

PX 21

*** CONFIDENTIAL - PROTECTIVE ORDER ***

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

-----X

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

-----X

VIDEOTAPED STENOGRAPHIC DEPOSITION OF:
FAIZ A. AHMAD
Wednesday, January 29, 2025
New York, New York
10:07 a.m. - 5:38 p.m.
HYBRID DEPOSITION

Reported stenographically by:
Richard Germosen, FAPR, CA CSR No. 14391
RDR, CRR, CCR, CRCR, CSR-CA, NYACR, NYRCR
NCRA/NJ/NY/CA Certified Realtime Reporter
NCRA Realtime Systems Administrator
Job No. 10155736

Faiz A. Ahmad

Confidential - Protective Order
In Re Bank of America CA Unemployment Benefits Litigation

1
2 VIDEOTAPED TELECONFERENCED STENOGRAPHIC
3 DEPOSITION of FAIZ A. AHMAD, taken in the above-entitled
4 matter before RICHARD GERMOSEN, Fellow of the Academy of
5 Professional Reporters, Certified Court Reporter,
6 (License No. 30XI00184700), Certified Realtime Court
7 Reporter-NJ, (License No. 30XR00016800), California
8 Certified Shorthand Reporter, (License No. 14391),
9 NCRA/NY/CA Certified Realtime Reporter, NCRA Registered
10 Diplomate Reporter, New York Association Certified
11 Reporter, NCRA Realtime Systems Administrator, taken at
12 the offices of GOODWIN PROCTER LLP, The New York Times
13 Building, 620 Eighth Avenue, 26th Floor, New York, New
14 York 10018, on Wednesday, January 29, 2025, commencing
15 at 10:07 a.m.
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Confidential - Protective Order

In Re Bank of America CA Unemployment Benefits Litigation

Faiz A. Ahmad

1

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

3

4 COTCHETT PITRE & MCCARTHY LLP

5 BY: BRIAN DANITZ, ESQ.

6 840 Malcolm Road

7 Suite 200

8 Burlingame, California 94010

9 (650) 697.6000 | (650) 697.0577 (FAX)

10 bdanitz@cpmlegal.com

11 Attorneys for the Plaintiffs and the Proposed Class

12

13 COTCHETT PITRE & MCCARTHY LLP

14 BY: KARIN B. SWOPE, ESQ., (via Zoom)

15 1807 7th Avenue

16 Suite 1610

17 Seattle, Washington 98101

18 (206) 802.1272 | (206) 299.4184 (FAX)

19 kswope@cpmlegal.com

20 Attorneys for the Plaintiffs and the Proposed Class

21

22

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Faiz A. Ahmad

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A P P E A R A N C E S: (CONT'D.)

ALTSHULER BERZON LLP

BY: CAROLINE HUNSICKER, ESQ.

-and-

BY: YVONNE (CONNIE) W. CHAN, ESQ., (via Zoom)

177 Post Street

Suite 300

San Francisco, California 94108

(415) 421.7151

chunsicker@altshulerberzon.com

Attorneys for the Plaintiffs and the Proposed Class

SWIGART LAW GROUP APC LLP

BY: JOSHUA B. SWIGART, ESQ., (via Zoom)

-and-

BY: ILANA PLATKIEWICZ, ESQ., (via Zoom)

2221 Camino Del Rio South

Suite 308

San Diego, California 92108

(866.219.3343

josh@swigartlawgroup.com

Attorneys for the Individual Plaintiffs

Confidential - Protective Order
In Re Bank of America CA Unemployment Benefits Litigation

Faiz A. Ahmad

A P P E A R A N C E S: (CONT'D.)

DANIEL G. SHAY, ESQ.

BY: DANIEL G. SHAY, ESQ., (via Zoom)

2221 Camino Del Rio South

Suite 308

San Diego, California 92108

(619) 222.7429

daniel@consumerlit.com

Attorneys for the Individual Plaintiffs

GOODWIN PROCTER LLP

BY: MATTHEW L. RIFFEE, ESQ.

-and-

BY: ANGELICA RANKINS, ESQ., (via Zoom)

1900 N Street, N.W.

Washington, D.C. 20036

(202) 346.4000

mriffee@goodwinlaw.com

arankins@goodwinlaw.com

Attorneys for the Defendant,

Bank of America, N.A.

Faiz A. Ahmad

Confidential - Protective Order
In Re Bank of America CA Unemployment Benefits Litigation

A P P E A R A N C E S: (CONT'D.)

GOODWIN PROCTER LLP

BY: ANNE BAYLY BUCK, ESQ.

-and-

BY: LINDSAY E. HOYLE, ESQ., (via Zoom)

The New York Times Building

620 Eighth Avenue

New York, New York 10018

(212) 813.8800

abuck@goodwinlaw.com

Attorneys for the Defendant,

Bank of America, N.A.

ALSO PRESENT:

RICHARD MORALES, Legal Video Specialist

Faiz A. Ahmad

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IT IS HEREBY STIPULATED AND AGREED, by
and between the attorneys for the respective parties
herein, that filing and sealing be and the same are
hereby waived.

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the form of the
question, shall be preserved to the time of trial.

IT IS FURTHER STIPULATED AND AGREED
that the within deposition may be signed and sworn
to before any officer authorized to administer an
oath, with the same force and effect as if signed
and sworn to before the officer before whom the
within deposition was taken.

Faiz A. Ahmad

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In Re Bank of America CA Unemployment Benefits Litigation

01.29.25 | FAIZ A. AHMAD

P R O C E E D I N G S

10:07 a.m.

New York, New York

THE VIDEOGRAPHER: Stand by, please.

Good morning. We are now on the
record. Today's date is January 29, 2005, and
the time is 10:07 a.m. eastern time.

This is the video deposition of Faiz
Ahmad being taken in re of Bank of America
California Unemployment Benefits Litigation.
This deposition is taking place at Goodwin
Procter.

My name is Richard Morales appearing
for Aptus Court Reporting, located at 401
West A Street, Suite 1680, San Diego,
California 92101.

I'm the official videographer, and this
is the only authorized video recording of the
deposition. The audio and video recording
will take place at all times unless all
counsel agree to go off the record.

Will counsel please identify yourselves

Faiz A. Ahmad

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1 01.29.25 | FAIZ A. AHMAD

2 and state whom you represent, starting with
3 the noticing attorney.

4 ATTORNEY DANITZ: Brian Danitz of
5 Cotchett Pitre & McCarthy for the plaintiffs.

6 ATTORNEY HUNSICKER: Caroline Hunsicker
7 from Altshuler Berzon for the plaintiffs.

8 ATTORNEY RIFFEE: Good morning. I'm
9 Matt Riffie of Goodwin Procter for Bank of
10 America, and with me is Bayly Buck, also with
11 Goodwin Procter, for Bank of America.

12 THE VIDEOGRAPHER: All other
13 appearances will be noted on the stenographic
14 record.

15 The court reporter today is Rich
16 Germosen, and he may now swear in the
17 deponent.

18 CERTIFIED STENOGRAPHER: Good morning.
19 My name is Rich Germosen. I am a Certified
20 Stenographic Reporter. My license is
21 available for inspection.

22 - - -

23 (Whereupon, the Certified
24 Stenographic Reporter administered the oath to
25 the witness.)

Confidential - Protective Order
In Re Bank of America CA Unemployment Benefits Litigation

Faiz A. Ahmad

1 01.29.25 | FAIZ A. AHMAD

2 - - -

3 F A I Z A. A H M A D,
4 (witness produced a State of New York driver's
5 license), having been first duly sworn or affirmed,
6 was examined and testified as follows:

7 EXAMINATION BY ATTORNEY DANITZ:

8 BY ATTORNEY DANITZ:

9 Q. Please state and spell your full
10 name.

11 A. Faiz Ahmad, F-A-I-Z, A-H-M-A-D.

12 Q. And have you been deposed before?

13 A. I have.

14 Q. And how many times?

15 A. Five or six times.

16 Q. And have you been deposed in
17 connection with the California unemployment
18 benefits issue?

19 A. No.

20 Q. What were the issues that you were
21 deposed before?

22 A. Securities law.

23 Q. Security -- potential securities
24 violations?

25 A. I can't remember.

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1 01.29.25 | FAIZ A. AHMAD

2 Q. And have you given testimony at
3 trial or in any other venue other than
4 depositions?

5 A. No.

6 Q. Did you ever give testimony before
7 the California Assembly Budget Subcommittee?

8 A. I spoke to them. If that counts as
9 testimony, then yes.

10 Q. When you spoke to them, the
11 California Assembly Budget Subcommittee, were
12 you truthful with the subcommittee?

13 A. Yes.

14 Q. When you spoke with the
15 subcommittee, you spoke over Zoom; is that
16 correct?

17 A. Yes.

18 Q. Did you have notes when you spoke
19 to the subcommittee?

20 A. Yes.

21 Q. And talking points?

22 A. Yes.

23 Q. Did you produce those talking
24 points and notes to your counsel?

25 ATTORNEY RIFFEE: Objection. Form.

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1 01.29.25 | FAIZ A. AHMAD

2 And I'll instruct the witness not to
3 answer to the extent it would reveal
4 privileged information.

5 Q. You can answer, if you produced it.

6 A. My counsel has whatever was
7 produced for my counsel.

8 ATTORNEY DANITZ: Well, at this point,
9 I'm not aware that we've received those
10 talking points and we'd request it. We're
11 going to keep this deposition open subject to
12 any material notes that he has.

13 (Request for production of
14 documentation or information.)

15 ATTORNEY DANITZ: I'll also note for
16 the record that there are attachments that
17 will be in the documents we reference today,
18 and to the extent we determine that they
19 should have been produced, we will again keep
20 this deposition open.

21 ATTORNEY RIFFEE: So I will --
22 obviously, we disagree. I'll object to that
23 as a basis for keeping Mr. Ahmad's deposition
24 open.

25 With respect to any talking points,

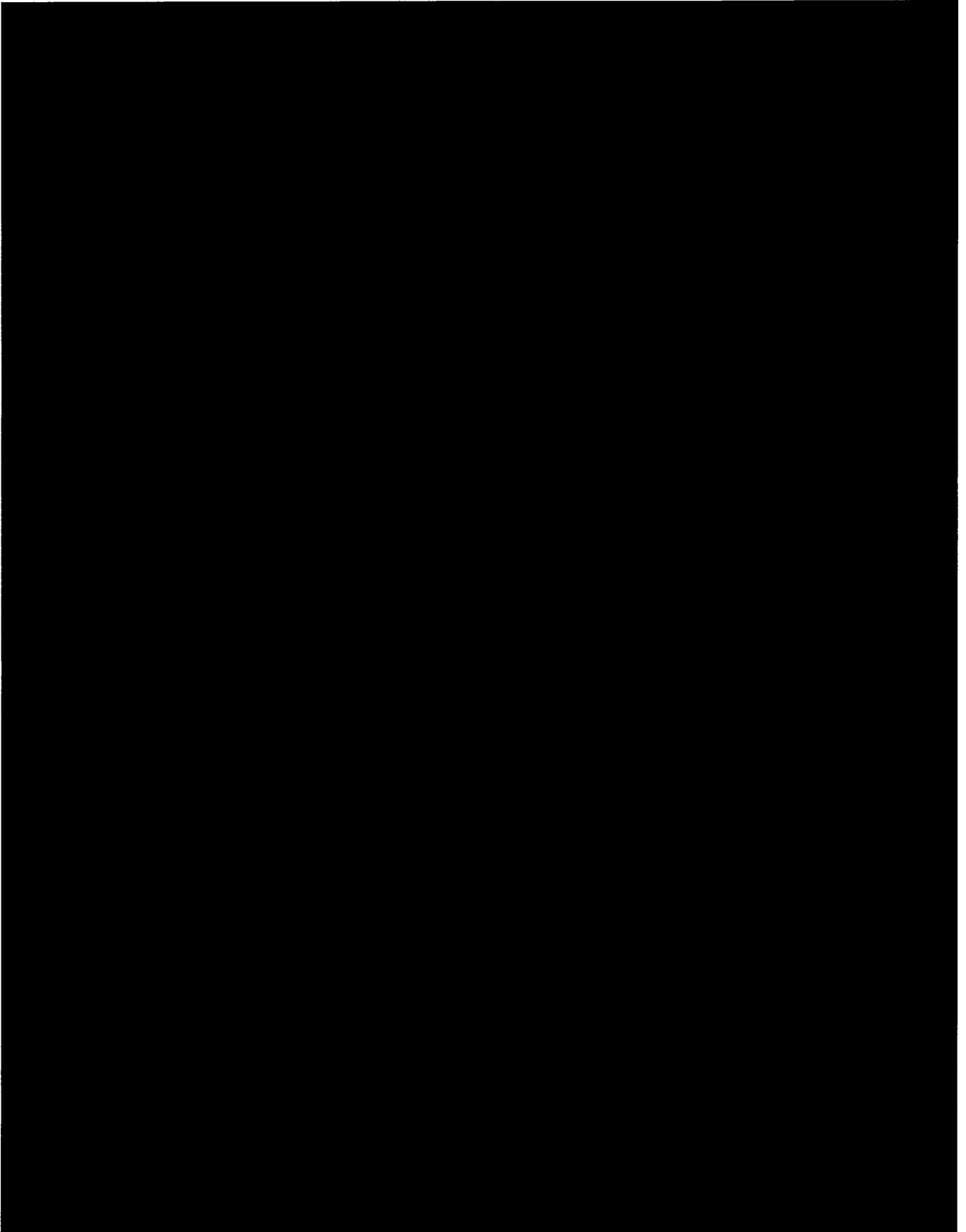
Confidential - Protective Order
Faiz A. Ahmad In Re Bank of America CA Unemployment Benefits Litigation

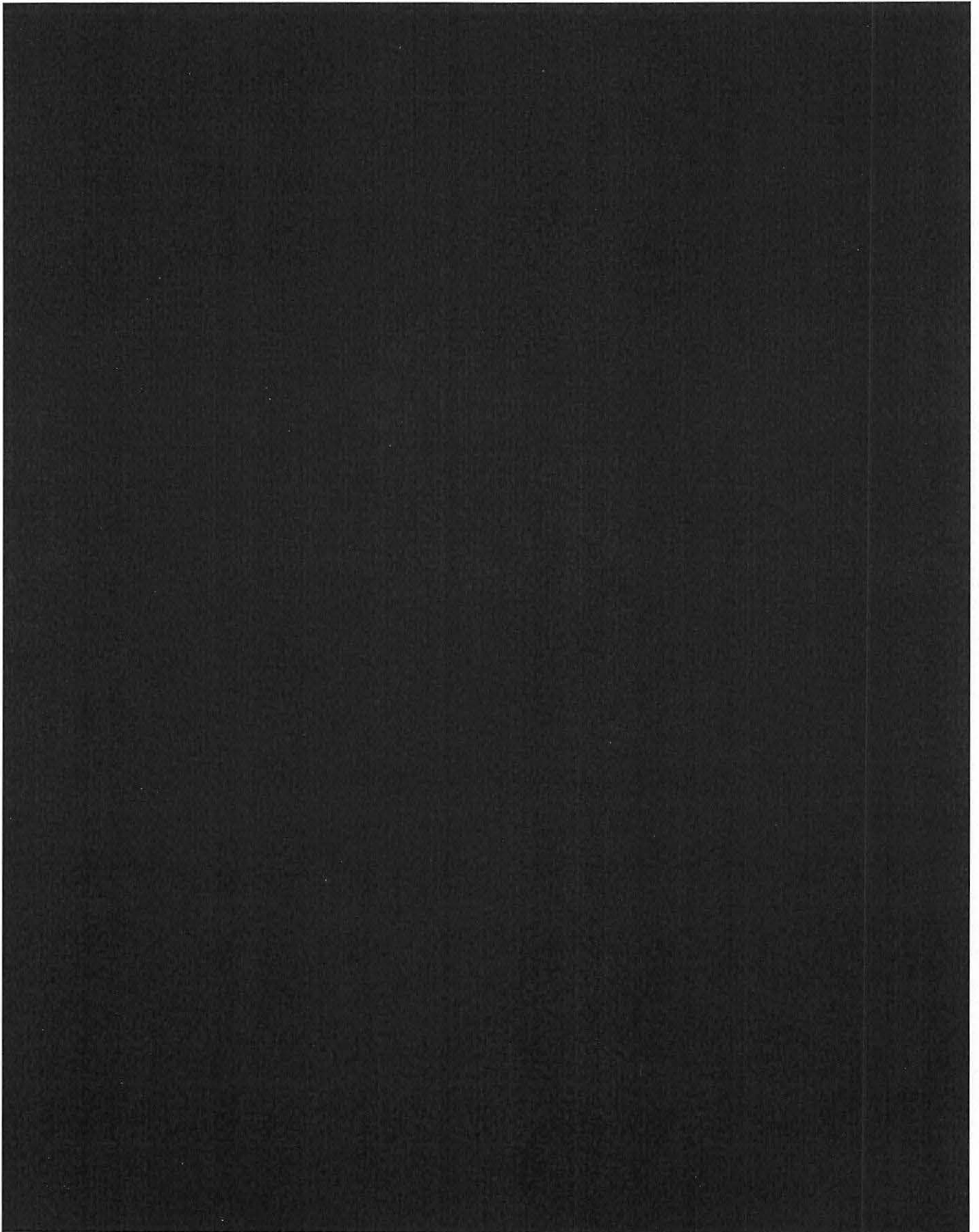
1 01.29.25 | FAIZ A. AHMAD

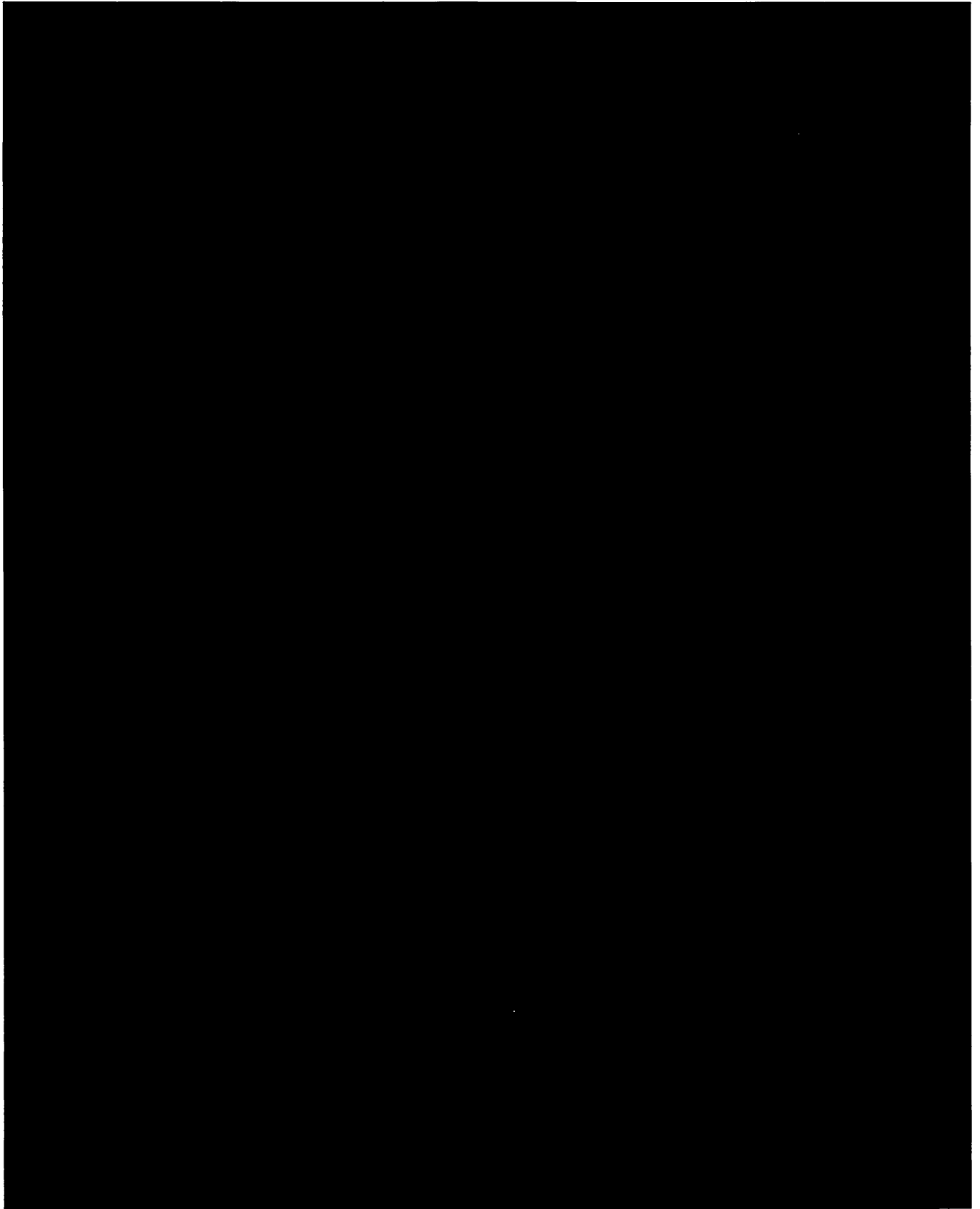
2 those would be privileged prepared by counsel
3 and are clearly attorney-client privileged.
4 The testimony that Mr. Ahmad gave is public
5 and there is video of that, so you would see
6 the testimony and can see the testimony.

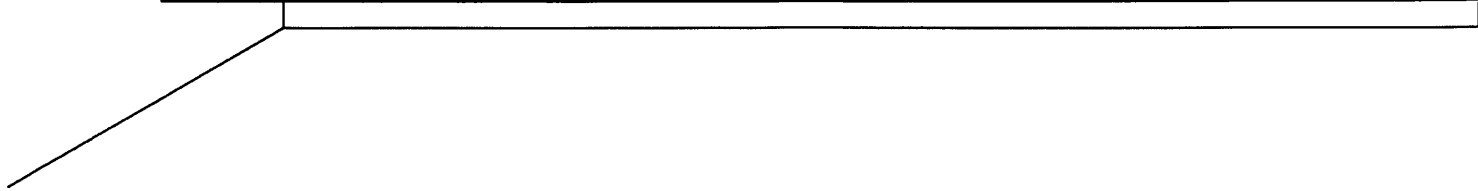
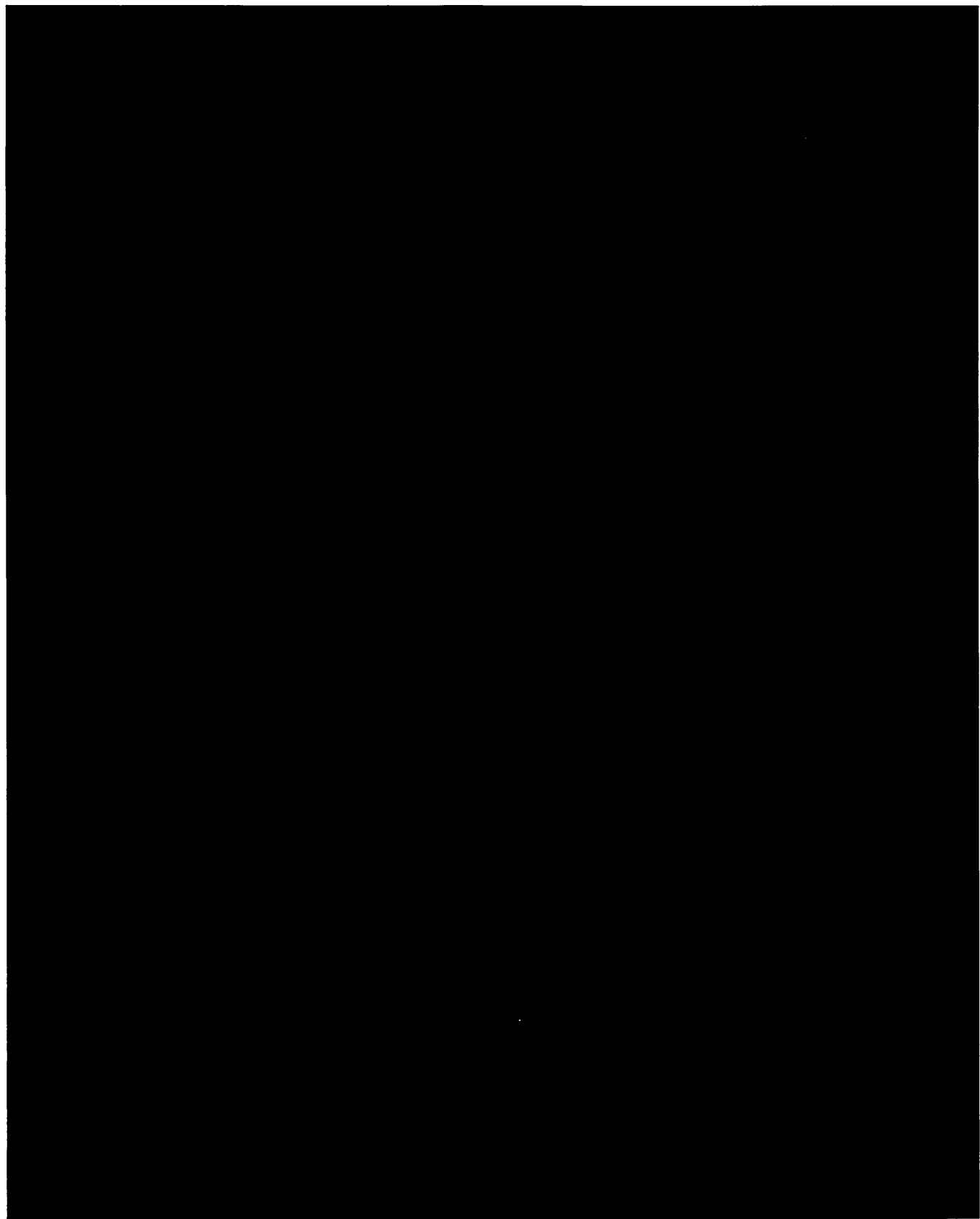
7 With respect to the other documents
8 that I understand that our colleagues have
9 been meeting and conferring about, that's also
10 not a basis for keeping the deposition open.
11 As we stated in our privilege logs and stated
12 again this week during those meet and confers,
13 our position is that those documents are
14 protected by attorney-client privilege. The
15 plaintiffs have known about those documents
16 for seven to 12 months. They were logged in
17 February, April, and June.

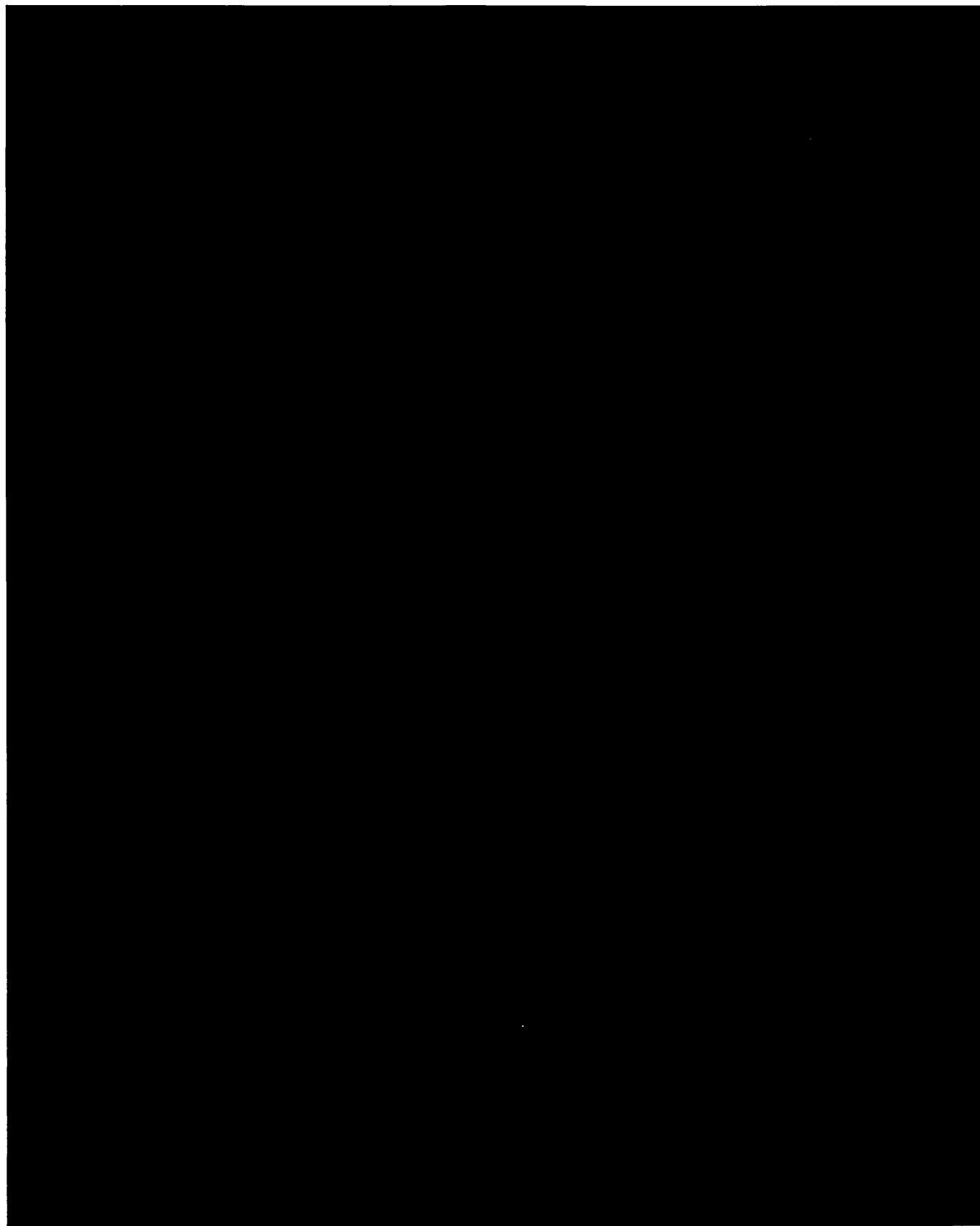
18 If plaintiffs had a dispute with our
19 privilege claims, they could have brought that
20 issue to Judge Berg months ago. They chose
21 not to. The issue wasn't raised again until
22 late last week, and we met and conferred with
23 them and continue to meet and configure with
24 them yesterday, but we understand you may
25 raise an issue with Judge Berg, but we

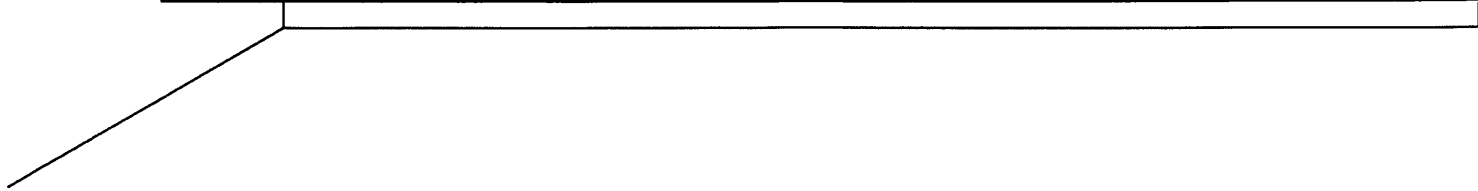
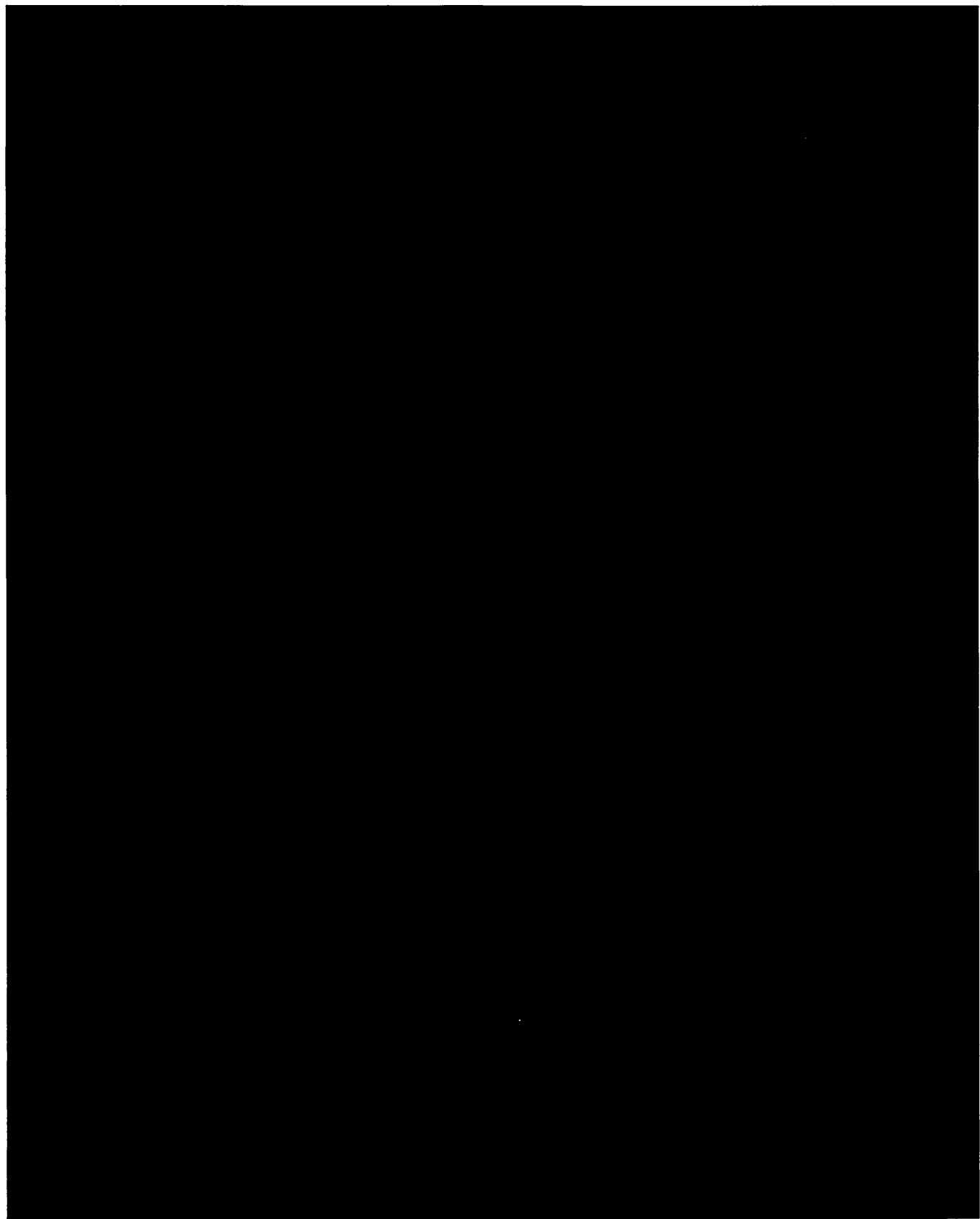


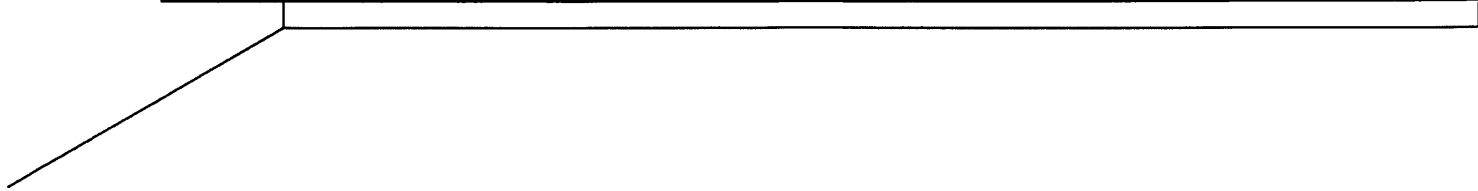
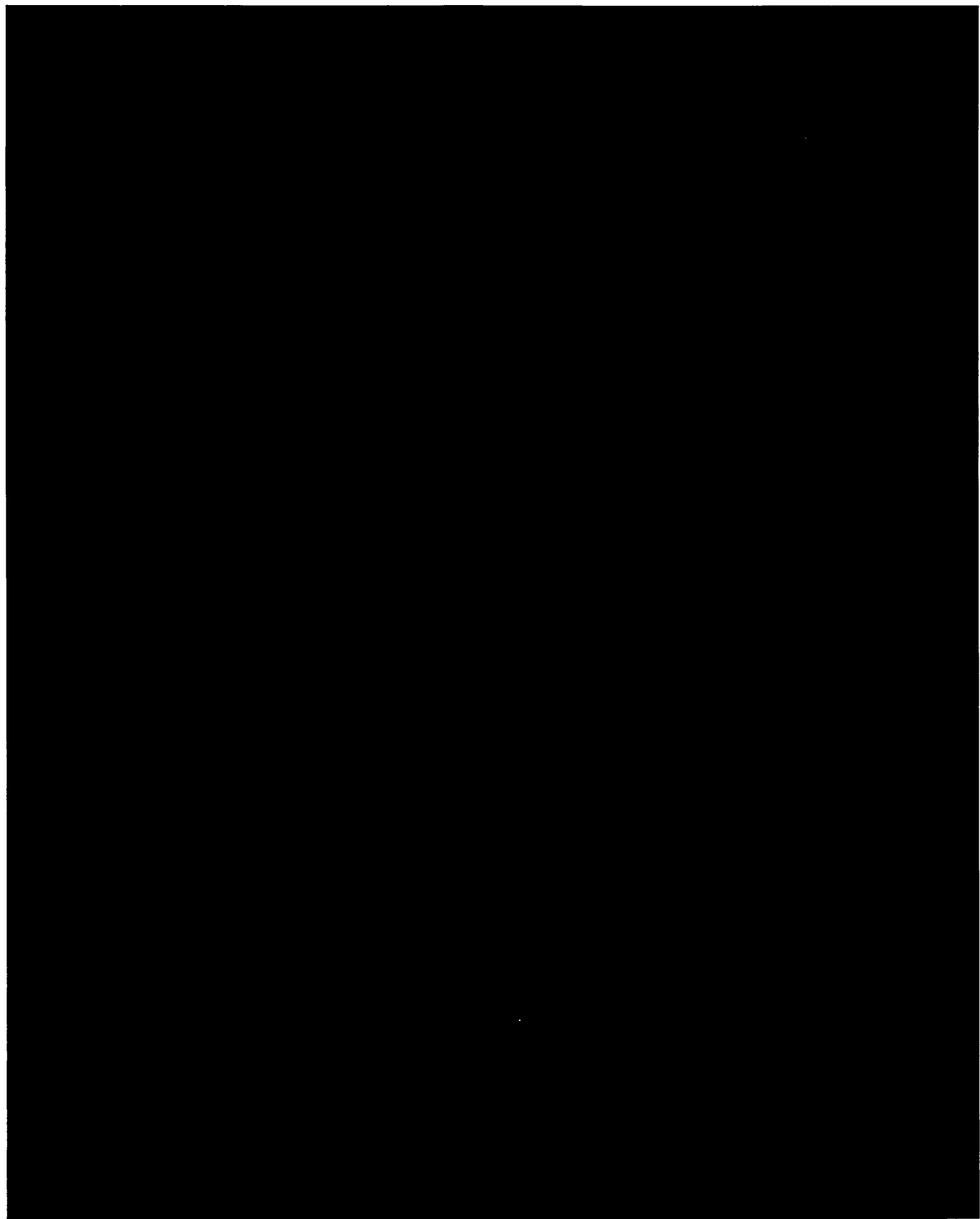


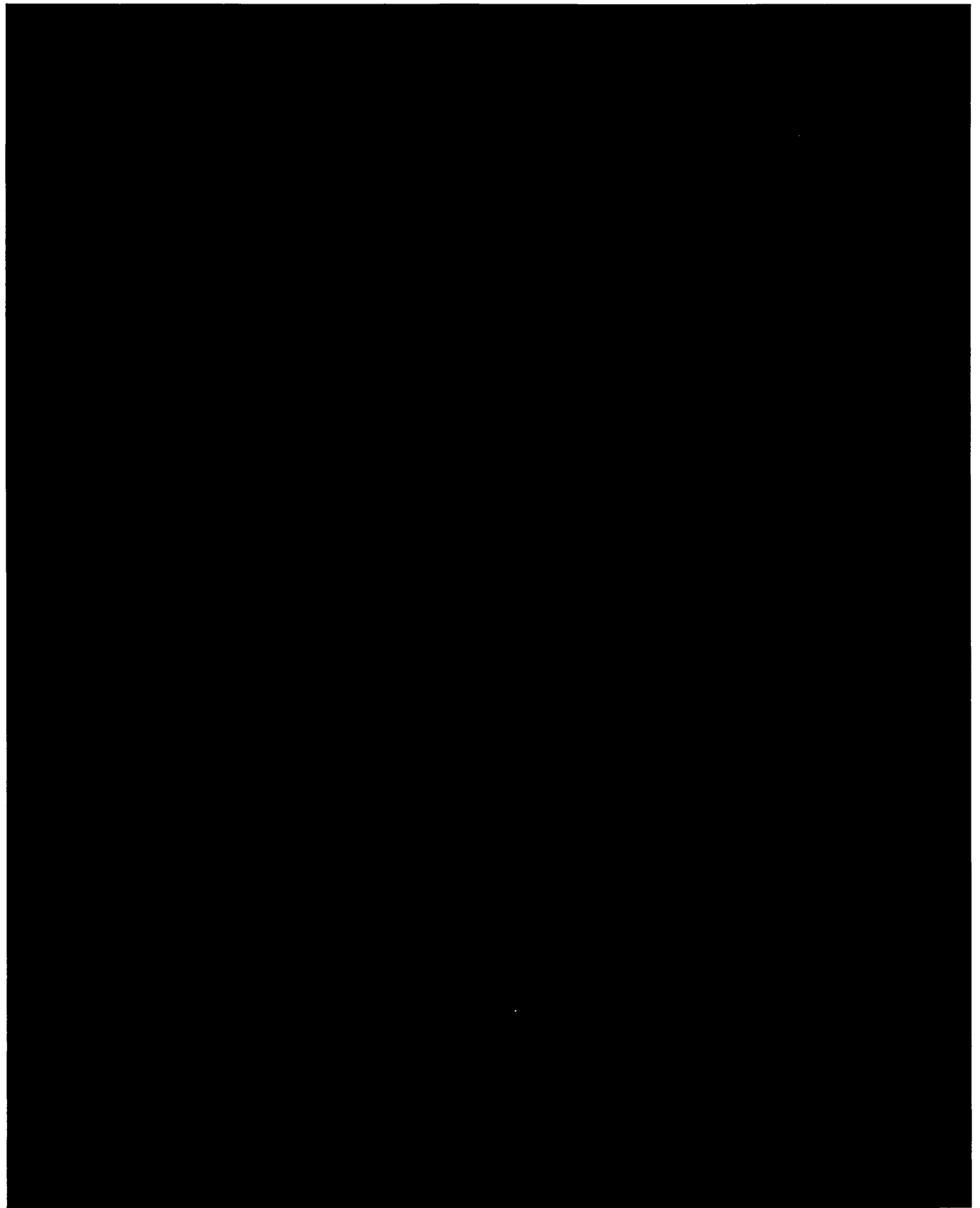


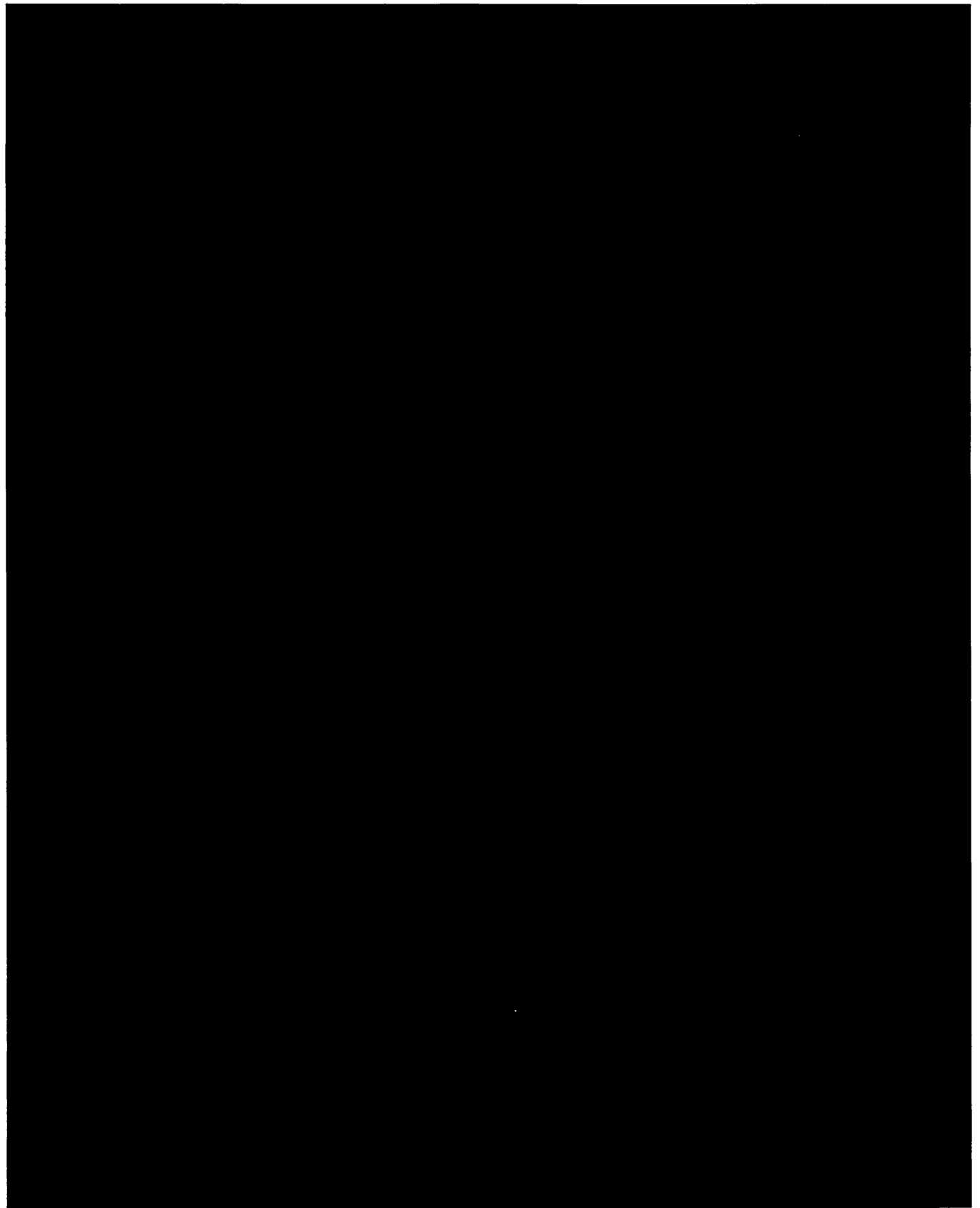


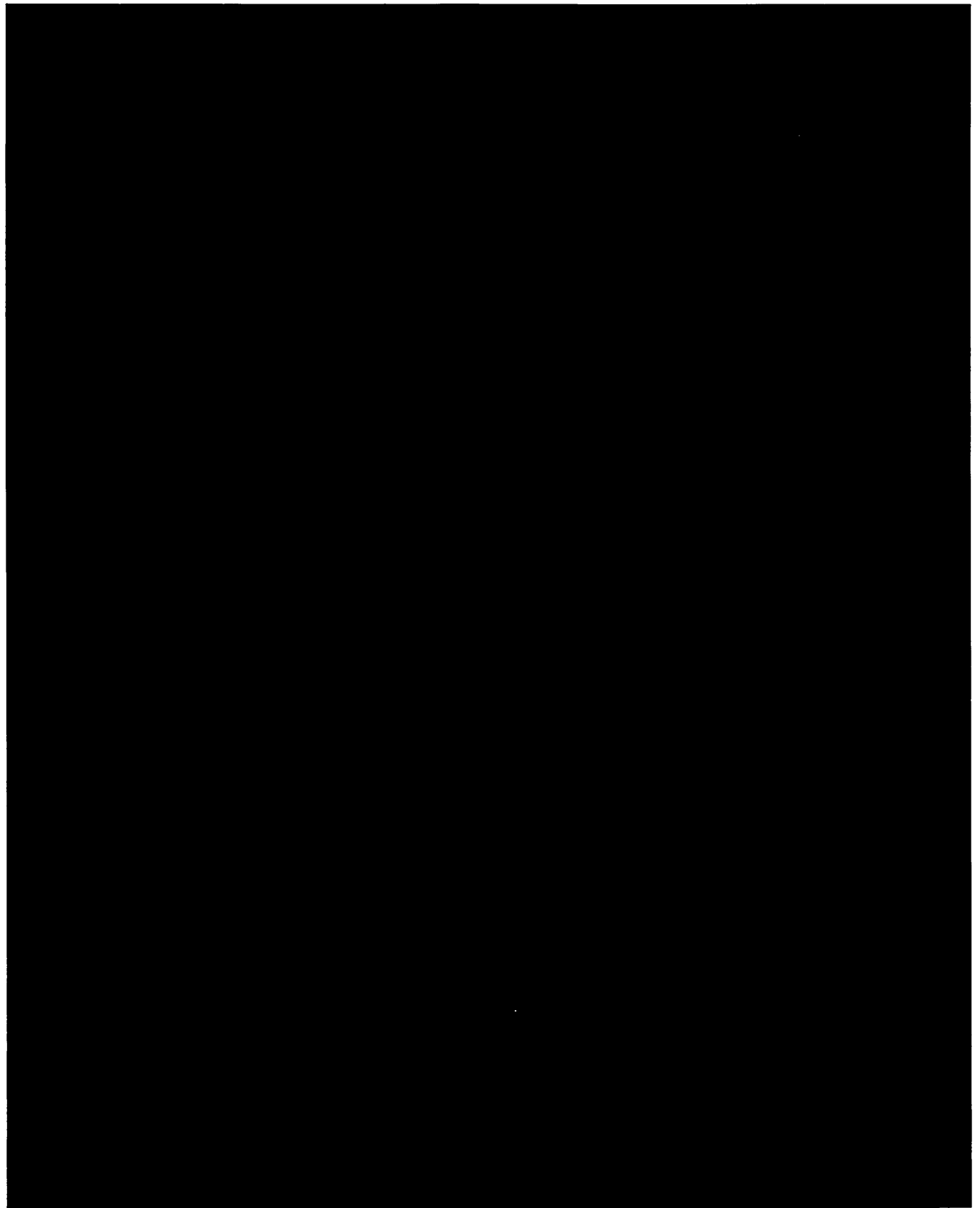


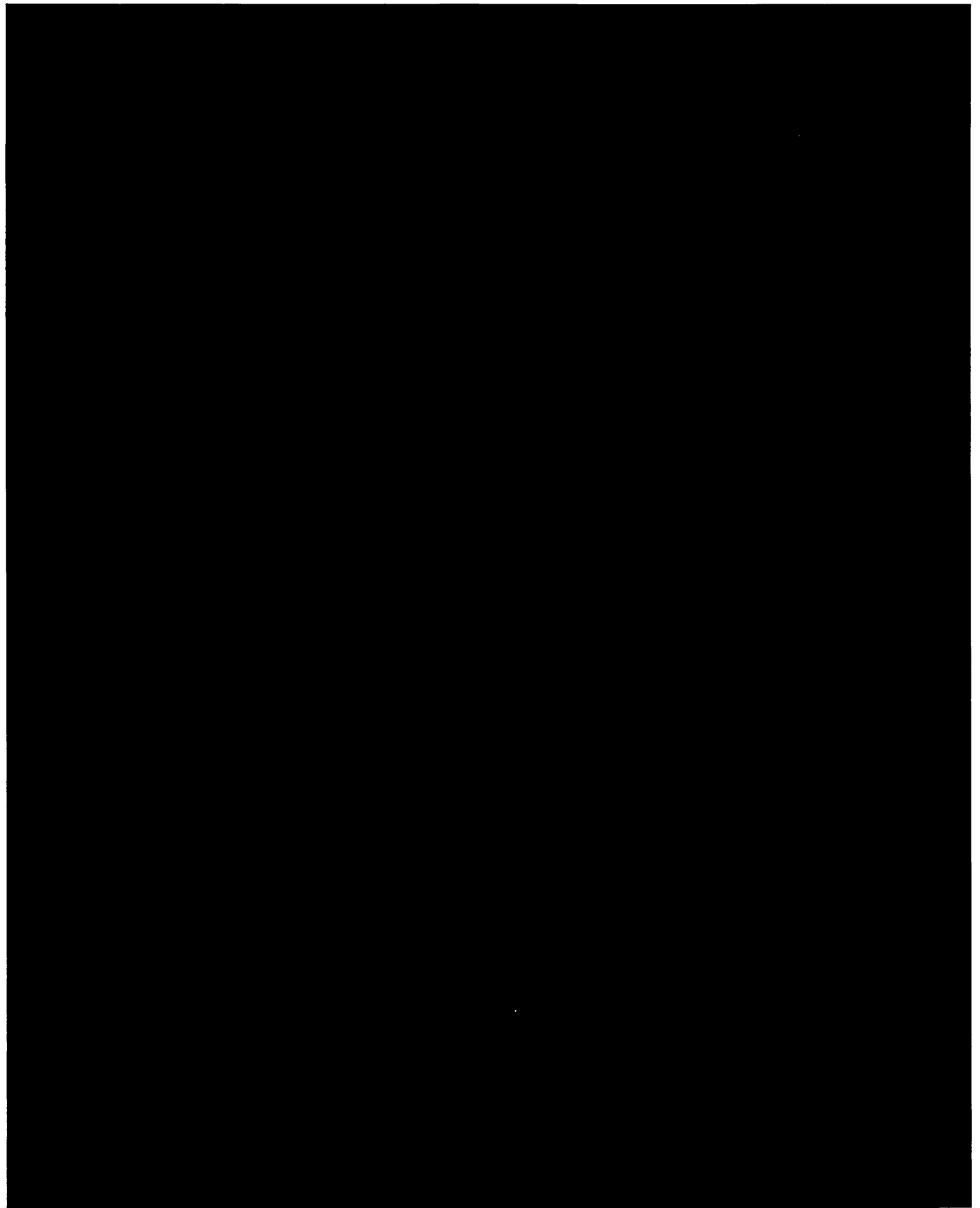


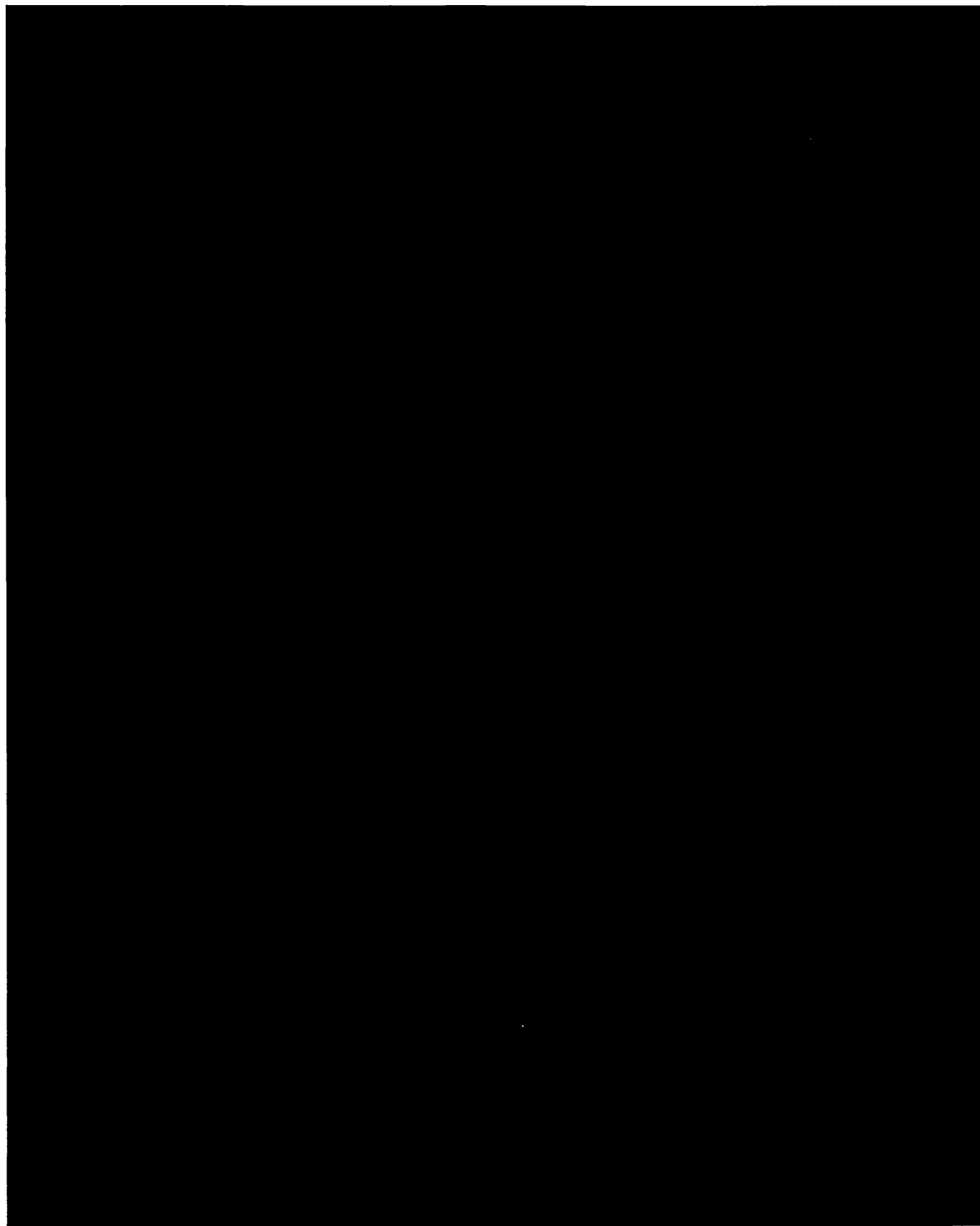


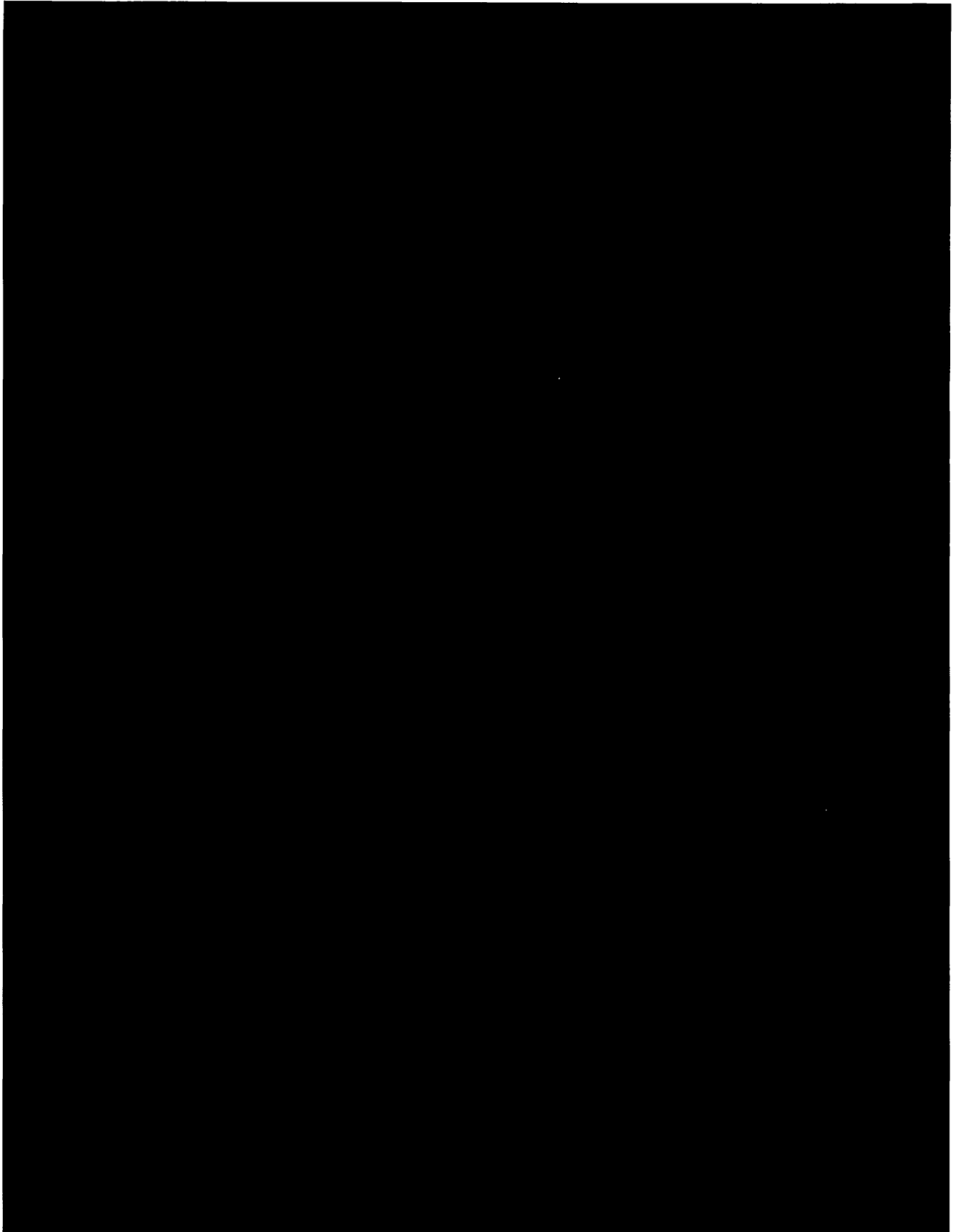


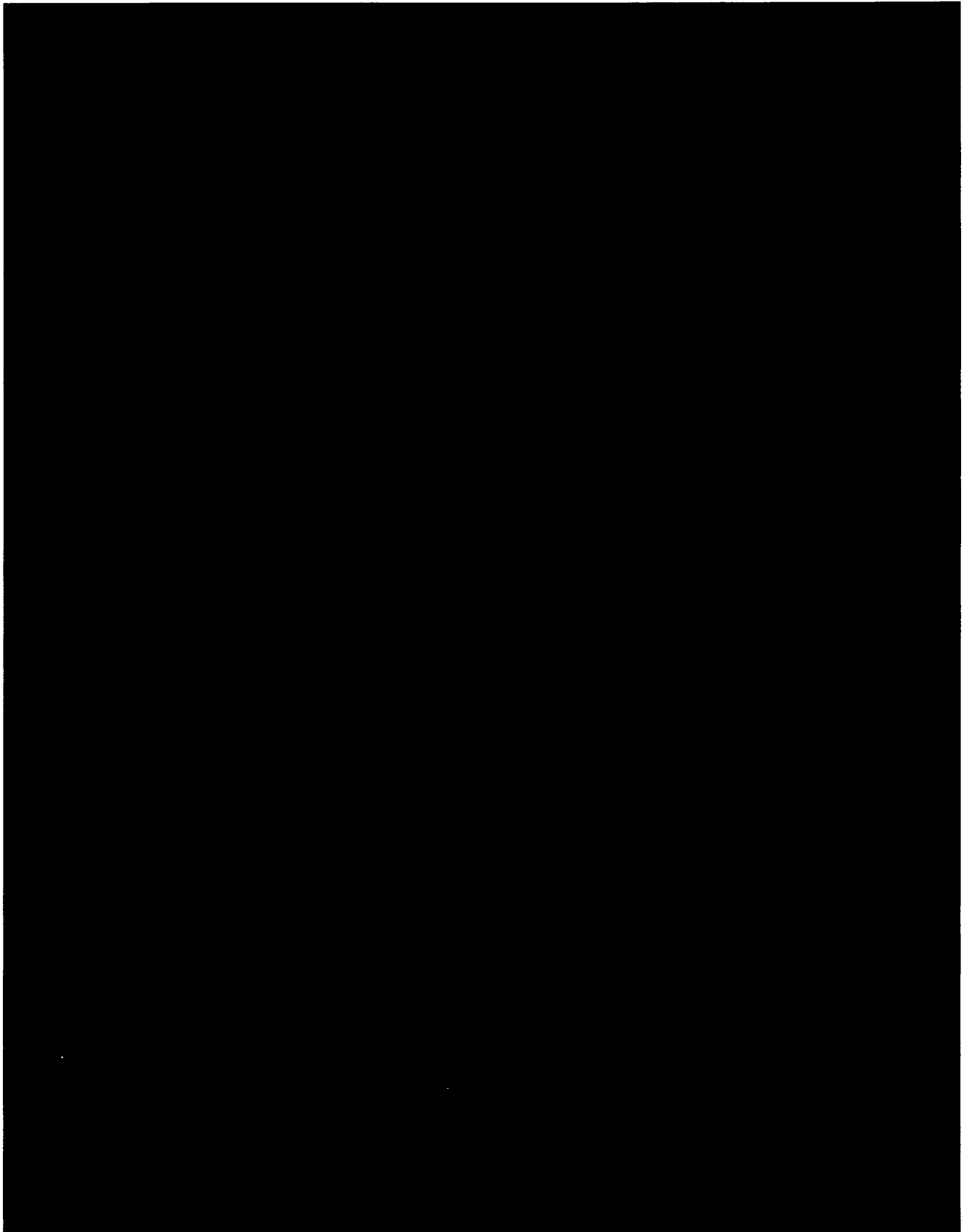


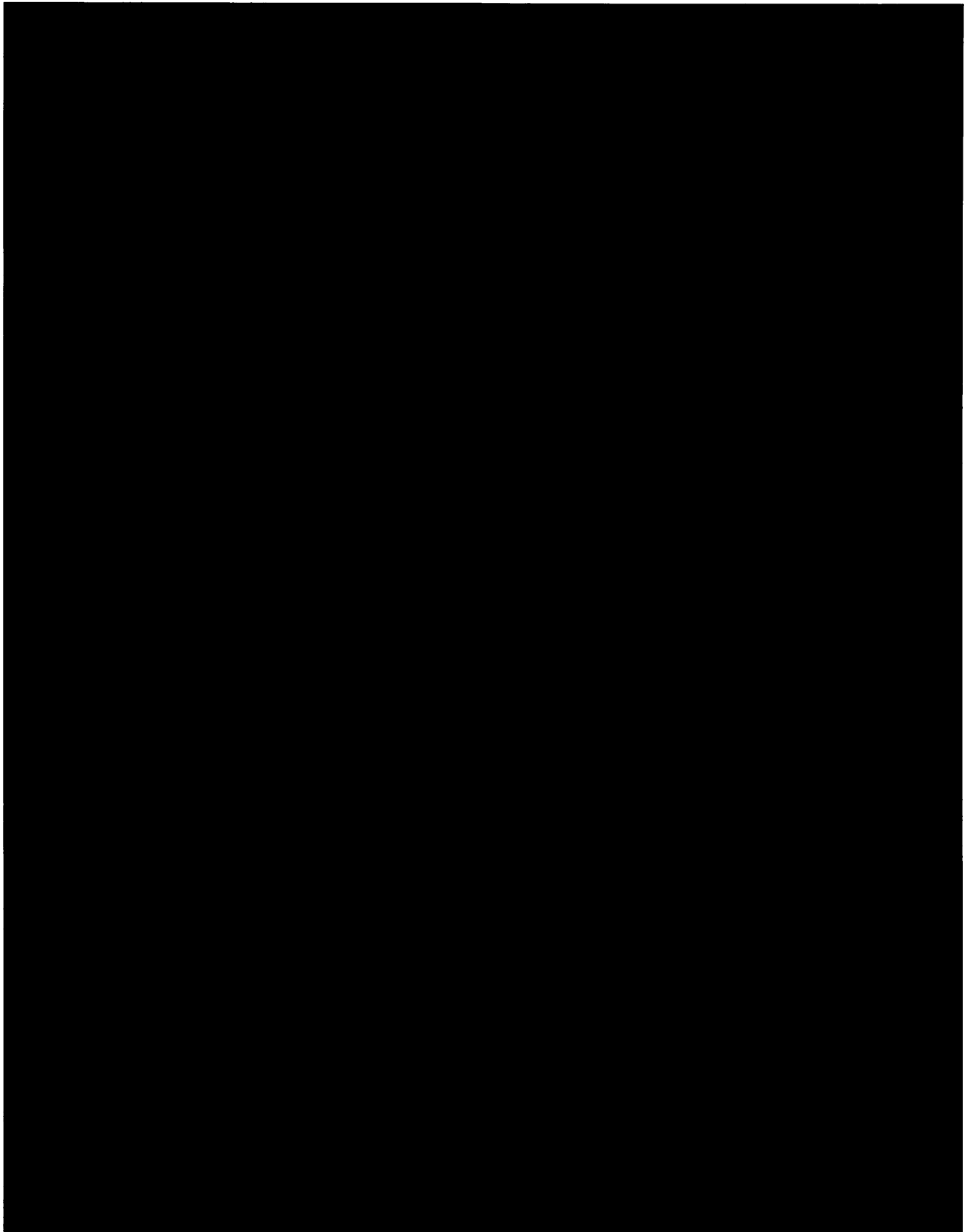


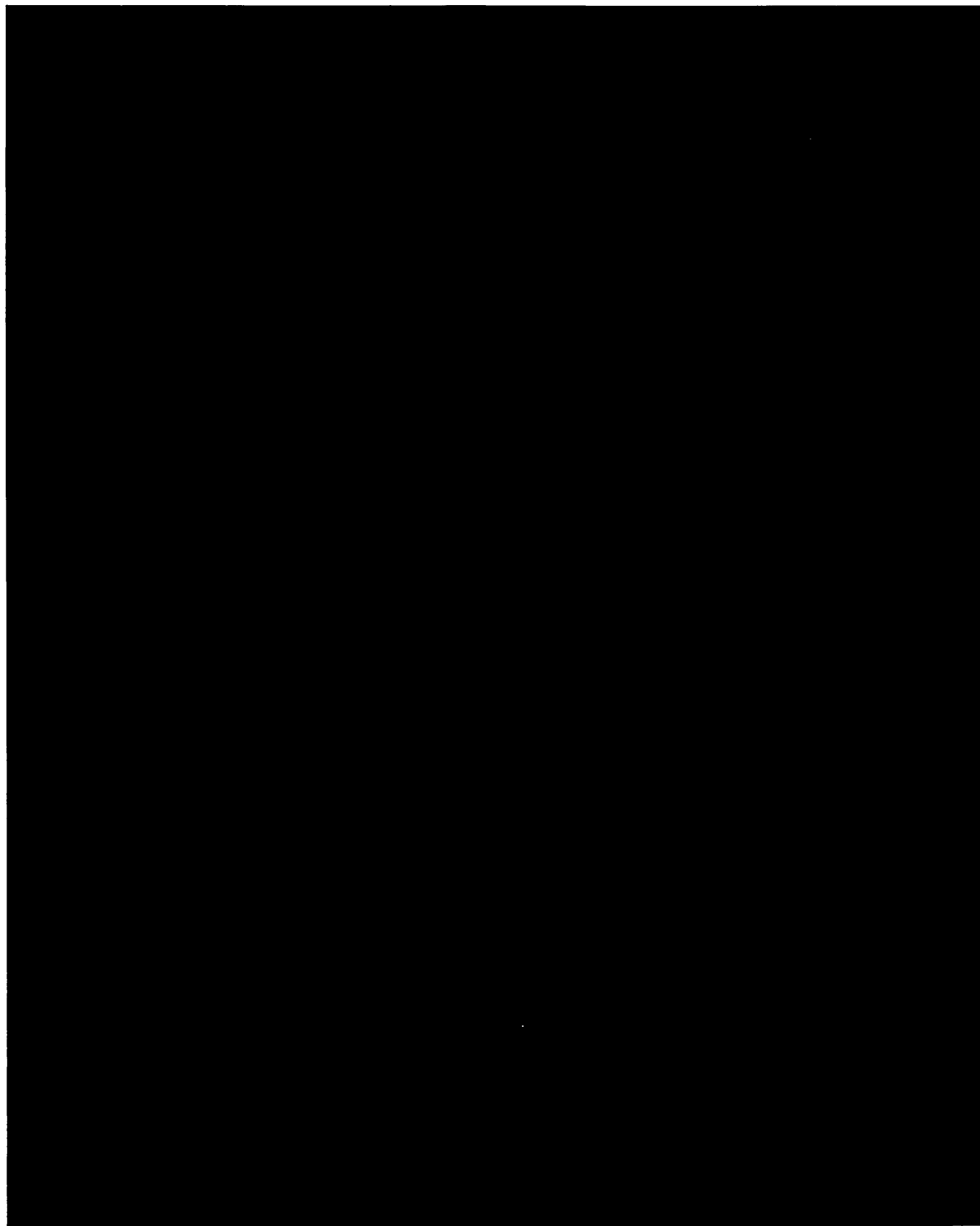


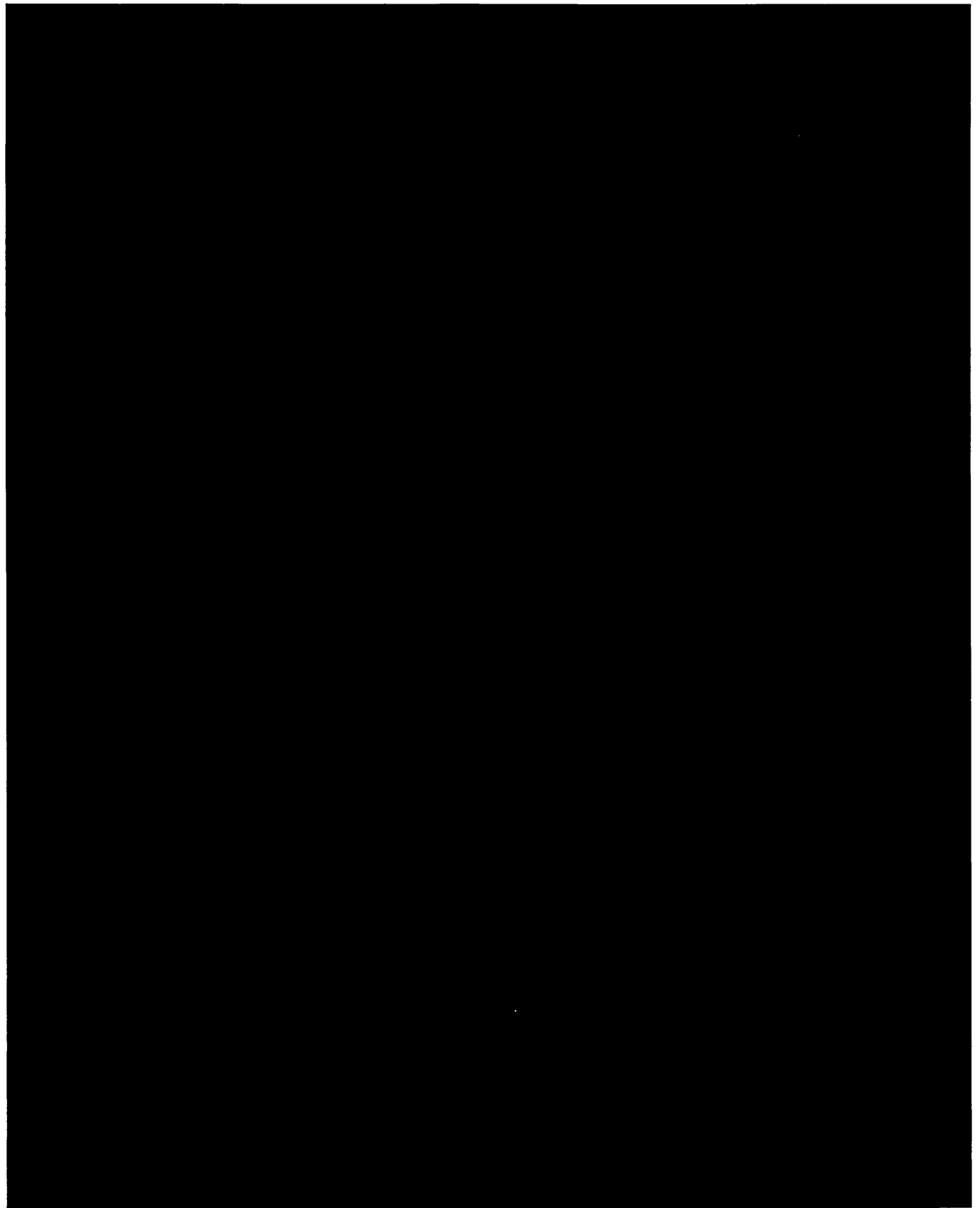


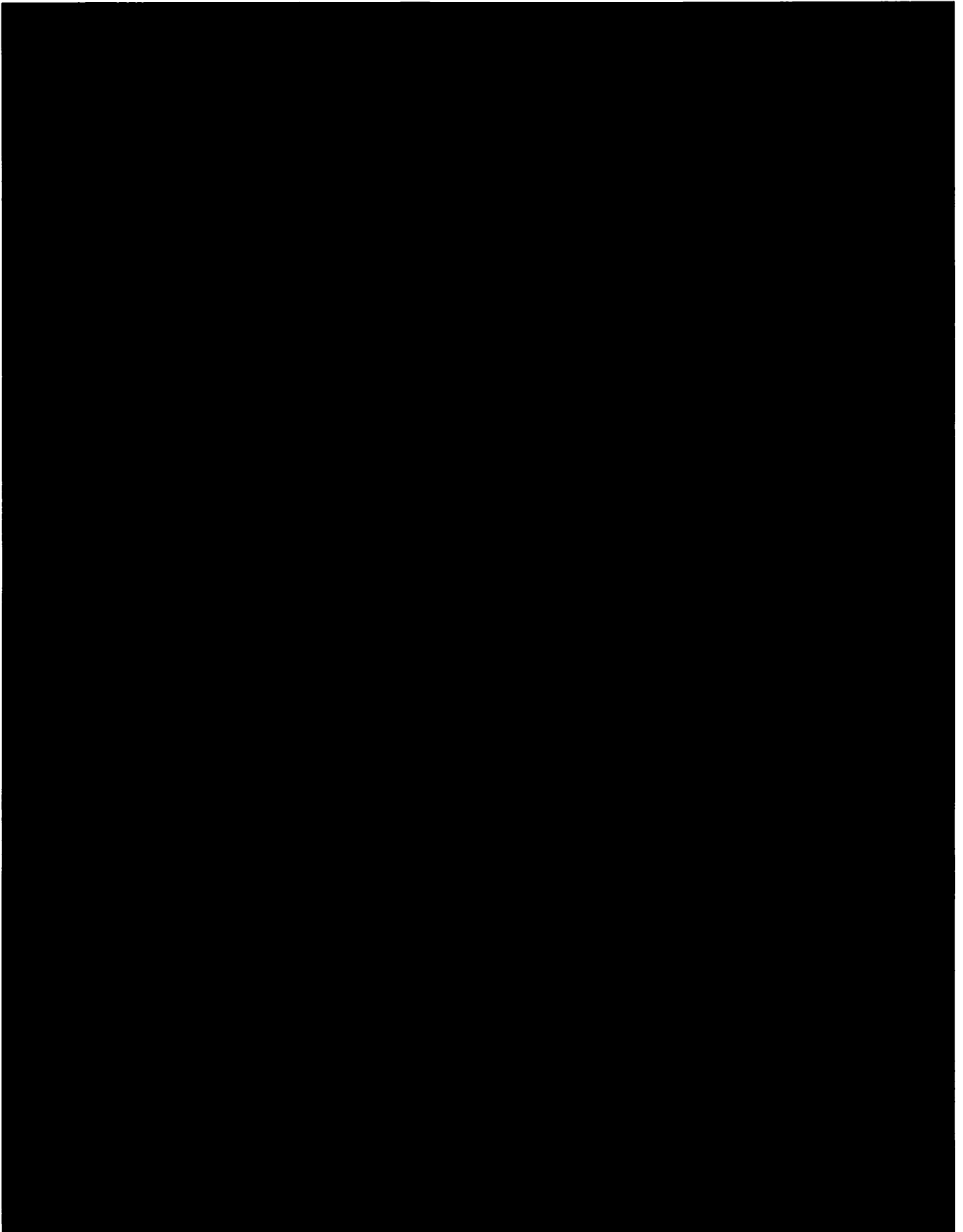


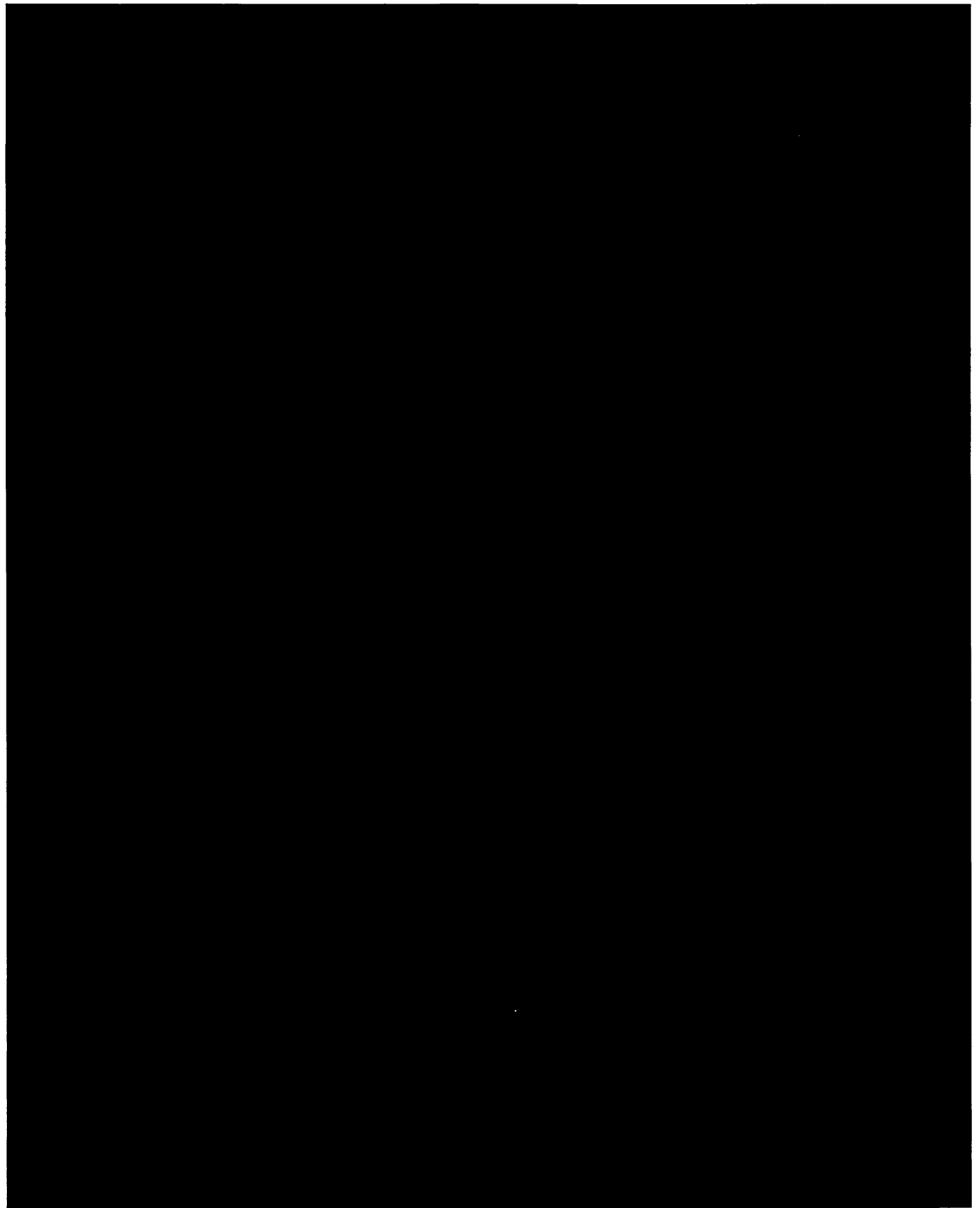


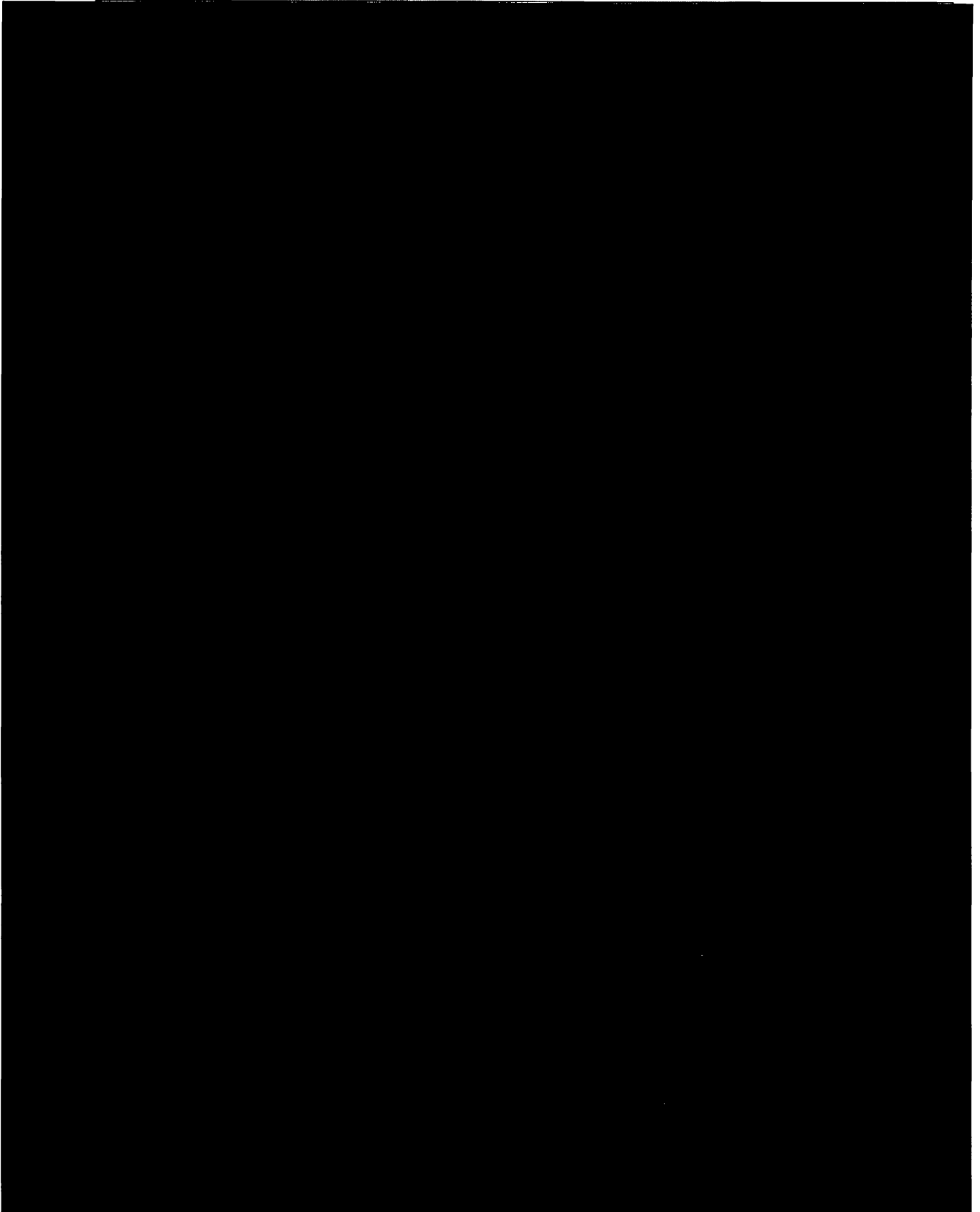


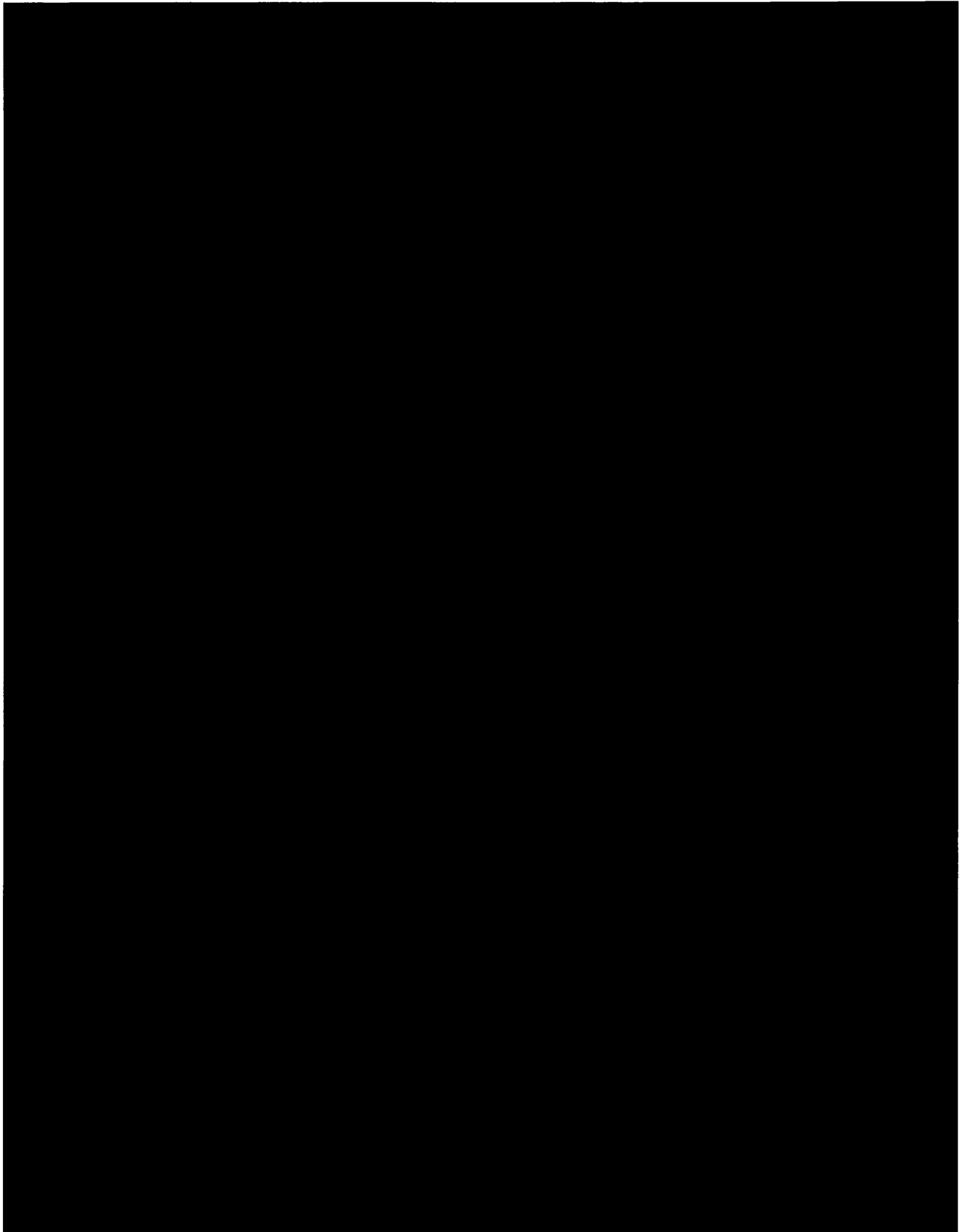


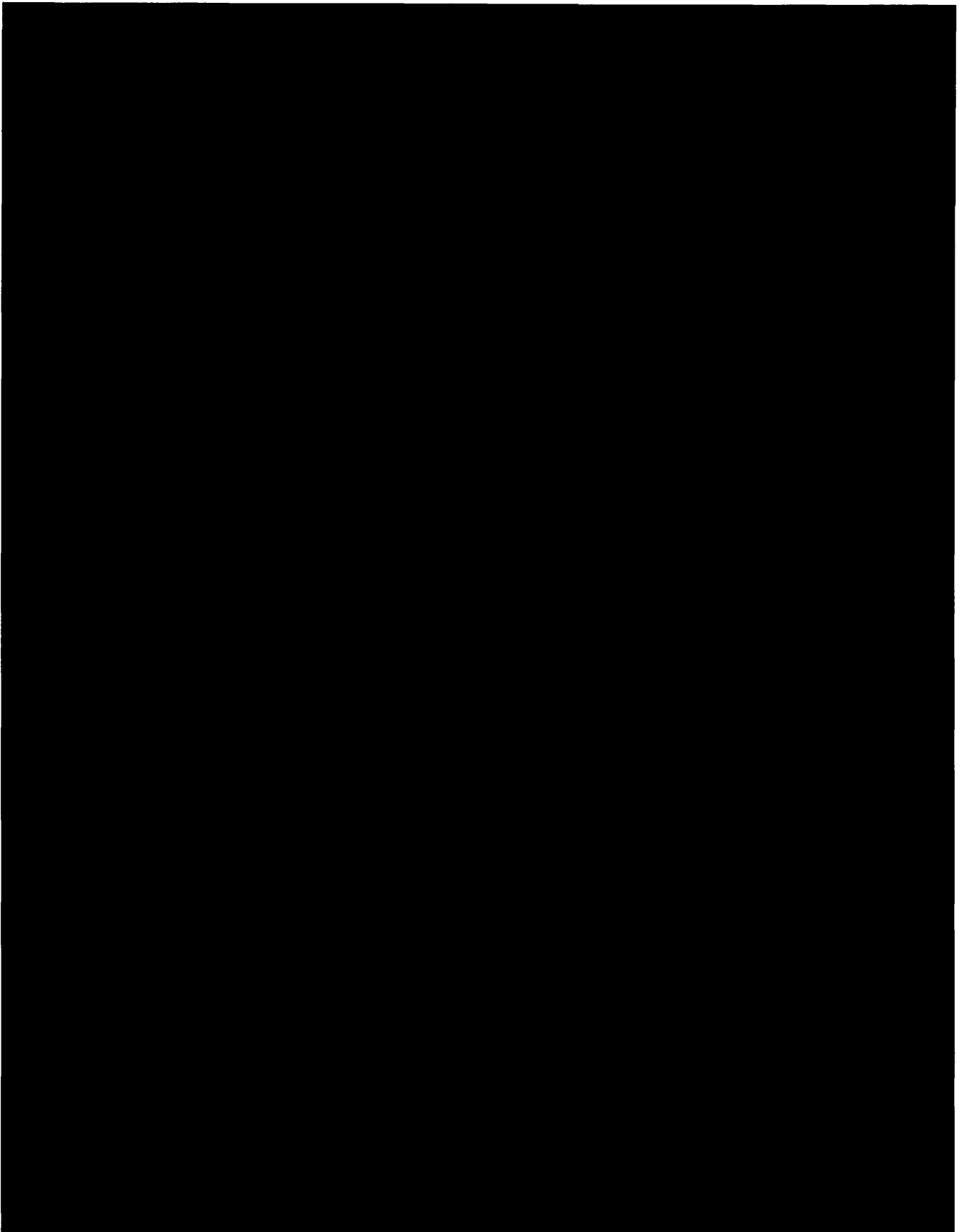


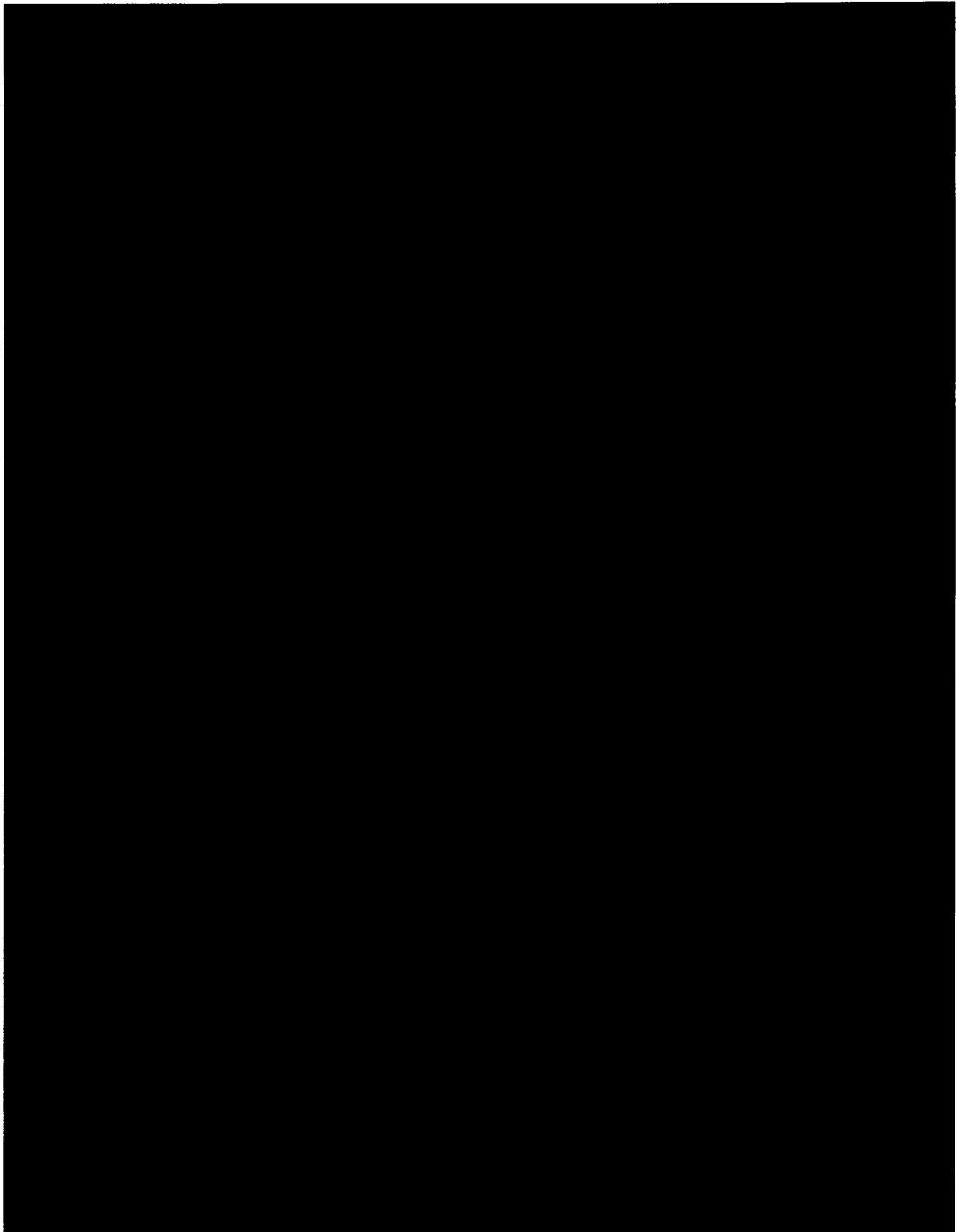


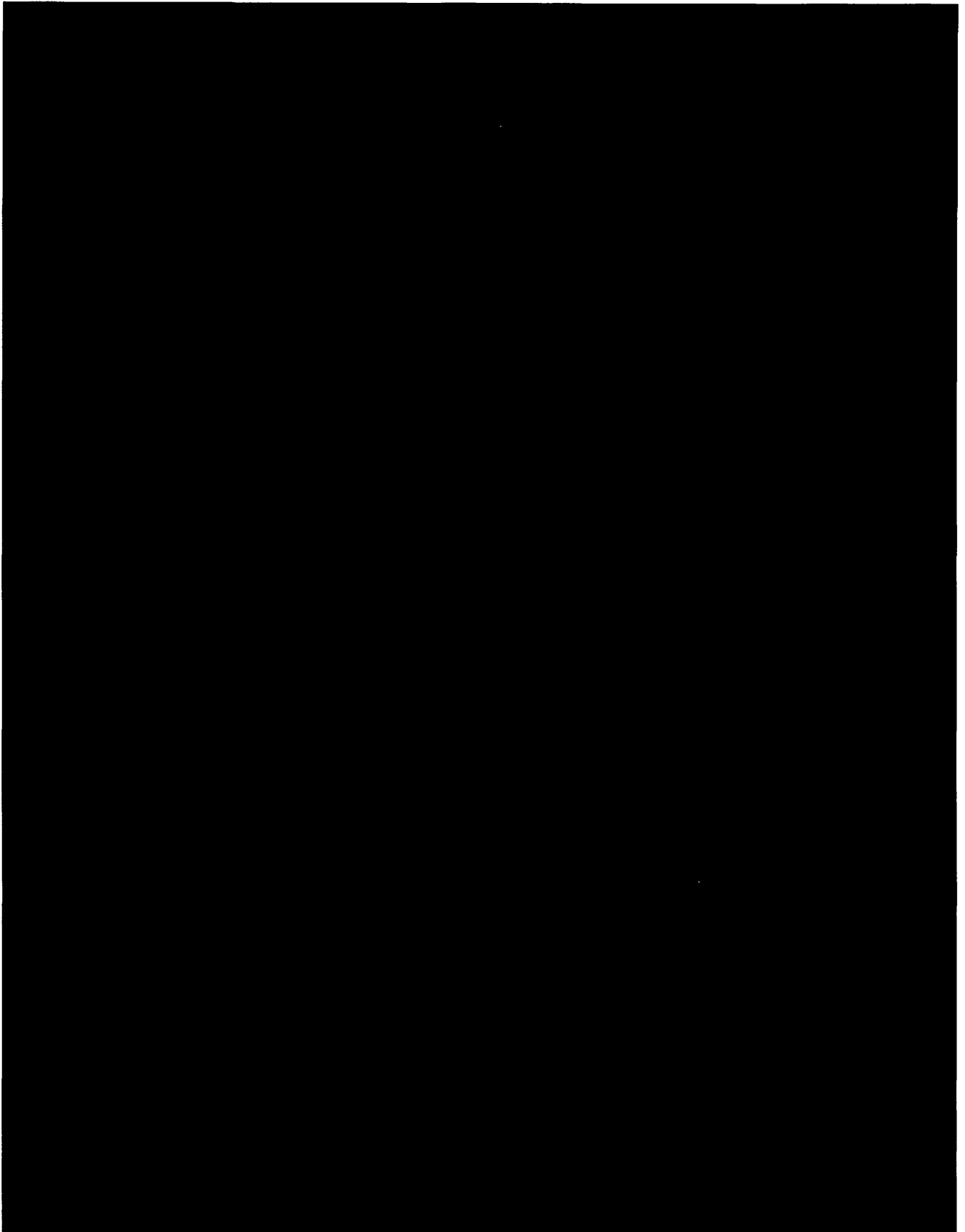


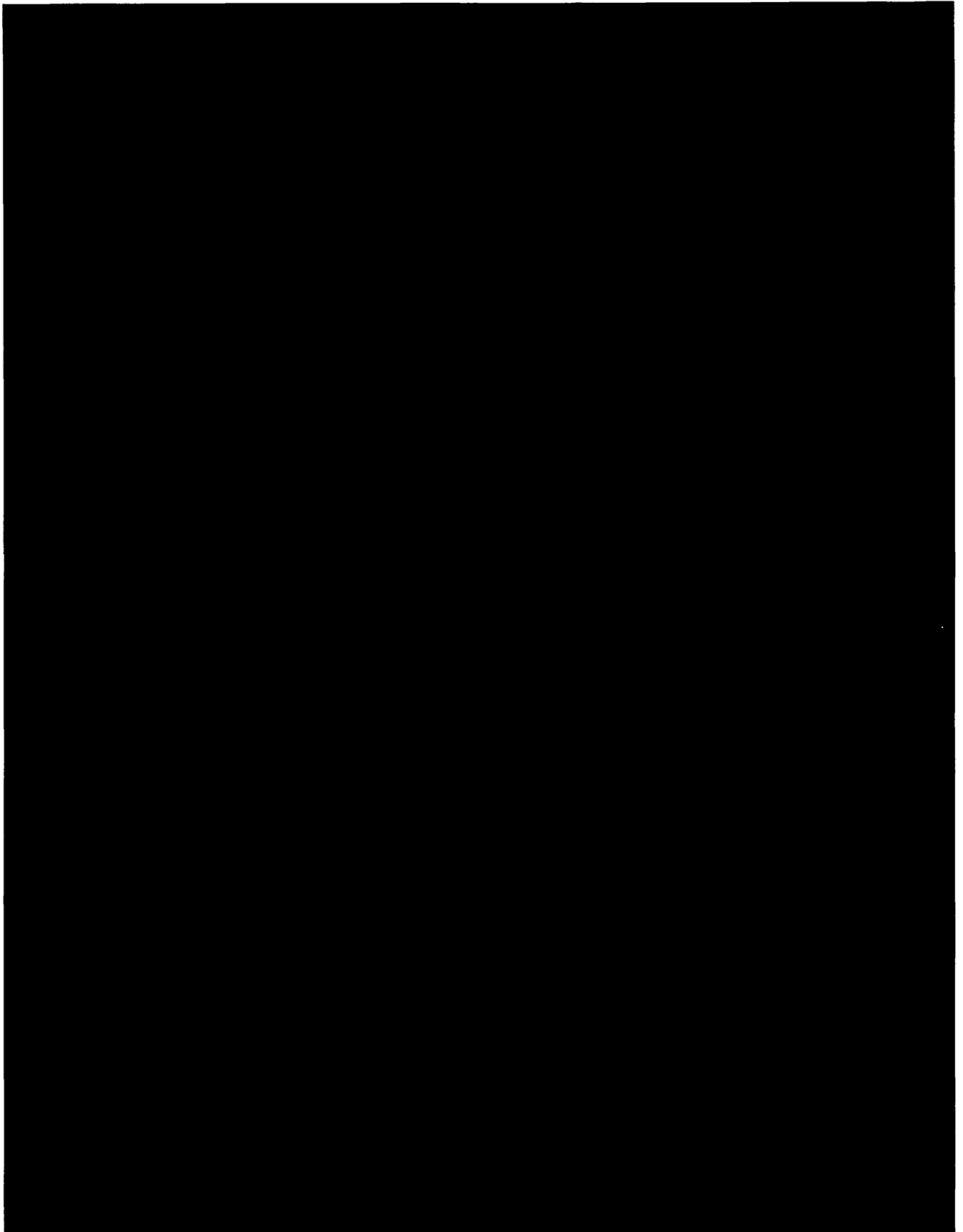


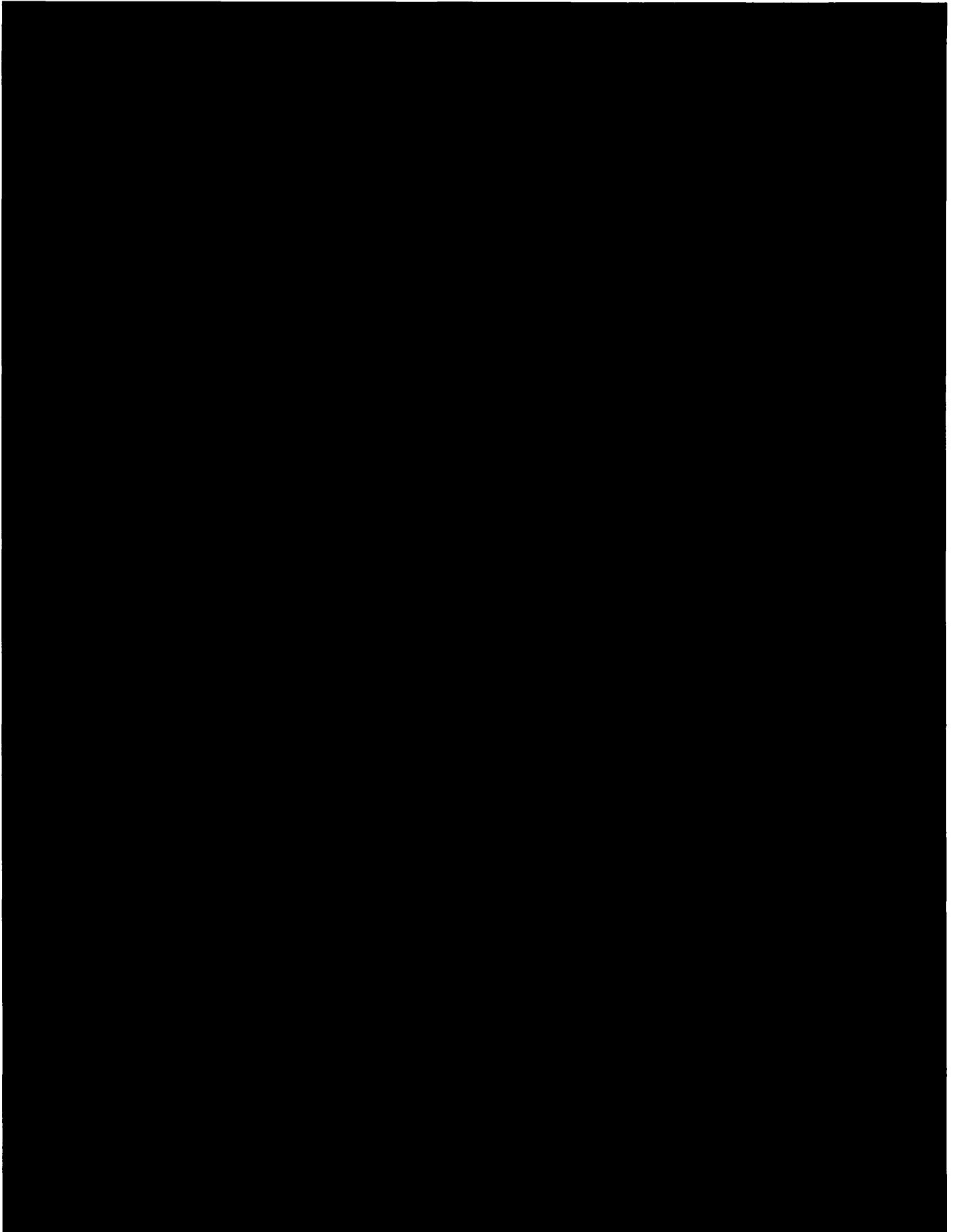


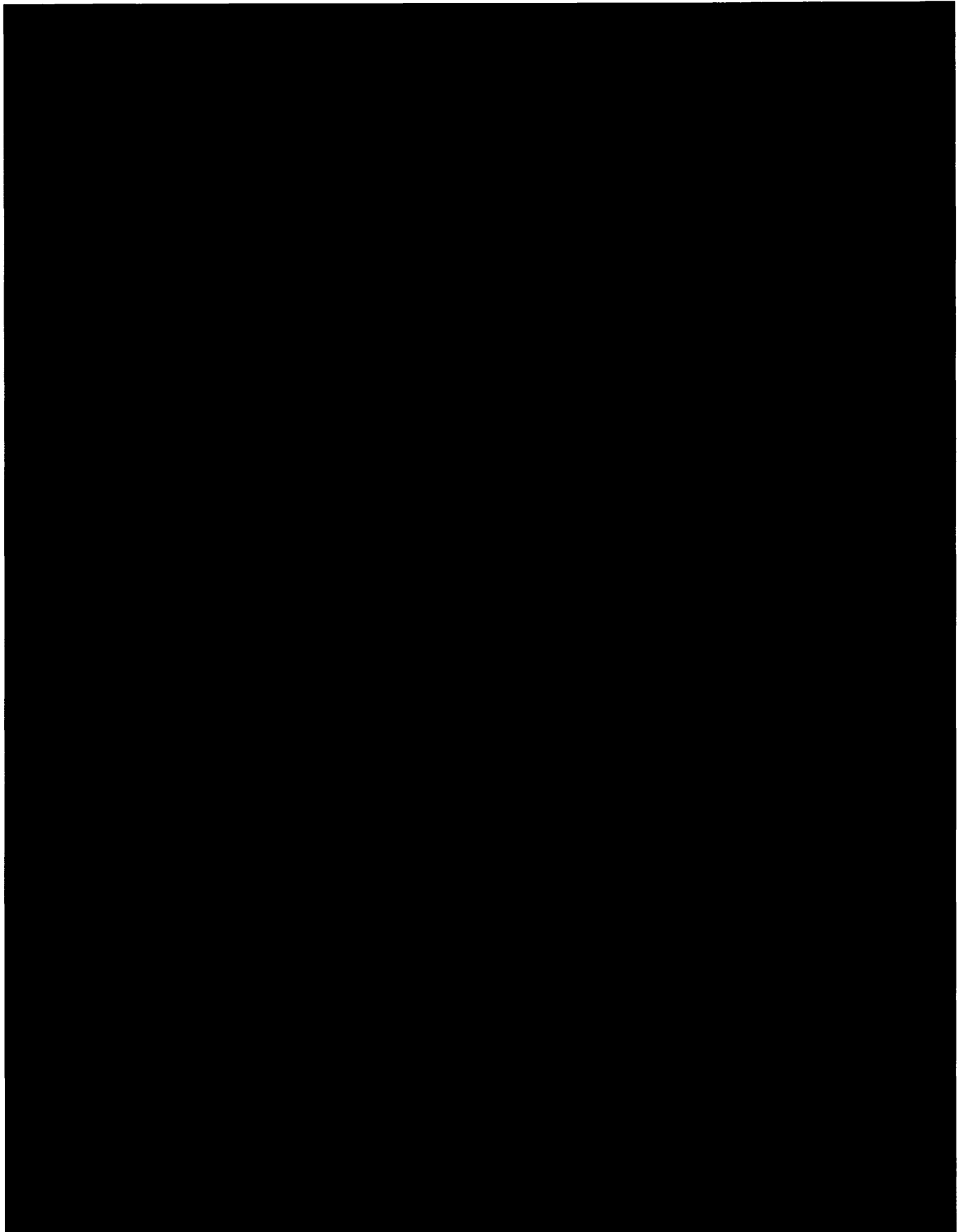


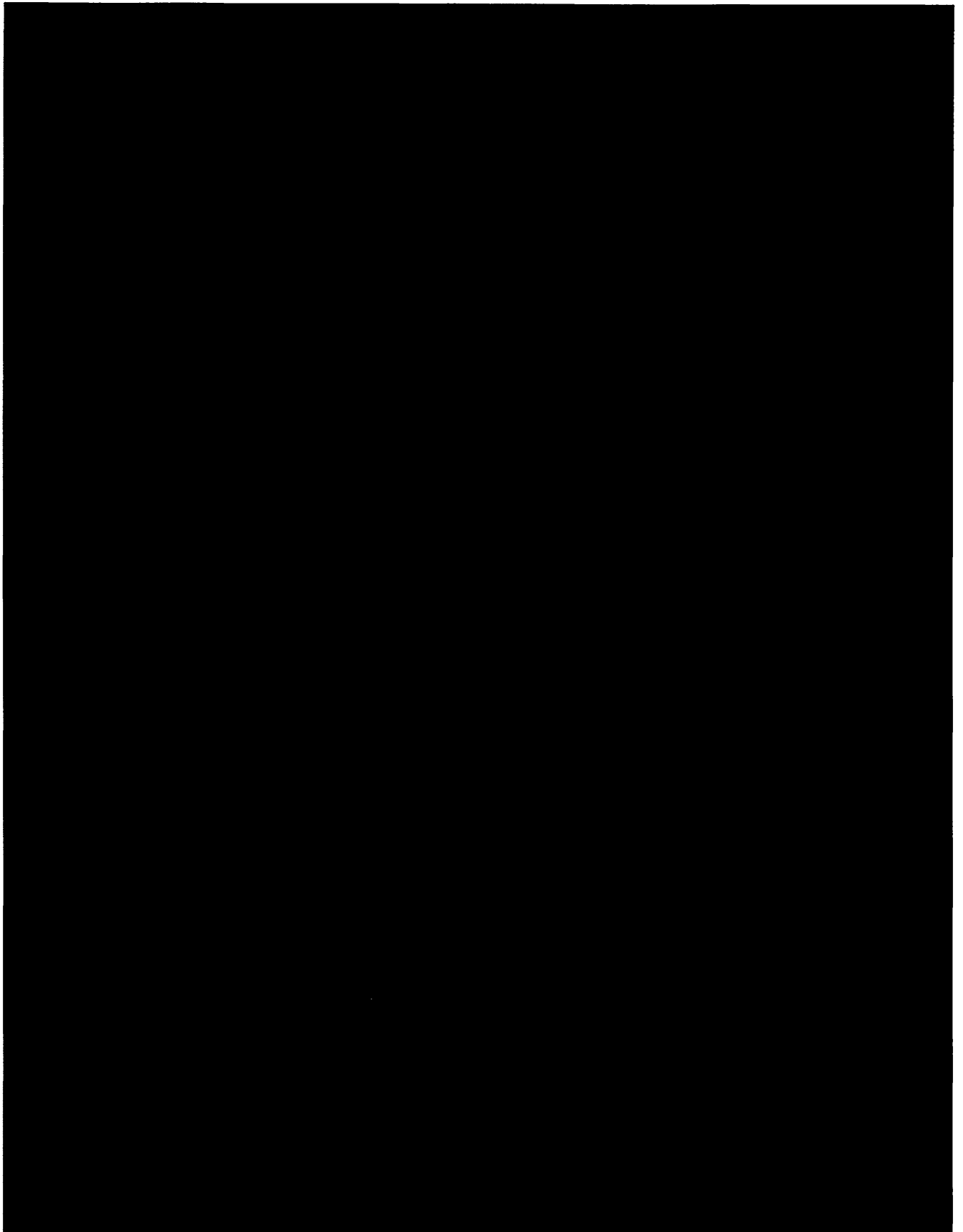


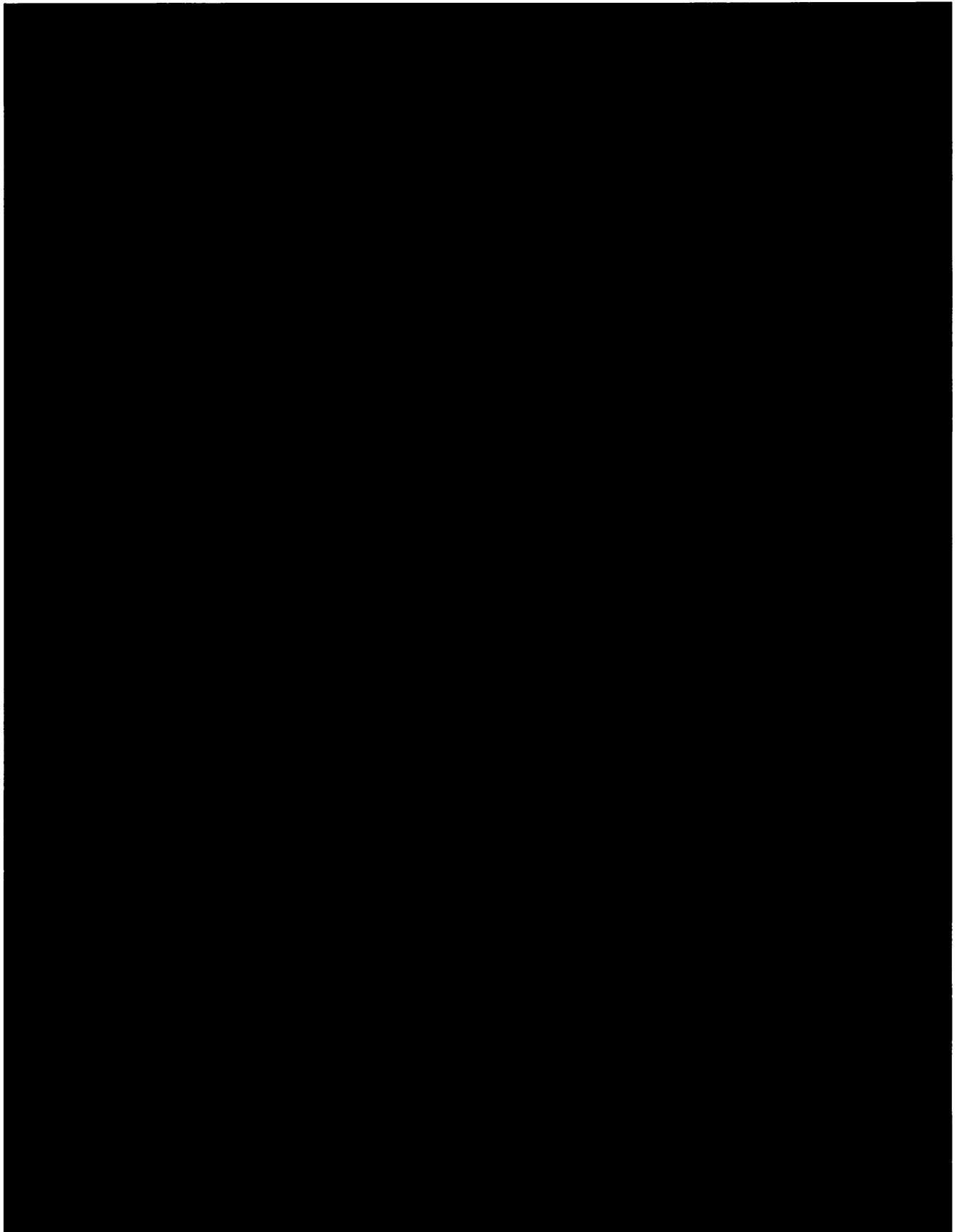


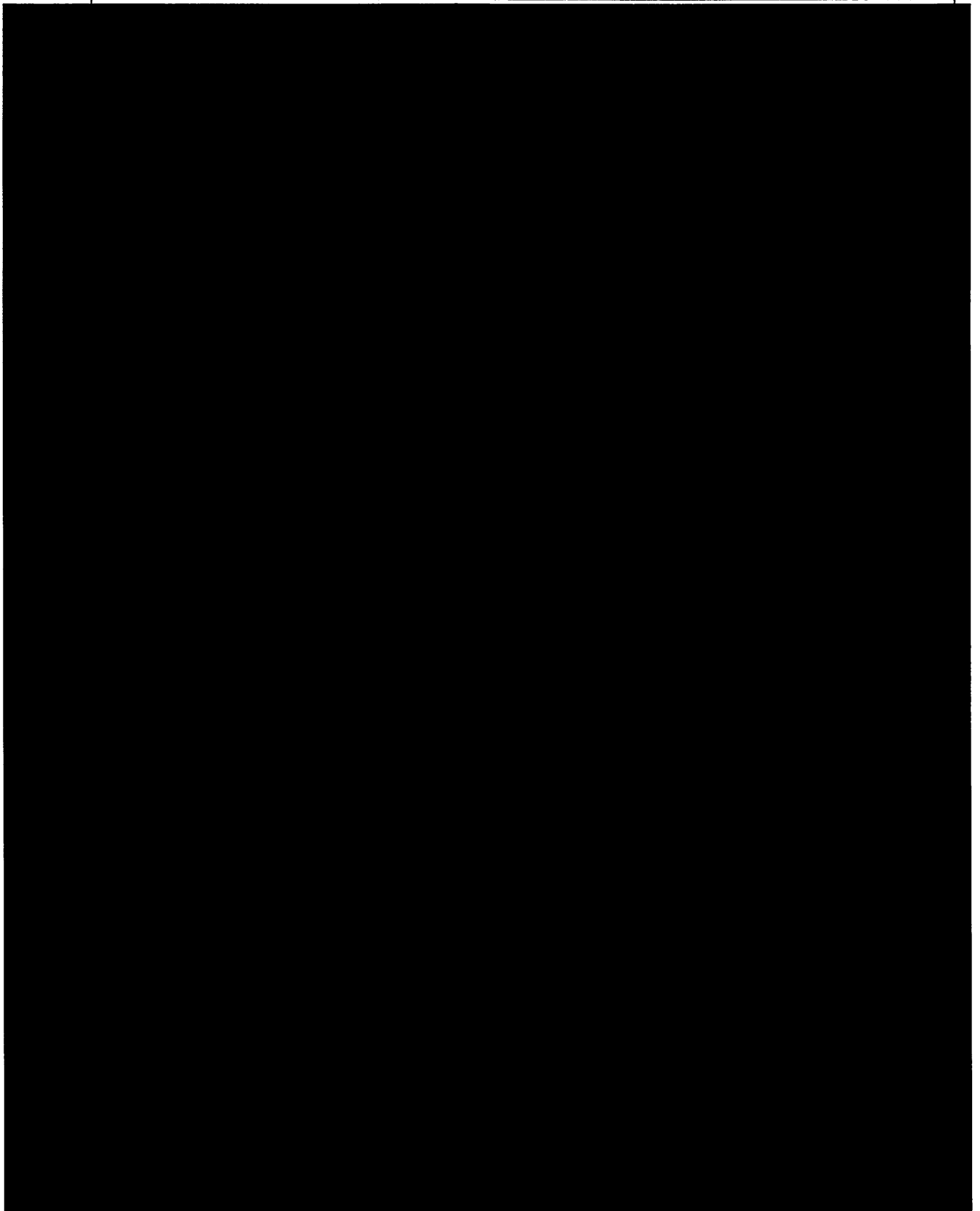


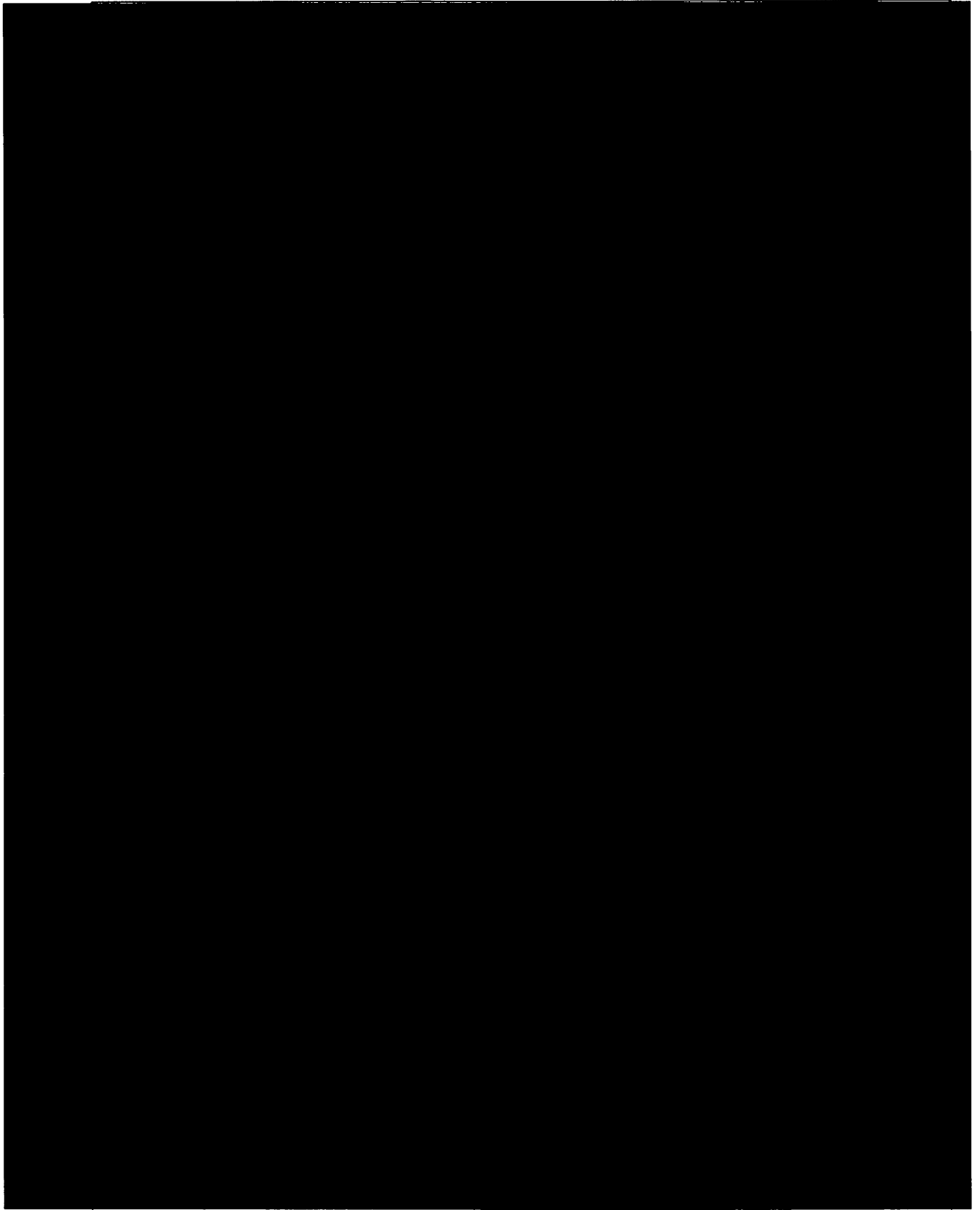


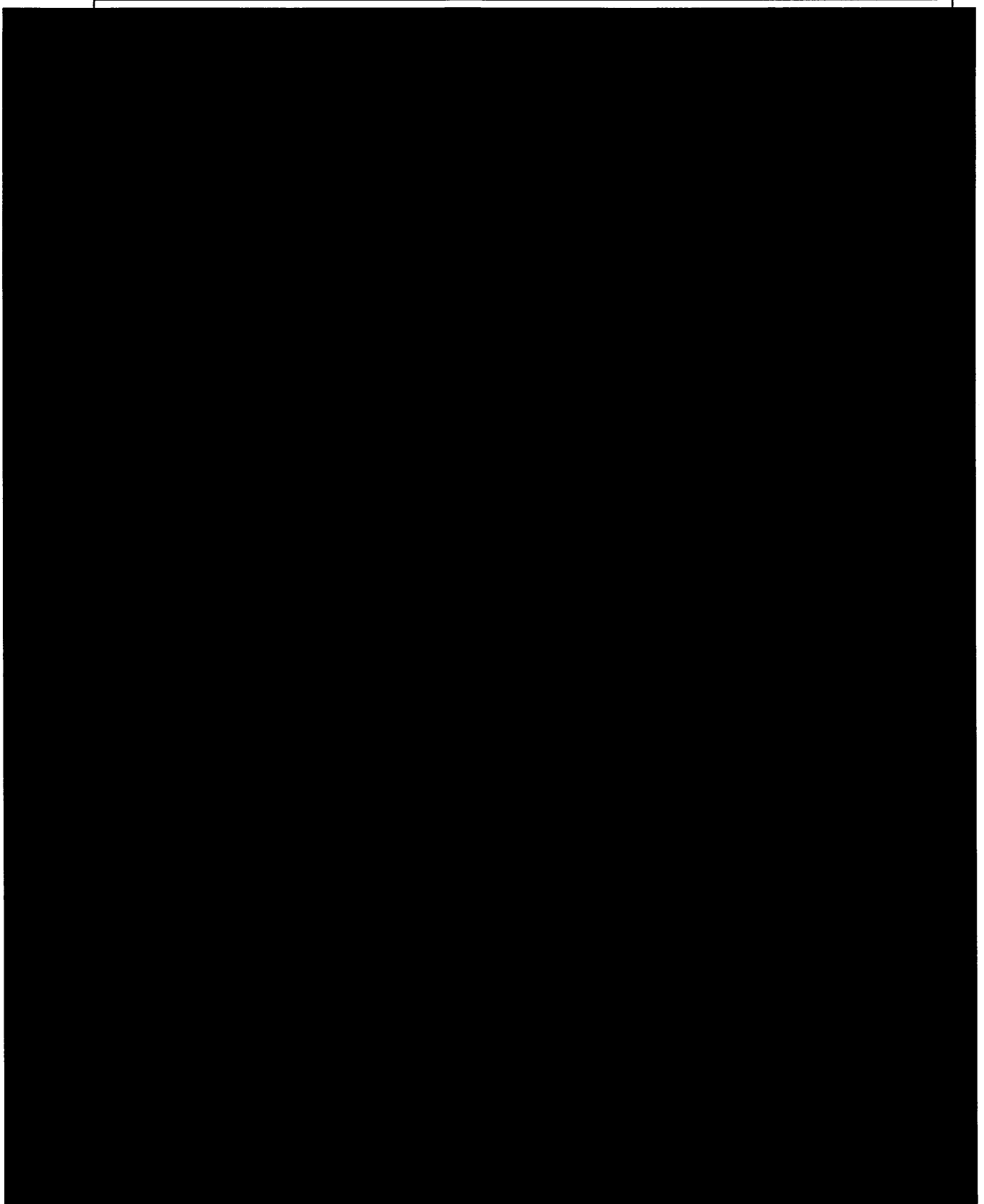


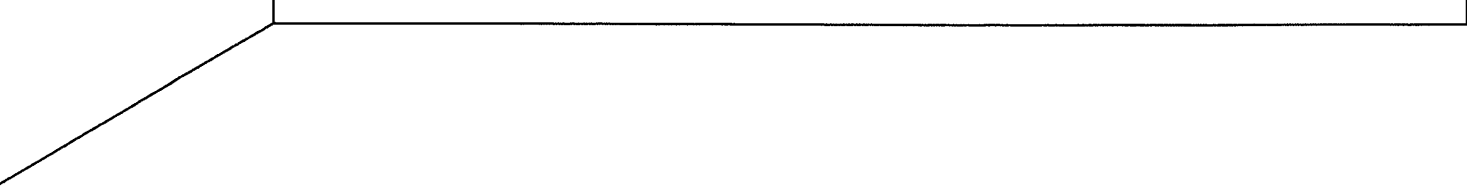
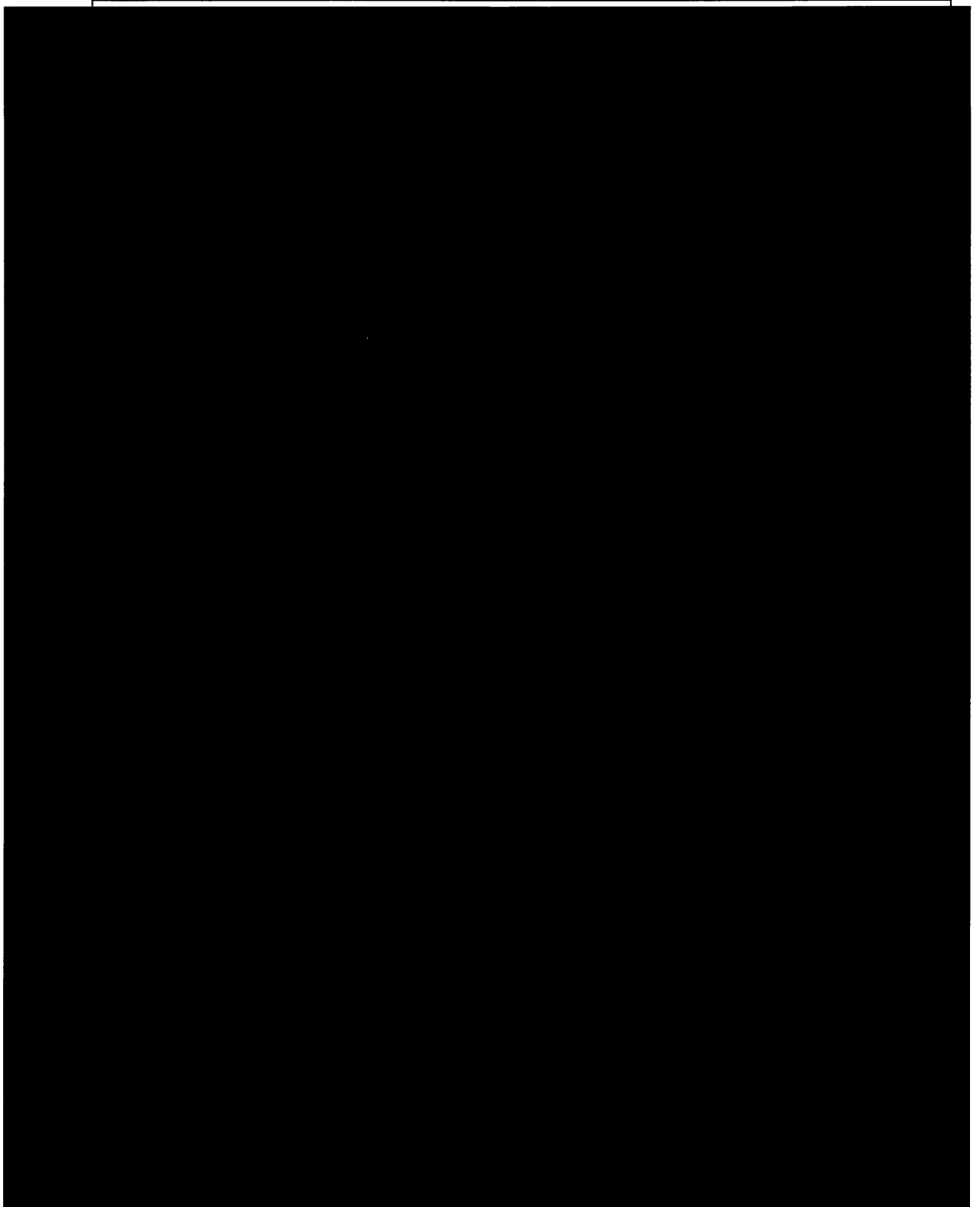


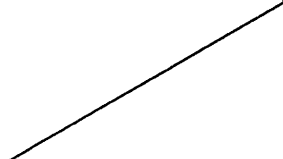
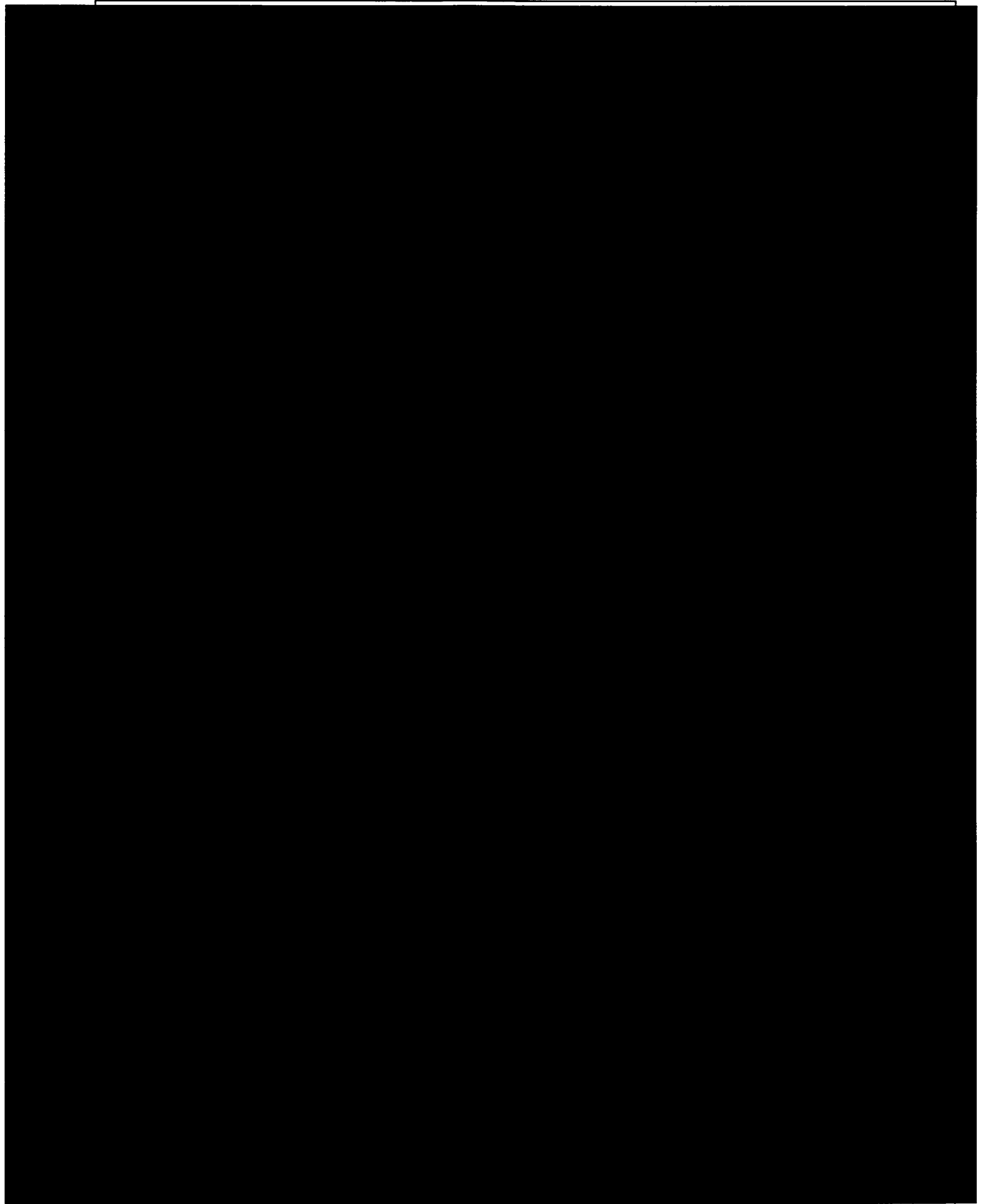


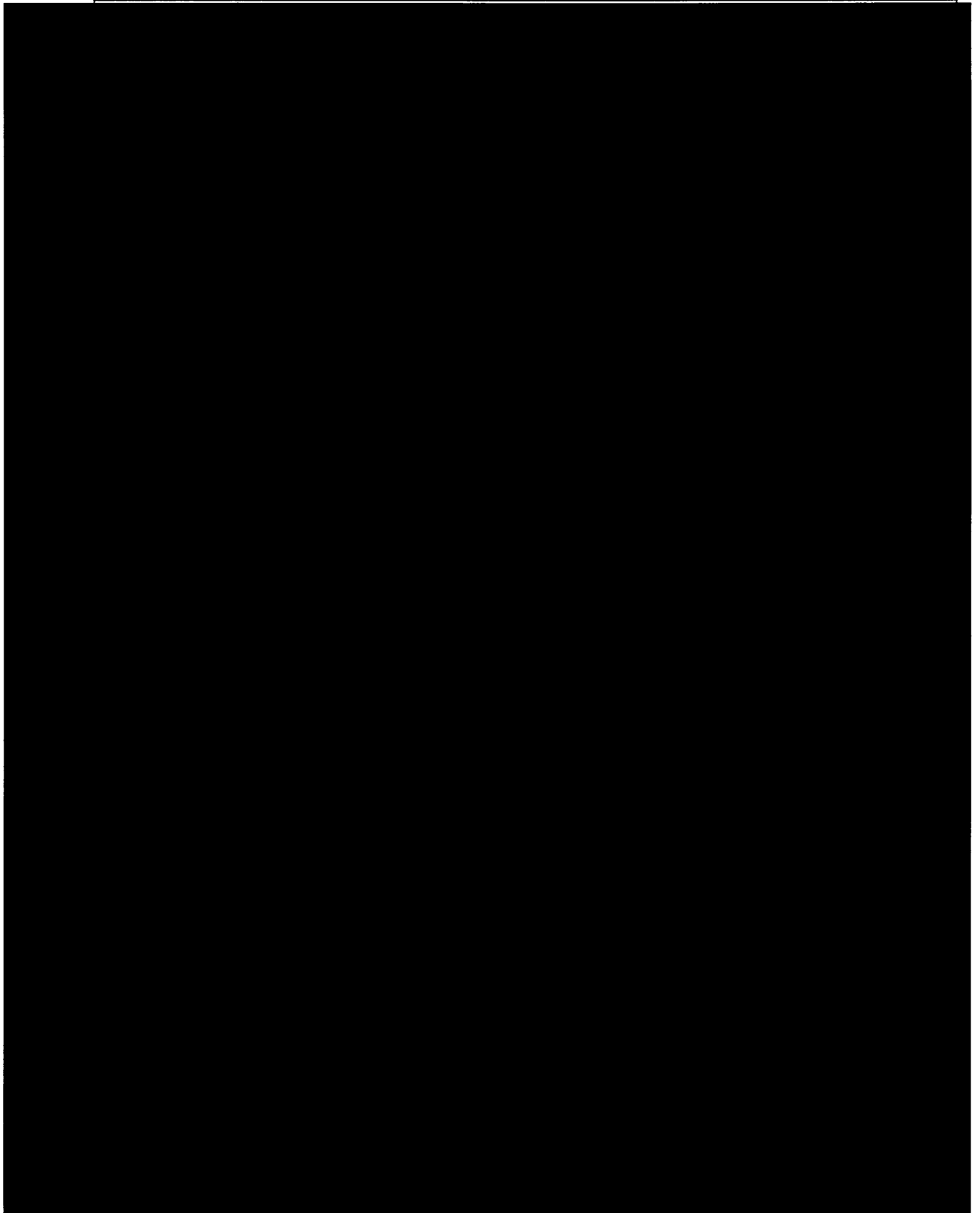












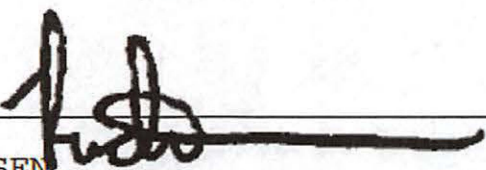
C E R T I F I C A T E

I, RICHARD GERMOSEN, Fellow of the
Academy of Professional Reporters, stenographic New
Jersey Certified Court Reporter, New Jersey Certified
Realtime Court Reporter, California Certified
Shorthand Reporter, California Certified Realtime
Reporter, NCRA Registered Diplomate Reporter, and
NCRA Certified Realtime Reporter, do hereby certify:

That FAIZ A. AHMAD, the witness whose
deposition is hereinbefore set forth, having been
duly sworn, and that such deposition is a true
record of the testimony of said witness.

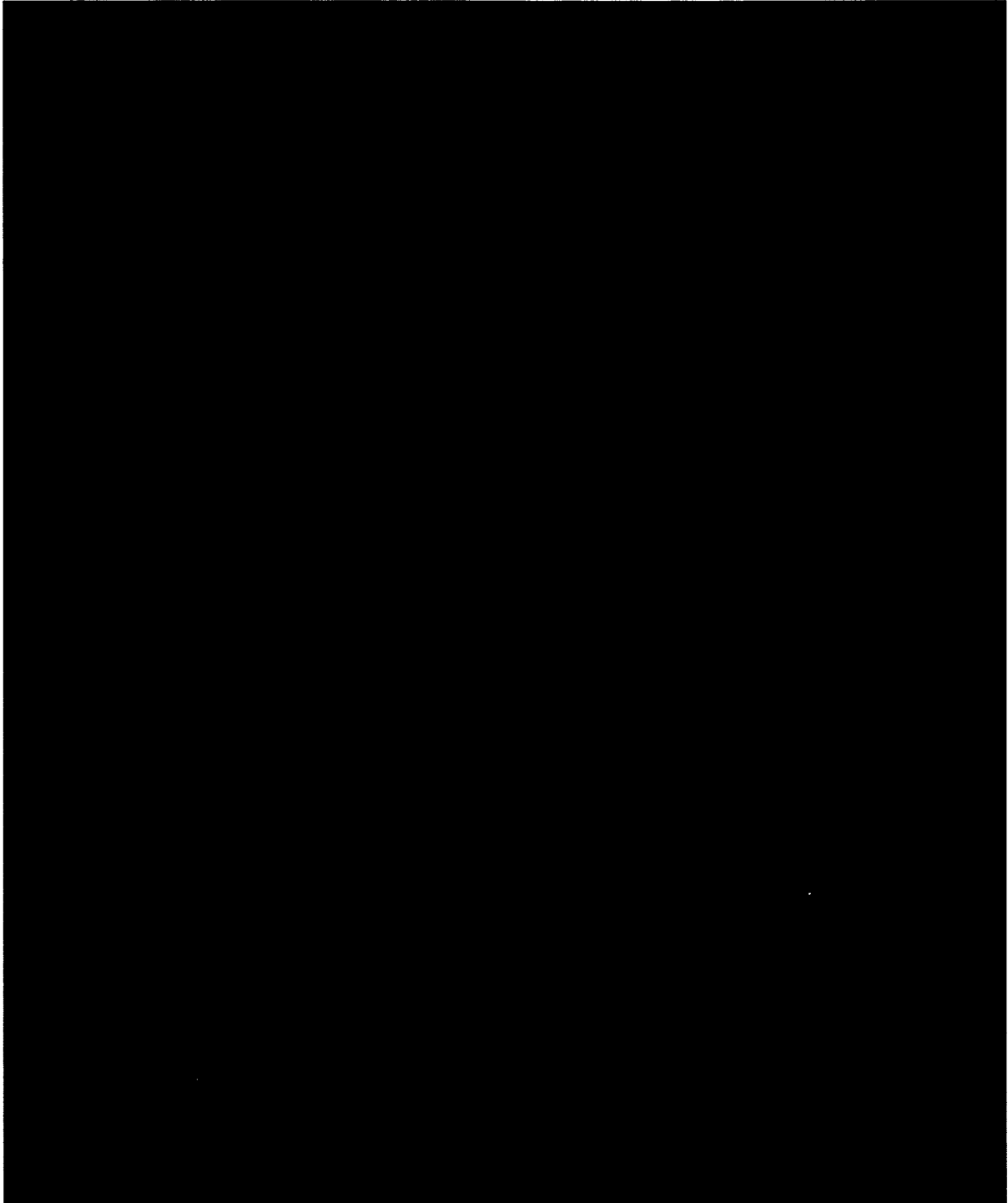
I further certify that I am not related
to any of the parties to this action by blood or
marriage, and that I am in no way interested in the
outcome of this matter.

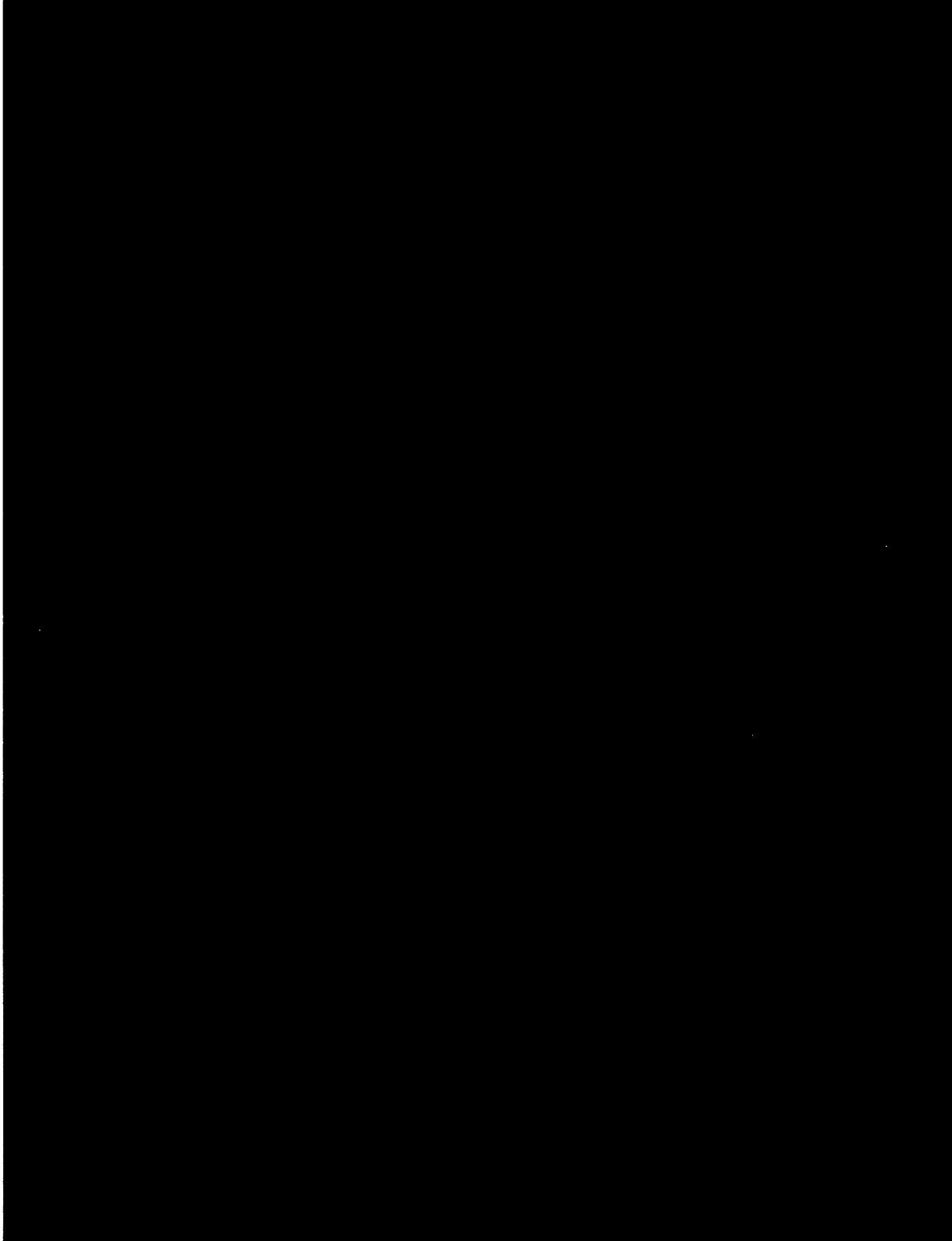
IN WITNESS WHEREOF, I have hereunto set
my hand this 3rd day of February 2025.

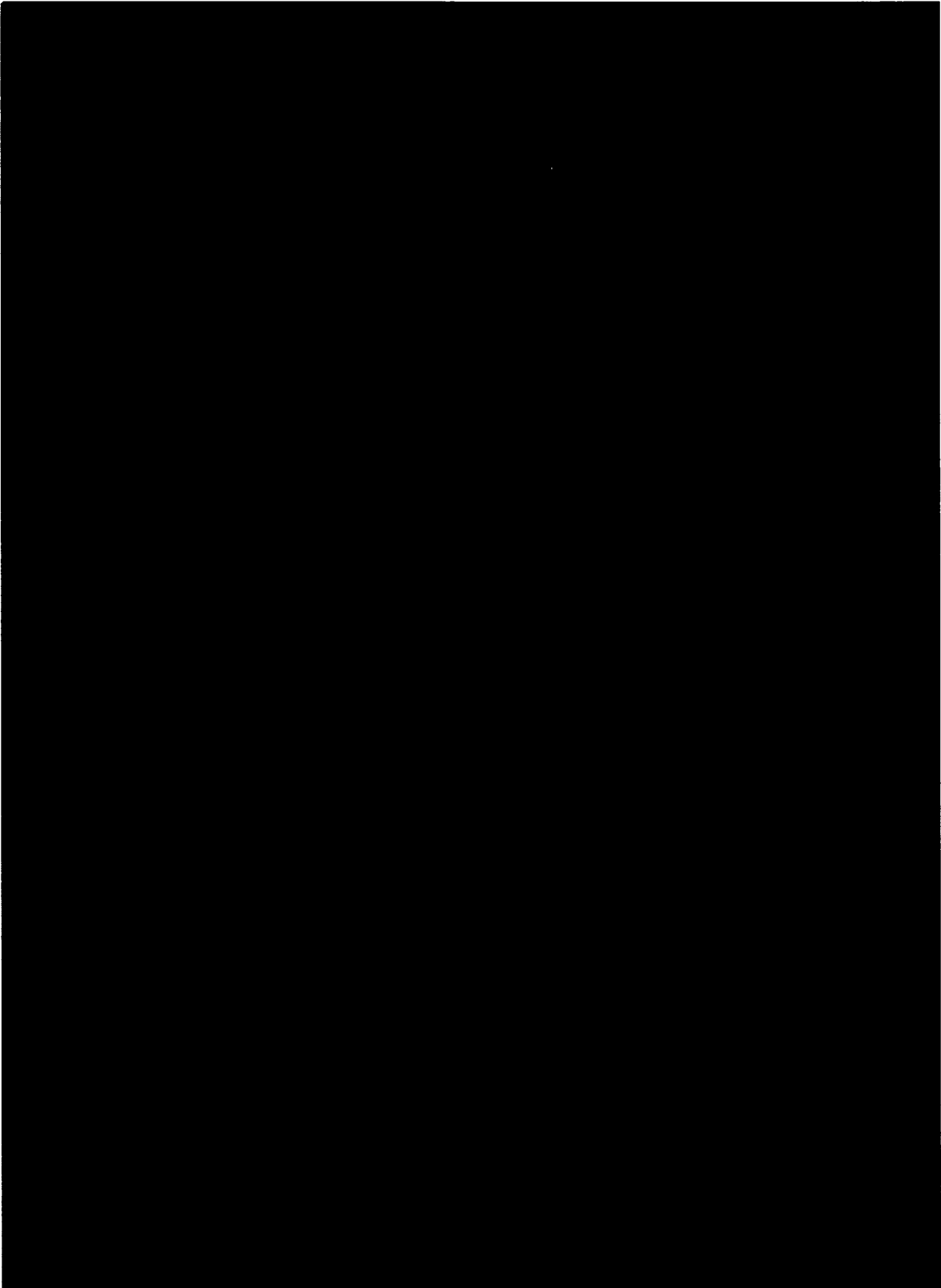


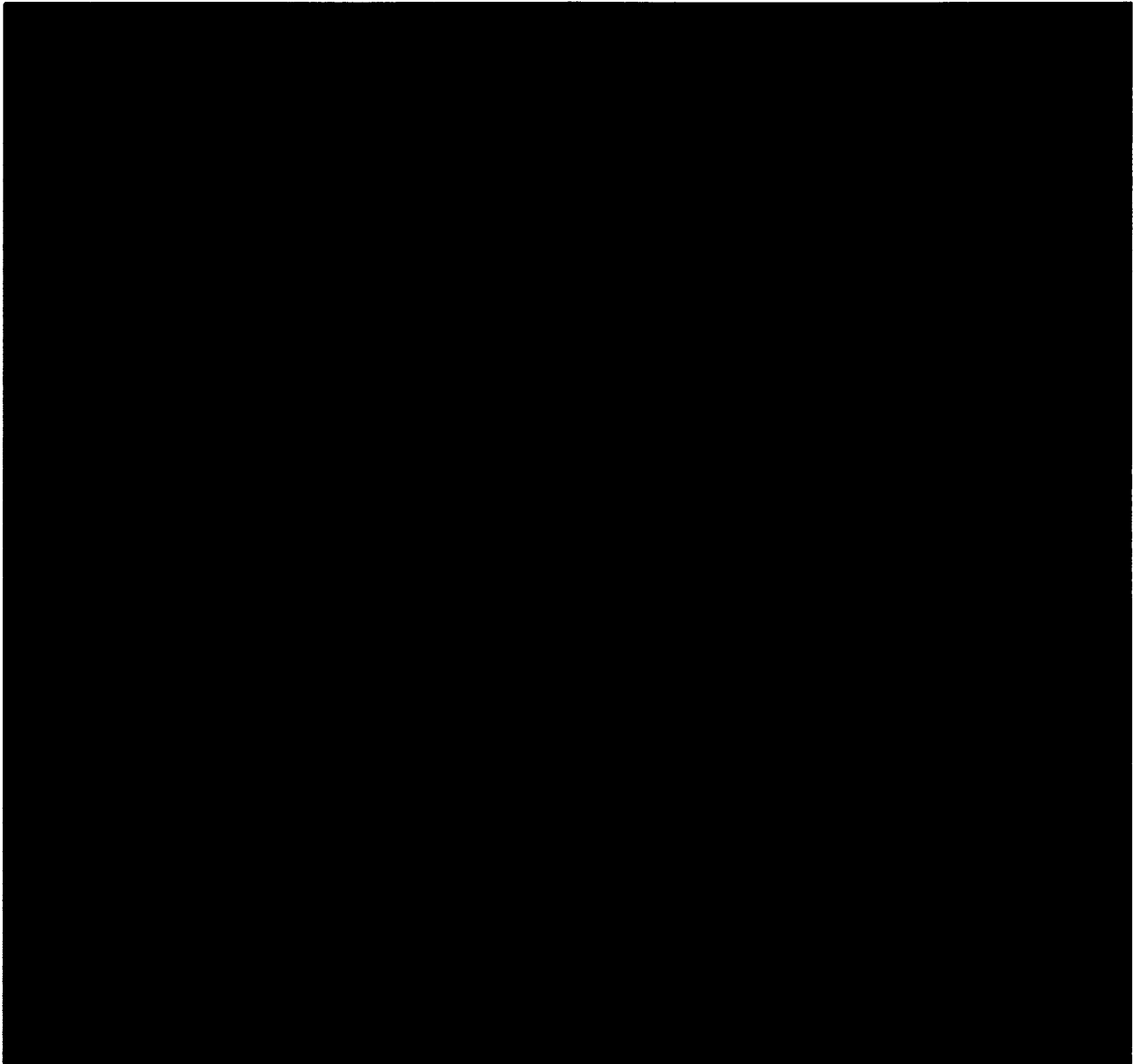
RICHARD GERMOSEN,
FAPR, RDR, CRR, CCR-NJ, CRCR, CSR-CA, CCRR-CA,
NYACR, NYRCR
LICENSE NO. 30XI00184700
LICENSE NO. 30XR00016800
California CSR No. 14391
California CRR No. 198

In re Bank of America California Unemployment Benefits Litigation
Case No. 3:21-MD-02992-LAB-MSB
Errata Sheet for January 29, 2025 Deposition of Faiz Ahmad



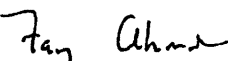






In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me. I have listed my changes on the above Errata Sheet, listing page and line numbers. I request that these changes be entered as part of the record of my testimony, and request and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

Executed this 6 th day of March, 2025.



Faiz Ahmad