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REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED PURSUANT TO STIPULATED PROTECTIVE ORDER

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN DIEGO DIVISION

- - -

IN RE: BANK OF AMERICA : CASE NO.
CALIFORNIA UNEMPLOYMENT : 21-MD-02992-GPC-MSB
BENEFITS LITIGATION :
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Oral deposition of JAY MINNUCCI, taken pursuant to Notice, held at Goodwin Proctor LLP, 3025 John F. Kennedy Boulevard, 8th Floor, Philadelphia, Pennsylvania 19104, beginning at approximately 9:30 a.m., before Mary Hammond, a Certified Shorthand Reporter and Notary Public in the state of Pennsylvania, April 23, 2025.

JOB No. 7288941

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clients that I -- you know, that I wouldn't necessarily call consulting, but they would ask a question.

I've always told my clients, "Look, you got to" -- "you need an hour of my time" -- if it's a past client, that's -- it comes free of charge, you know, so I'll answer their questions. So if I included those, it would be a fair bit more.

Q. Do you recall which clients specifically to the extent you're able to say that you consulted with during that time period, March 2020 through the end of 2020?

A. Well -- well, I have non-disclosure agreements, so I can't say who.

Q. Generally, can you say what industries they were in?

A. I spoke with people in property and casualty insurance companies, utilities, the -- the telecom providers, mobile network operators, I guess, would be a greater description.

Q. Okay.

Any large Bank's -- Bank's or

financial institutions, like Bank of America, during that time period, March 2020 through the end of 2020?

A. During that time period, I don't recall that, no.

Q. Okay.

Do you know or recall approximately how large those six to eight call centers that you may have consulted with in March 2020 through the end of 2020 were in terms of FTEs, Full Time Equivalents?

A. Sure.

Most -- most all of them were in the hundreds. I don't think any were over a thousand. And that's combined. It includes, you know, various call centers, some of which include claim call centers in those as well.

Q. What types of claims?

A. Well --

Q. Property casualty claims?

A. But in this -- in this case, it would have been property casualty claims. That industry utilizes what they call First Notice Of Laws, FNOL, call centers that teams, and, so, had to do some ramping up and had to consider strategies to get them through what could have amounted to a one-week, a two-week, possibly even a four-week period to stabilize the volume -- to -- to stabilize performance as their capacity caught up and -- and their volume level down.

Q. Okay.

And did any of those call centers already have any work-from-home arrangements in place for -- for some or all of their -- their Customer Service Representatives?

A. Yeah.

If memory serves me correctly, all of them did. You know, by 2020 it was fairly common to at least have some people at home, but that doesn't necessarily mean 100 percent. You know, there were a few call centers that had 100 percent, but they were more the exception at that time than the norm. It was somewhat smaller than 100 percent.

Q. Do you know if that was common in

2020 for financial institutions or regulated -- regulated Bank's, like Bank of America?

A. Well, I know certainly some financial institutions -- it depends, you know, what you put in under financial institutions, but, you know, 401K operators, and organizations like that, I know had some work-from-home people.

Q. How about -- how about national banks, like -- like Bank of America?

A. Well, again, I -- during that time period, I -- I did not speak to any clients that were in the banking field. I spoke to clients in, you know, related industries, insurance, and those types of financial organizations.

Q. Okay.

So turning back to -- to the extent any of your clients had call volume spikes, how -- do you recall how large and how extended those call volumes spikes were, can you give us by days, weeks, months?

A. So it varied. I know one client

that.

Q. Sure.

Have you ever consulted for a client whose call center experienced a 30 or X increase in call volume and over the course of weeks or -- or months?

MR. JONES: Objection. Vague.

THE WITNESS: So the only situation that might fit that is if I was in a call center that had just started up. So I -- the answer is probably, but I -- but I can't -- I can't recall one at this point in time.

I know I've dealt with people that really had no known -- had no way of knowing, you know, how many calls may be arriving, so we'd have to get creative on determining what the workforce planning strategy should be.

MR. RIFFEE: Okay.

BY MR. RIFFEE:

Q. But you haven't consulted with or

worked with a call center -- an existing call center that experienced a 30 to 40 X increase in call volume over the span of weeks or months, correct?

MR. JONES: Objection. Vague.

THE WITNESS: Yeah, I -- I believe that to be correct.

BY MR. RIFFEE:

Q. To your knowledge, had you ever managed -- or, I'm sorry.

To your knowledge, have you ever consulted with a client whose call center was specifically being targeted by criminals or fraudsters?

MR. JONES: Objection. Vague.

THE WITNESS: Yeah, I think many of the call centers I've consulted with have -- have to deal with criminals and -- and fraudsters.

BY MR. RIFFEE:

Q. To your knowledge, have you ever consulted or worked with a client that over the course of -- of months or a year was

[redacted]

[redacted]

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

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I hereby certify that the witness was duly sworn in for this deposition matter by the Court Reporter.

Mary Hammond

April 23, 2025

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the Certified Shorthand Reporter.)

In re Bank of America California Unemployment Benefits Litigation
Case No. 3:21-MD-02992-LAB-GPC
Errata Sheet for April 23, 2025 Deposition of Jay Minnucci

Page #	Line #	Change From:	Change To:	Reason:
11	20	[redacted]	[redacted]	Transcription error
28	1	[redacted]	[redacted]	Transcription error
30	7	[redacted]	[redacted]	Transcription error
30	12	[redacted]	[redacted]	Conform to facts
30	21	[redacted]	[redacted]	Transcription error
38	22	[redacted]	[redacted]	Transcription error
44	7-8	[redacted]	[redacted]	Clarification
50	8	[redacted]	[redacted]	Transcription error/clarification
51	1	[redacted]	[redacted]	Transcription error
56	5	[redacted]	[redacted]	Clarification
60	21	"would be a greater"	"would be a better"	Transcription error/clarification
61	24	"Notice of Laws"	"Notice of Loss"	Transcription Error
62	11	"cueing"	"queuing"	Transcription Error
62	21	"need a brown"	"need a loan"	Transcription error
73	11	"financiality"	"under confidentiality"	Transcription Error
93	23	"keep calls down"	"keep costs down"	Transcription error/clarification
118	4	"Idelta"	"I had"	Transcription Error
120	3	"four cases lived here"	"four cases listed here"	Transcription Error
123	5	"Dilbert"	"Daubert"	Transcription Error
140	13	[redacted]	[redacted]	Conform to facts
145	15	[redacted]	[redacted]	Clarification
146	16	[redacted]	[redacted]	Clarification
154	3	[redacted]	[redacted]	Clarification
155	11	[redacted]	[redacted]	Clarification
156	3	[redacted]	[redacted]	Conform to facts
163	23-24	[redacted]	[redacted]	Transcription error

Page #	Line #	Change From:	Change To:	Reason:
180	8-11	[redacted]	[redacted]	Clarification
188	21-24	[redacted]	[redacted]	Clarification
192	9	[redacted]	[redacted]	Transcription Error
201	24	[redacted]	[redacted]	Transcription error/clarification
216	2	"PNC"	"P-and-C"	Transcription error
216	11	"PNC"	"P-and-C"	Transcription error
232	7	[redacted]	[redacted]	Transcription error/clarification
237	24	[redacted]	[redacted]	Clarification
243	10	[redacted]	[redacted]	Clarification
258	11	[redacted]	[redacted]	Transcription error
260	14	[redacted]	[redacted]	Clarification
275	7	[redacted]	[redacted]	Clarification
281	4	[redacted]	[redacted]	Transcription error/clarification
330	2	[redacted]	[redacted]	Transcription error
344	5	[redacted]	[redacted]	Transcription error
354	18	[redacted]	[redacted]	Transcription Error
368	22	[redacted]	[redacted]	Clarification
375	12	[redacted]	[redacted]	Transcription Error
378	11	[redacted]	[redacted]	Transcription Error
378	15-16	[redacted]	[redacted]	Transcription Error

Page #	Line #	Change From:	Change To:	Reason:
379	8-9	[redacted]	[redacted]	Transcription Error
379	17	[redacted]	[redacted]	Transcription Error
380	6	[redacted]	[redacted]	Transcription Error
381	10	[redacted]	[redacted]	Transcription Error
392	23	[redacted]	[redacted]	Transcription Error
398	21	[redacted]	[redacted]	Transcription Error

In accordance with the Federal Rules of Civil Procedure, I have read the entire transcript of my testimony. I have listed my changes on the above errata sheet and the reasons for making them. I request that these changes be entered as part of the record of my testimony, and I request and authorize that this errata sheet be appended to the transcript of my testimony and be incorporated therein.

Jay Minnucci

July 3, 2025