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17 Attorneys for Defendant

18 **BANK OF AMERICA, N.A.**

19 [*ADDITIONAL COUNSEL LISTED IN SIGNATURE BLOCK*]

20 **UNITED STATES DISTRICT COURT**

21 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

22 **SAN DIEGO DIVISION**

23 IN RE: BANK OF AMERICA
24 CALIFORNIA UNEMPLOYMENT
25 BENEFITS LITIGATION

26 Case No. 21-MD-02992-GPC-MSB

27 **DECLARATION OF LINDSAY E.
28 HOYLE IN SUPPORT OF
DEFENDANT BANK OF AMERICA,
N.A.'S OPPOSITION TO PLAINTIFFS'
DAUBERT MOTION TO EXCLUDE
CERTAIN TESTIMONY OF VICTOR
STANGO**

Ctrm: 12A – 12th Floor

Judge: Hon. Gonzalo P. Curiel

FILED PROVISIONALLY UNDER SEAL
PURSUANT TO STIPULATED PROTECTIVE
ORDER

1 I, Lindsay E. Hoyle, state and declare as follows:

2 1. I am Counsel at Goodwin Procter LLP, and counsel of record for
3 Defendant Bank of America, N.A. ("BANA") in the above-captioned lawsuit.

4 2. I have personal knowledge of the facts set forth in this declaration, and
5 if called upon to do so, I could and would competently testify thereto.

6 3. I make this declaration in support of BANA's Opposition to Plaintiffs'
7 Daubert Motion to Exclude Certain Testimony of Victor Stango.

8 4. Attached hereto as **Exhibit 39.A** is a true and correct copy of excerpts
9 from the official transcript of BANA's deposition of Expert Greg Regan, taken on
10 May 19, 2025.

11 5. Attached hereto as **Exhibit 41** is a true and correct copy of the Expert
12 Report of Greg Regan, and appendices thereto, dated March 4, 2025.

13 6. Exhibit 41 references Schedule 1, a true and correct copy of which was
14 provided to BANA's counsel, which consists of Regan's summary of BANA's
15 Business Records as they pertain to [REDACTED]

16 [REDACTED] See HX 41 n.33. Attached hereto as **Exhibit 41.A** is a true and correct
17 copy of an illustrative version of Schedule 1. The data contained in Schedule 1 has
18 not been modified, but the rows therein have been revised:

19 i. With dots to reflect the [REDACTED] class members ([REDACTED]%) who were
20 [REDACTED] of making an unauthorized transaction claim;

21 ii. In green to reflect the [REDACTED] class members ([REDACTED]%) who were [REDACTED]
22 [REDACTED] the Preliminary Injunction was entered on June 9,
23 2021; and

24 iii. With bold black outlines to reflect the [REDACTED] class members
25 ([REDACTED]%) who were [REDACTED] the Consent Order was entered
26 on July 14, 2022.

27 The [REDACTED] class members ([REDACTED]%) who were [REDACTED] the Consent Order was entered
28 on July 14, 2022 remain in original.

