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Roland Oosthuizen

In re Bank of America California
Unemployment Benefits Litigation

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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

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SAN DIEGO DIVISION

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IN RE: BANK OF AMERICA

) Case No.:

CALIFORNIA UNEMPLOYMENT BENEFITS

) 21-MD-02992-LAB-MSB

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LITIGATION

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This Document Relates to All

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VIDEOTAPED DEPOSITION OF ROLAND OOSTHUIZEN

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(Taken by Defendant.)

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March 29, 2024, 9:08 a.m.

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Job No. 10136935

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Reported By:

SUSAN GALLAGHER, CA CSR 14498, CVR-CM

Transcript produced by computer-aided transcription

Roland Oosthuizen

In re Bank of America California
Unemployment Benefits Litigation

APPEARANCES

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Also present: Karin Swope (appearing via Zoom)
Vasti Montiel (appearing via Zoom)
Fatima Hasenain (appearing via Zoom)
Virginia Selden McCorkle (appearing via Zoom)
Nicole Kim (appearing via Zoom)

Travis Simmons, videographer

VIDEOTAPED DEPOSITION OF ROLAND OOSTHUIZEN, a witness
called before SUSAN GALLAGHER, CA CSR 14498, CVR-CM, on Friday
the 29th of March, 2024, commencing at 9:08 a.m.

Roland Oosthuizen**In re Bank of America California
Unemployment Benefits Litigation****P R O C E E D I N G S**

THE VIDEOGRAPHER: Good morning. We are now on the record. Today's date is March 29, 2024, and the time is 9:08 a.m. This is the videotaped deposition of Roland Oosthuizen being taken in the matter of Bank of America California Unemployment Benefits Litigation, pending in the US District Court, Southern District of California, San Diego Division. The case number is 21-MD-02992-LAB-MSB. This deposition is taking place at 3200 Guasti Road in Ontario, California.

My name is Travis Simmons appearing from Aptus Court Reporting located at 401 West A Street, Suite 1680, San Diego, California 92101. I am 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 have agreed to go off.

Will counsel please identify yourselves and state whom you represent, starting with the noticing attorney.

MS. BRYN: Morning. My name is Laura Bryn. I'm with the firm Goodwin Procter and I represent defendant Bank of America.

MR. SHUCHART: Good morning. My name is Ethan Shuchart. I'm with Goodwin Procter and here for the defendant Bank of America.

MS. BASS: Good morning. My name is Katherine Bass. I'm with Altshuler Berzon, and I represent the class plaintiffs.

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1 MS. CHAN: Connie Chan also with Altshuler Berzon on behalf
2 of the class plaintiffs.

3 ROLAND OOSTHUIZEN,

4 Having been first duly sworn, was examined and testified as
5 follows:

6 EXAMINATION

7 BY MS. BRYS:

8 Q Good morning, Mr. Oosthuizen.

9 A Correct.

10 Q Thank you. I'm going to apologize in advance. I will
11 do my best to pronounce your name correctly.

12 Can you please state your full name for the record?

13 A My full name is Roland Evan Buster Oosthuizen.

14 Q Have you ever gone by any other names during your
15 lifetime?

16 A No.

17 Q Have you ever been deposed before?

18 A No.

19 Q Do you understand that your testimony is under oath
20 today as if we were in a court of law?

21 A Yes.

22 Q Is there any reason why you are unable to give your best
23 and true testimony here today?

24 A No.

25 Q I'm going to go over a few ground rules with you just

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1 MS. BASS: Objection. Vague.

2 THE WITNESS: I don't remember.

3 BY MS. BRYN:

4 Q Did you ever receive your EDD benefits by check?

5 A I don't remember.

6 Q Did you know who the card on which you would receive
7 benefits would be issued from?

8 MS. BASS: Objection. Vague.

9 THE WITNESS: As far as which bank?

10 BY MS. BRYN:

11 Q Correct.

12 A Yes.

13 Q And which bank was that?

14 A Bank of America.

15 Q Did you ever ask EDD if you could receive your benefits
16 in a form other than by card?

17 MS. BASS: Objection. Vague.

18 THE WITNESS: Not that I can remember.

19 BY MS. BRYN:

20 Q Has anyone else ever had access to your EDD account?

21 A No.

22 Q Did you ever access your EDD account on your computer?

23 A Yes.

24 Q Did anyone else ever have access to your computer?

25 MS. BASS: Objection. Vague.

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1 Q Did you take any notes during this call?

2 A Yes.

3 Q Where did you store those notes?

4 A At my mom's house in my room at the time.

5 Q Do -- did you give those notes to your lawyer to be
6 produced in this case?

7 A Yes.

8 Q What happened after you submitted your claim?

9 MS. BASS: Objection. Vague; time frame.

10 THE WITNESS: Shortly after I submitted the claim, I
11 received a letter in the mail saying that the claim had been
12 closed and did not provide any reasoning or explanation as to
13 why.

14 BY MS. BRYN:

15 Q Did you keep a copy of that letter?

16 A No.

17 Q After your claim was denied, did you attempt to contact
18 the bank regarding your claim?

19 A Yes.

20 Q Did you request reconsideration of your claim?

21 MS. BASS: Objection. Vague.

22 THE WITNESS: Yes.

23 BY MS. BRYN:

24 Q Do you recall when you requested reconsideration?

25 A I don't remember the exact date, but I remember it took

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1 a long time to get through to reach somebody and try to get
2 reconsideration.

3 Q Was your claim reconsidered?

4 MS. BASS: Objection. Vague; lacks foundation.

5 THE WITNESS: Yes.

6 BY MS. BRYS:

7 Q What was the outcome?

8 A Eventually it was approved after I filed a lawsuit.

9 Q Did you receive a letter notifying you that the claim
10 was paid?

11 MS. BASS: Objection. Time frame.

12 THE WITNESS: Yes.

13 BY MS. BRYS:

14 Q Do you know when you received that letter?

15 A Yes. The day after I filed a lawsuit.

16 Q How much money did you receive from the bank in
17 connection with your claim?

18 A They gave me back the 5,000 that was stolen.

19 Q So they gave you back the -- strike that.

20 Did you receive any additional payment from Bank of
21 America?

22 MS. BASS: Objection. Vague; time frame.

23 THE WITNESS: Yes.

24 BY MS. BRYS:

25 Q When did you receive an additional payment from Bank of

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1 CERTIFICATE OF REPORTER

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3 I, the undersigned, a Certified Shorthand
4 Reporter, Licensed by the State of California, being empowered to
5 administer oaths and affirmations, do hereby certify:

6 That the foregoing proceedings were taken before
7 me at the time and place herein set forth; that any witness in
8 the foregoing proceedings, prior to testifying, were placed under
9 oath; that a verbatim record of the proceedings was made by me
10 using voice stenography, which was thereafter transcribed under
11 my direction; further, that the foregoing is an accurate
12 transcription thereof.

13 I further certify that I'm neither financially
14 interested in the action nor a relative or employee of any
15 attorney or any of the parties.

16 Further, that if the foregoing pertains to the
17 original transcript of a deposition in a Federal Case, before
18 completion of the proceedings, review of the transcript [X] was
19 [] was not requested.

20 IN WITNESS WHEREOF, I have this date subscribed my
21 name.

22 DATED: April 15, 2024

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24 

25 _____
Susan Gallagher, CA CSR 14498, CVR-CM