EXHIBIT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

ERIC GREATHOUSE, individually and on behalf of all others similarly situated, *Plaintiff*, v. CAPITAL PLUS FINANCIAL, LLC and CROSSROADS SYSTEMS, INC., *Defendants*.	Civil Action No. 4:21-cv-1243-BRW

DECLARATION OF FARZANA GIGA

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Farzana Giga. I am over the age of 18 and competent to make this declaration, which is based on my personal knowledge.

2. I am the Chief Financial Officer of Capital Plus Financial, LLC ("CPF") and have served in that position since 2014. I am also the Chief Financial Officer of Crossroads Systems, Inc. ("Crossroads") and have served in that position since 2018.

3. As Chief Financial Officer for CPF and Crossroads, I am responsible for the overall planning and management of the companies' financial affairs.

4. For CPF, my responsibilities include administration, oversight, and management of Paycheck Protection Program ("PPP") lending.

5. CPF is a certified Community Development Financial Institution ("CDFI") serving the Hispanic community in Texas. CPF specializes in single-family residential mortgage lending in the Dallas, Fort Worth, Houston, and San Antonio markets. CDFIs are required to maintain certain registration statuses for compliance with federal and state regulations. CPF is registered

as a limited liability company (LLC) in Texas and is regulated pursuant to the laws of the state of Texas.

6. CPF is a limited liability company organized under the laws of the state of Texas, with its principal place of business at 2247 Central Drive, Bedford, Texas 76021. Since 2014, CPF has provided mortgage loans exclusively in Texas. CPF is not registered to transact business in Arkansas. CPF owns no property in Arkansas, maintains no offices in Arkansas, has no registered agent in Arkansas, has no employees residing in Arkansas, and has no operations in Arkansas.

7. In December 2017, CPF was acquired by Crossroads. Crossroads owns 100% interest in CPF. Crossroads is a corporation organized under the laws of Delaware, with its principal place of business at 4514 Cole Avenue, Suite 1600, Dallas, Texas 75205. Crossroads is not registered to transact business in Arkansas. Crossroads owns no property in Arkansas, maintains no offices in Arkansas, has no registered agent in Arkansas, has no employees residing in Arkansas, and has no operations in Arkansas.

8. In May 2020, the United States Small Business Administration ("SBA") permitted CDFI lenders to participate in PPP loans as part of the second round of funding. CPF applied to participate in this program, and in June 2020, was approved to act as a PPP lender by the SBA. CPF receives a lender fee from the SBA for funding PPP loans. All such fees from the SBA are, and have only ever been, received and processed by CPF in Texas. To access credit in order to fund PPP loans, CPF has borrowed money from the Paycheck Protection Program Lending Facility ("PPPLF"), which is administered by the Federal Reserve, and which CPF is ultimately required to repay. Advances from the PPPLF that CPF has received have only ever been received and processed by CPF in Texas.

9. In early 2021, CPF contracted with Blueacorn PPP, LLC ("Blueacorn"), a Phoenix, Arizona-based lender service provider, which was formed to connect prospective PPP borrowers with approved PPP lenders. Blueacorn also conducts advertising to prospective PPP borrowers. CPF has no involvement in or control over any of Blueacorn's advertising. CPF does not engage in any independent advertising regarding PPP lending. Crossroads, which is CPF's parent company, has no contractual relationship with Blueacorn, nor does it have any involvement in or control over Blueacorn's advertising. Crossroads does not engage in any of its own advertising regarding PPP lending either. Neither CPF nor Crossroads has ever conducted any advertising targeted to Arkansas residents or otherwise.

10. For loans that CPF funds, prospective borrowers prepare and submit their applications using Blueacorn's website, which provides an online portal for completing a PPP loan application. Once it receives a completed application, Blueacorn performs an initial check, designates a lender, and submits the application to the SBA for approval. Upon approval of the loan by the SBA, Blueacorn produces loan documents including the promissory note and sends to the borrower for execution. Blueacorn prepares the loan documents under the name of CPF. Upon receiving the prospective borrower's signed loan documentation and promissory note from Blueacorn, CPF may then fund the loan subject to CPF's own additional procedures and underwriting requirements. CPF's operations and personnel that underwrite loans, and make decisions related to funding loans, are located in Texas.

11. Blueacorn does not disclose CPF's identity to prospective borrowers during the PPP loan application or process. Nor does Blueacorn's website or advertising disclose CPF generally or otherwise indicate that CPF is a PPP lender to whom it may refer prospective borrowers. Rather, at the time Blueacorn sends a loan to the SBA, Blueacorn designates CPF (or

another entity) as the lender. A prospective borrower would have no contact with CPF, and would not even know that CPF is its potential lender, until the loan is approved by the SBA and he or she signs the promissory note and other loan agreement documentation, which identify CPF as the lender, and upon application of CPF's underwriting requirements to which payment of the loan is subject. Blueacorn, however, is responsible for transmitting this documentation from the lender to the borrower, and then back to the lender after the borrower has completed and signed it.

12. The PPP loan application submitted by Mr. Greathouse would have followed the above-described process. First, like all other borrowers connected to CPF by Blueacorn, Mr. Greathouse would have completed the PPP loan application and paperwork with Blueacorn. Blueacorn then submitted the application to the SBA, designating CPF as the lender. Mr. Greathouse would not have known his application was referred to CPF until the loan was processed by Blueacorn and approved by the SBA. CPF did not direct any communications, advertisements, or documents to Mr. Greathouse until after his loan was approved by the SBA and was in the process of being serviced and funded. CPF received Mr. Greathouse's signed promissory note and loan agreement documentation from Blueacorn. It was not until CPF received Mr. Greathouse's signed documents from Blueacorn that it made a decision regarding funding of the loan, based on its own underwriting requirements.

13. Neither during the above-described process nor at any other time did Crossroads have any contact with Mr. Greathouse. Crossroads did not direct any communications, advertisements, or documents to Mr. Greathouse, and Crossroads is neither a party to or in any way referenced in Mr. Greathouse's promissory note or CPF's loan documentation.

I declare under penalty of perjury that the foregoing is true and correct.

Date: February 24, 2022

Farzana Giga