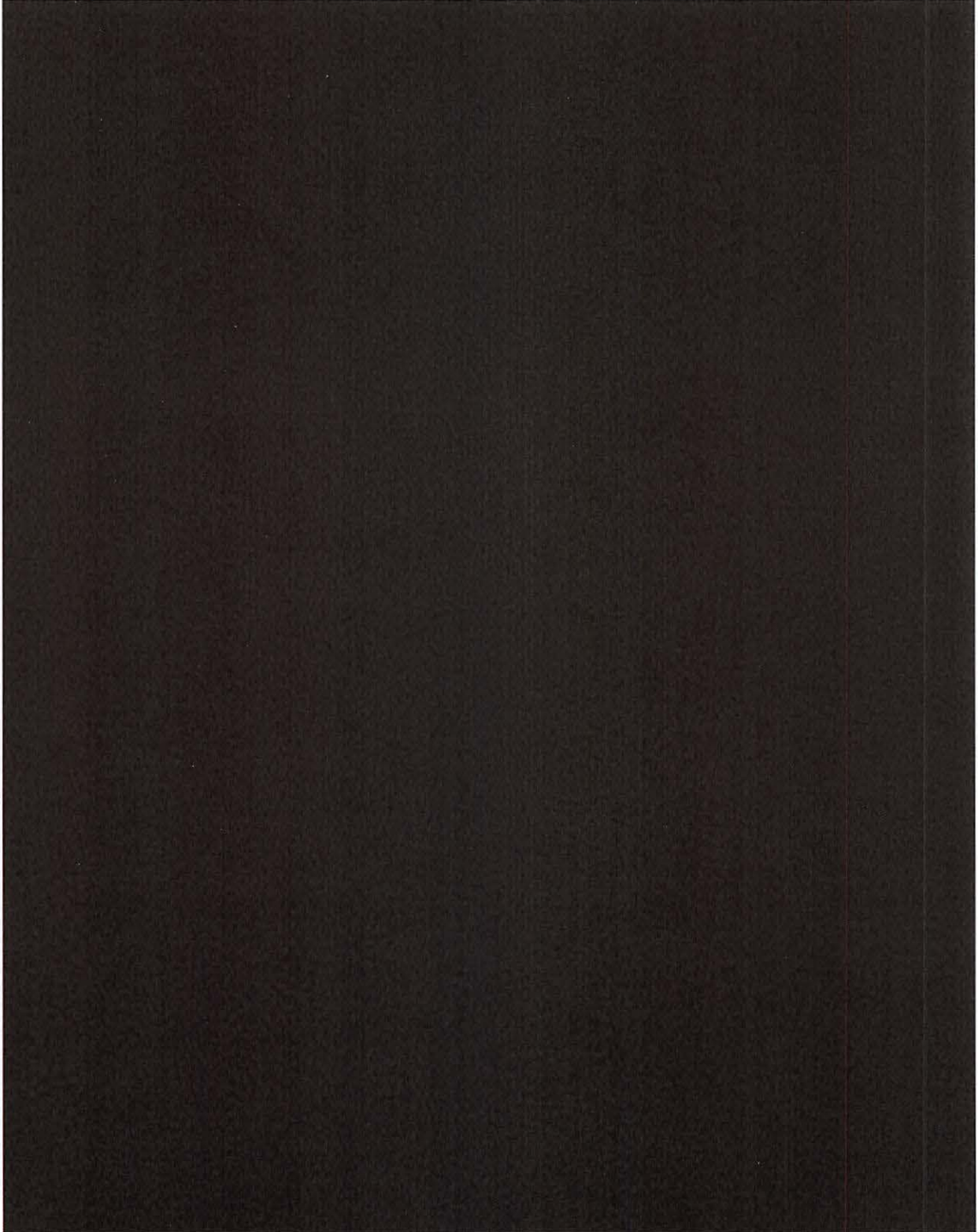
License No. 000965

Dated: December 7, 2024

In re Bank of America California Unemployment Benefits Litigation
Case No. 3:21-MD-02992-LAB-MSB
Errata Sheet for December 4, 2024 Deposition of Ryan Schwartz

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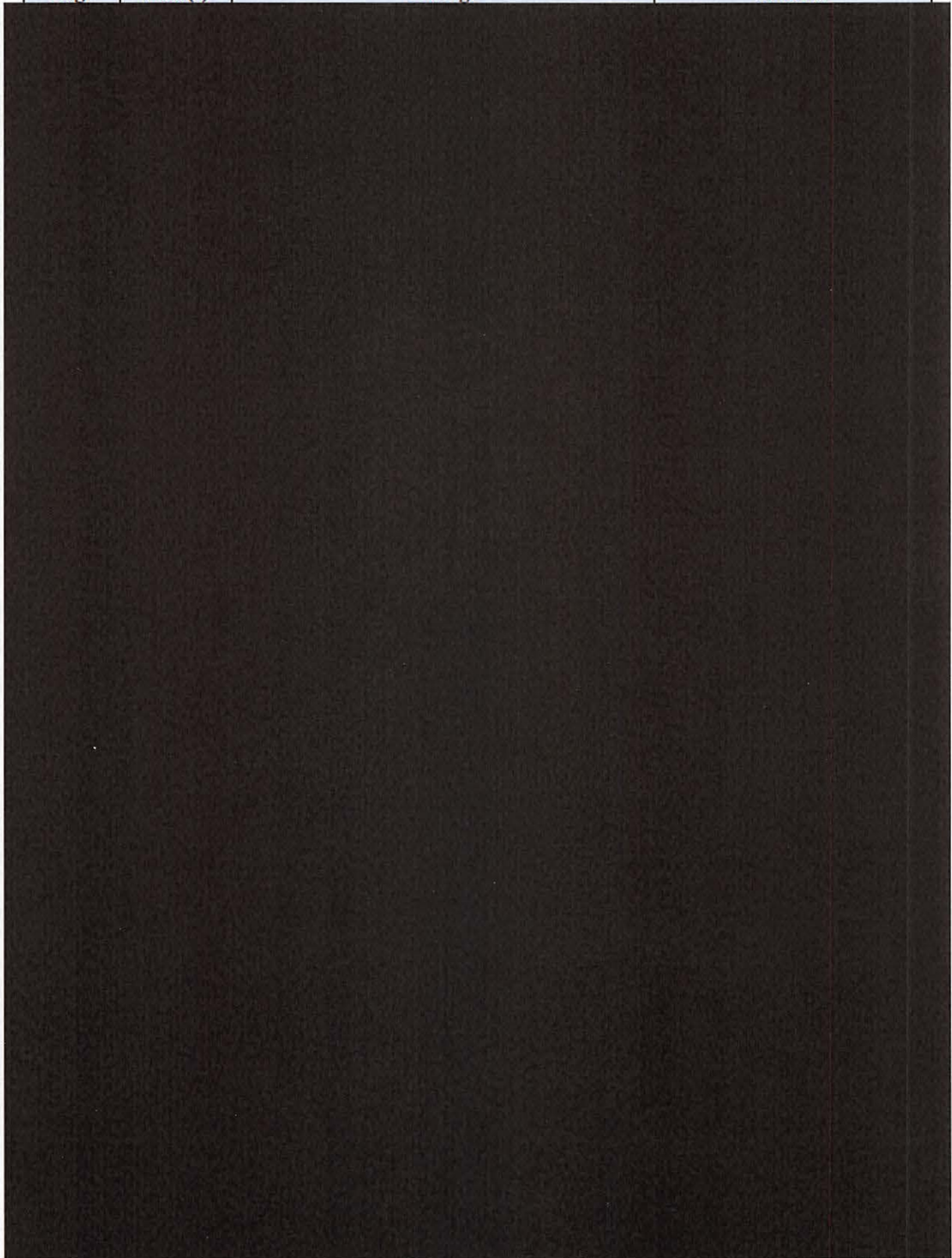


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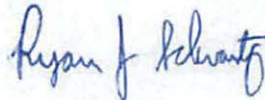
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In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me. I have listed my changes on the above Errata Sheet, listing page and line numbers. I request that these changes be entered 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 7th day of January, 2025.

A handwritten signature in blue ink, appearing to read "Ryan J. Schwartz".

Ryan Schwartz