

EXHIBIT 1

Marshall, et al., v. Prestamos CDFI, LLC**No. 5:21-cv-04337-JMG (E.D. Pa)****I. STATUS OF DISCOVERY REQUESTS BY DEFENDANT PRESTAMOS CDFI, LLC ON PLAINTIFFS****A. COMPLETED DISCOVERY**

None.

B. OUTSTANDING DISCOVERY**1. Prestamos's First Requests for Production** (directed to each of the eleven (11) *Marshall* Plaintiffs)¹

Summary of RFPs (39):	Nos.	Produced	Outstanding	Completed
Served: July 21, 2023		232 Documents (133 on Oct. 31, 2023 and 99 on Feb. 2, 2024).	Plaintiffs produced no documents responsive to 28 out of 39 RFPs.	No
Business documents	1 and 2	None.	Documents showing ownership of businesses identified in loan documents for all Plaintiffs.	No
			Documents showing state, federal, or local licenses, permits, or certifications held by businesses of all Plaintiffs.	No
Financial documents	17, 21, 22, 23, 24, 25,	None.	Documents showing financial operations of businesses, including profits and losses, balance sheets,	No

¹ On July 21, 2023, *Marshall* Plaintiffs included: A. Marshall, D. Pronsky, P. Townsend, N. Holland, L. Owsley, K. Ahmadou, K. Dervin, K. Henderson, D. Innis, K. Stalnaker, and J. Jones. *See Marshall et al., v. Prestamos CDFI, LLC*, No. 5:21-cv-04337, Second Am. Compl., ECF No. 42.

	26, 27, and 28		bank statements, etc., for all Plaintiffs.	
			Documents relating to business expenditures that served as basis of all Plaintiffs' PPP loan applications.	No
			Documents relating to any loans, cash advances, sales of accounts receivable or other financial products after submission of PPP loan applications for all Plaintiffs.	No
			Documents relating to the impact of COVID-19 on the operations and financial condition of all Plaintiffs' businesses.	No
Tax returns (federal and state)	3, 4, and 10	Partial tax returns for 1 Plaintiff.	Complete federal and state tax returns for all Plaintiffs.	Partial
Plaintiffs' communications	5, 6, 7, 8, 9, 12, and 13	Communications with Prestamos, SBA and other parties for 10 Plaintiffs.	Communications relating to PPP loans for all Plaintiffs, and confirmation by Plaintiffs all responsive communications have been produced.	Partial
Evidence of damages	31 and 34	None.	Documents relating to purported damages caused by Prestamos for all Plaintiffs.	No
Plaintiffs' benefits	11	Communications for 1 Plaintiff regarding receipt of benefits.	Documents showing unemployment, disability, retirement, or worker's compensation for 10 of 11 Plaintiffs.	Partial

Allegations of failure to fund	29 and 30	None.	Documents relating to allegations that Prestamos failed to fund PPP loans for all 11 Plaintiffs.	No
Loan documents	14, 15, 16, 18, and 19	Documents related to funding of PPP loan for 5 of 11 Plaintiffs.	Documents relating to deposit of PPP loan funds into designated financial accounts for 6 of 11 Plaintiffs.	Partial
			Documents relating to their interpretation of the “Release of Lender Paragraph” for all Plaintiffs.	No
			Documents showing eligibility for PPP loans and documents that were submitted as part of the applications for all Plaintiffs.	No

2. **Prestamos’s First Interrogatories** (directed to each of the eleven (11) *Marshall* Plaintiffs)²

Summary of ROGs (19):	Nos.	Response	Outstanding	Completed
Served: July 21, 2023		Responses and Objections: Aug. 28, 2023.	Plaintiffs have not verified Responses.	No
Description of businesses	1, 2, 3, 4, and 9	Description of 10 of 11 Plaintiffs’ businesses.	Identity of trade names, addresses, and number of employees for businesses of all 11 Plaintiffs.	Partial
		Phone numbers, email addresses, and social media information for 2 of 11 Plaintiff businesses.	Phone numbers, email addresses, and social media information for 9 of 11 Plaintiff businesses.	Partial
		Identified 3 Plaintiff businesses that were not required to hold licenses.	Confirmation of the existence of business licenses, permits, and	Partial

² See *Supra* Note 1 for list of Plaintiffs.

			certificates for 8 of 11 Plaintiff businesses.	
		Plaintiffs would respond pursuant to Rule 33(d).	Amounts of business expenditures for all 11 Plaintiffs.	No
			Accounting of expenses, including amounts to which each Plaintiff would have applied PPP loan funds.	No
Identification of other jobs	5	Identified full-time occupations for 2 Plaintiffs and would further respond pursuant to Rule 33(d).	Identity of jobs held outside of businesses underlying PPP loan applications for 9 of 11 Plaintiffs.	Partial
Persons consulted regarding PPP loan and substance of communications	6, 7, and 8	Plaintiffs are not aware of responsive information or would respond pursuant to Rule 33(d).	Confirmation Plaintiffs have no information responsive to Requests for identity of Persons Plaintiffs communicated with regarding PPP loan applications, documents, or their interpretation of the “Release of Lender Paragraph.”	No
Identification of financial accounts	10	Plaintiffs identified bank accounts for 3 Plaintiffs and would further respond pursuant to Rule 33(d).	Identity of financial institutions maintained by 8 of 11 Plaintiffs.	Partial
Information related to PPP application and funding (11, 12, 13, 14, 15, 16)	11, 12, 13, 14, 15, and 16	Identified financial institutions designated by 3 Plaintiffs for the disbursement of PPP loan funds and would respond pursuant to Rule 33(d).	Identity of financial institutions designated by 8 of 11 Plaintiffs for the disbursement of PPP loan funds.	Partial
		Limited descriptions of discussions regarding PPP loans and that Plaintiffs are not otherwise aware of other responsive information.	Confirmation that Plaintiffs have no information responsive to Request for efforts to modify method of loan funding, or had any communications regarding the same.	Partial

Identification of damages	17	Plaintiffs are not aware of responsive information.	Confirmation Plaintiffs have no responsive information to Request for amount of damages each Plaintiff attributes to Prestamos.	No
Identification of funding efforts	18	Detailed 1 Plaintiff's funding efforts and that 4 other Plaintiffs made no attempt. Plaintiffs would further respond pursuant to Rule 33(d).	Confirmation Plaintiffs have no responsive information to Request for description of loans, cash advances, financial arrangements, etc., 6 of 11 Plaintiffs obtained or attempted to obtain.	Partial
Identification of benefits	19	Identified, generally, that 2 Plaintiffs received Pandemic Unemployment Assistance from their respective state.	Identification of benefits received by all Plaintiffs including amounts, duration, and reasons.	Partial

3. **Prestamos's First Requests for Production** (directed to each of the seven (7) *Drevnak* Plaintiffs)³

Summary of RFPs (39):	Nos.	Produced	Outstanding	Completed
Served: Dec. 29, 2023		Plaintiffs have produced no documents.	All responsive documents are outstanding.	No
Business documents		None.	Documents showing ownership of businesses identified in loan documents by all Plaintiffs.	No
			Documents showing state, federal, or local, licenses, permits, or certifications held by businesses of all Plaintiffs.	No

³ On December 29, 2023, *Drevnak* Plaintiffs included: G. Drevnak, J. Martin, K. Loyd, E. Beattie, G. Lloyd, A. Johnson, and L. Marvel. *See Drevnak, et al. v. Prestamos CDFI, LLC*, No. 5:23-cv-2777, Compl., ECF No. 1.

Financial documents		None.	Documents showing financial operations of business, including profits and losses, balance sheets, bank statements, etc., for all Plaintiffs.	No
			Documents relating to business expenditures that served as basis of all Plaintiffs' PPP loan applications.	No
			Documents relating to any loans, cash advances, sales of accounts receivable or other financial products after submission of PPP loan applications for all Plaintiffs.	No
			Documents relating to the impact of COVID-19 on the operations and financial condition of all Plaintiffs' businesses.	No
Tax returns (federal and state)		None.	Complete federal and state tax returns for all Plaintiffs.	No
Plaintiffs' communications		None.	All Plaintiffs' communications relating to PPP loans and confirmation by Plaintiffs all responsive communications have been produced.	No
Evidence of damages		None.	Documents relating to purported damages caused by Prestamos for all Plaintiffs.	No
Plaintiffs' benefits		None.	Documents showing unemployment, disability, retirement, or worker's compensation received for all Plaintiffs.	No

Allegations of failure to fund		None.	Documents relating to allegations that Prestamos failed to fund PPP loans for all Plaintiffs.	No
Loan documents	14, 15, 16, 18, and 19	None.	Documents relating to deposit of PPP loan funds into designated financial accounts for 6 of 11 Plaintiffs.	No
			Documents relating to their interpretation of the “Release of Lender Paragraph” for all Plaintiffs.	No
			Documents showing eligibility for PPP loans and that all documents were submitted as part of the applications for all Plaintiffs	No

4. Prestamos’s First Interrogatories (directed to each of the seven (7) *Drevnak* Plaintiffs)⁴

Summary of ROGs (19):	Nos.	Response	Outstanding	Completed
Served: Dec 29, 2023		Response and Objections: Feb. 8, 2024.	Plaintiffs have not verified Responses.	No
Description of businesses	1, 2, 3, 4, and 9	Description of 6 of 6 Plaintiff businesses.	Identity of trade names and addresses for 3 of 6 Plaintiff businesses.	Partial
		Identified 2 Plaintiff businesses that were not required to hold licenses.	Confirmation of the existence of business licenses, permits, or certificates for 5 of 6 Plaintiff businesses.	Partial

⁴ See *Supra* Note 3 for list of Plaintiffs.

		Phone numbers, email addresses, and social media information for 2 of 6 Plaintiff businesses.	Phone numbers, email addresses, and social media information for 4 of 6 Plaintiff businesses.	Partial
		Identified one expense for 1 of 6 Plaintiffs.	Amounts of business expenditures for 5 of 6 Plaintiffs.	Partial
			Accounting of expenses, including amounts to which each Plaintiff would have applied PPP loan funds.	No
Identification of other jobs	5	Identified full-time occupation for 1 Plaintiff.	Identity of jobs held outside of businesses underlying PPP loan applications for 5 of 6 Plaintiffs.	Partial
Persons consulted regarding PPP loan and substance of communications	6, 7, and 8	Identified the communications of 2 Plaintiffs and would further respond pursuant to Rule 33(d).	Communications and identities of Persons 4 of 6 Plaintiffs consulted regarding PPP loan applications, documents, or their interpretation of the "Release of Lender Paragraph."	Partial
Identification of financial accounts	10	Identified financial institutions for 2 Plaintiffs (name only).	Identity of financial institutions and account information maintained by 6 of 6 Plaintiffs.	Partial
Information related to PPP application and funding (11, 12, 13, 14, 15, 16)	11, 12, 13, 14, 15, and 16	Identified financial institutions designated by 3 Plaintiffs for the disbursement of PPP loan funds.	Identity of financial institutions designated by 8 of 11 Plaintiffs for the disbursement of PPP loan funds.	Partial
		Limited descriptions of discussions regarding PPP loans and that Plaintiffs are not otherwise aware of other responsive information.	Confirmation that Plaintiffs have no information responsive to Request for efforts to modify method of loan funding, or had any communications regarding the same.	Partial
Identification of damages	17	Plaintiffs are not otherwise aware of responsive information.	Identity of category and dollar amounts of all damages Plaintiffs attribute to Prestamos.	No

Identification of funding efforts	18	Detailed 2 Plaintiffs funding efforts.	Description of loans, cash advances, financial arrangements, etc., for 4 of 6 Plaintiffs obtained or attempted to obtain.	Partial
Identification of benefits programs	19	Identified 1 Plaintiff that did not receive benefits.	Identification of benefits received by 5 of 6 Plaintiffs including amounts, duration, and reasons.	Partial

5. **Prestamos's Second Requests for Production** (directed to each of the seven (18) *Marshall* and *Drevnak* Plaintiffs)

Summary of RFPs (4):	Nos.	Produced	Outstanding	Completed
Served: Apr. 9, 2024		Response and Objections: May 9, 2024.	All responsive documents are outstanding.	No
Communications with Government Agency	1	None.	Documents and communications with any Government Agency regarding alleged wrongdoing by Prestamos for all Plaintiffs.	No
Meetings or Discussion with Government Agency	2	None.	Documents and communications concerning meetings or discussions with any Government Agency relating to alleged wrongdoing by Prestamos for all Plaintiffs.	No
Document relied on in 2nd Set of ROGs	3	None.	Documents reviewed or relied upon in completing Second Set of Interrogatories for all Plaintiffs.	No

Engagement Letters	4	None.	Engagement letters with Bailey & Glasser LLP or Nolan Heller Kauffman LLP by all Plaintiffs.	No
--------------------	---	-------	--	----

6. **Prestamos's Second Interrogatories** (directed to each of the seven (18) *Marshall* and *Drevnak* Plaintiffs)

Summary of ROGs (2):	Nos.	Response	Outstanding	Completed
Served: Apr. 9, 2024		Response and Objections: May 9, 2024.	Plaintiffs have not verified Responses.	No
Government Agency	1	Certain Plaintiffs have communicated with SBA and those discussions have been produced.	Description of any reports to, or discussions with, Government Agencies regarding alleged wrongdoing by Prestamos for all Plaintiffs.	No
Engagement	2	No Plaintiff has engaged legal counsel in connection with other matters that relate to Prestamos or PPP lending.	None.	Yes

C. ANTICIPATED DISCOVERY**1. Prestamos's Depositions of Plaintiffs** (directed to each of the 21 *Marshall* Plaintiffs)

Summary of ROGs (2):	Response	Outstanding	Completed
Served: May 3, 2024	Plaintiffs have not responded.	Not applicable.	No
Plaintiffs Noticed for Depositions	None	Plaintiffs have been noticed for depositions beginning on May 28, 2024 and continuing through June 24, 2024.	No

II. STATUS OF DISCOVERY REQUESTS BY DEFENDANT PRESTAMOS CDFI, LLC ON THIRD PARTIES

Ba Fin, PPP, LLC d/b/a Blueacorn

Evolve Bank & Trust

Dave Inc.

Plaintiffs' Financial Institutions

A. COMPLETED DISCOVERY

None.

B. OUTSTANDING DISCOVERY**1. Prestamos's Third-Party Subpoena to Produce Documents** (directed to BA Fin, PPP, LLC d/b/a Blueacorn)

Summary of Document Requests (15):	Nos.	Response	Outstanding	Completed
Served: Feb. 20, 2024		Responses and Objections: Mar. 19, 2024	All responsive documents are outstanding.	No
On Apr. 10, 2024, the parties met and conferred. Blueacorn agreed to reconsider some of its objections and to produce responsive documents. On May 9, 2024, Prestamos served Blueacorn with a subpoena to compel its appearance at the May 23, 2024 hearing. Blueacorn advised it was continuing to process responsive documents.				
PPP documents	1, 2, 3, and 4	Blueacorn agreed to produce communications regarding loans Plaintiffs claim were not funded.	Documents concerning PPP-related Communications with Blueacorn, Prestamos, the SBA, other entities, or Borrowers, and all Plaintiffs.	No
Borrower documents	5, 6, and 13	Blueacorn agreed to produce documents and communications regarding loans Plaintiffs claim were not funded.	Documents relating to modification of the PPP loan funding method.	No
			Documents concerning PPP applications and any subsequent submissions by Plaintiffs. ⁵	No
			Documents relating to Blueacorn's intake process and employee training.	No
Audit documents	9 and 10	Blueacorn stated it will not produce documents responsive to these Requests.	Documents reflecting agreements with external auditors concerning Blueacorn's participation in the PPP loan program.	No

⁵ These Plaintiffs include: A. Marshall, D. Pronskey, P. Townsend, N. Holland, L. Owsley, K. Ahmadou, K. Dervin, K. Henderson, D. Innis, K. Stalnaker, J. Jones, G. Drevnak, J. Martin, K. Loyd, E. Beattie, G. Lloyd, A. Johnson, L. Marvel.

			Reports, summaries, and findings from internal or external auditors concerning Blueacorn's participation in the PPP loan program.	No
Organizational documents	7, 8, and 11	Blueacorn agreed to produce documents regarding its corporate structure and marketing efforts.	Documents relating to Blueacorn's corporate structure.	No
			Documents reflecting Blueacorn officers, directors or employees with knowledge relating to borrowers' PPP loans	No
			Documents reflecting Blueacorn's marketing efforts borrowers that Blueacorn referred to Prestamos.	No
Loan documents	12, 14, and 15	Blueacorn agreed to produce documents reflecting its underwriting procedures and documents concerning Plaintiffs' loans.	Documents relating to Blueacorn's process for reviewing borrowers' qualifications for underwriting purposes.	No
			Documents relating to the servicing of loans referred to Prestamos.	No
			Documents relating to the fulfillment of loans referred to Prestamos.	No

2. **Prestamos's Third-Party Subpoena to Produce Documents** (directed to Evolve Bank & Trust)

Summary of Document Requests (2)	Nos.	Response	Outstanding	Completed
Served: Feb. 20, 2024		43 Documents (39 on Mar. 22, 2024 and 5 on Apr. 24, 2024)	Transaction information for 13 Plaintiffs.	No
Evolve Bank & Trust ("Evolve") did not object to the production of documents responsive to Prestamos's Requests. On May 9, 2024, Prestamos served Evolve with a subpoena to compel its appearance at the May 23, 2024 hearing.				
ACH Return Codes documents	1	Produced 7 excel spreadsheets containing Prestamos ACH PPP loan funding transactions processed by Evolve and returned.	None	Yes
Named-Plaintiffs documents ⁶	2	Produced detailed PPP loan transaction information for 5 Plaintiffs. ⁷	PPP loan transaction information potentially available for remaining Plaintiffs requires disclosure of highly confidential information (SSN).	No

⁶ These Plaintiffs include: A. Marshall, D. Pronskey, P. Townsend, N. Holland, L. Owsley, K. Ahmadou, K. Dervin, K. Henderson, D. Innis, K. Stalnaker, J. Jones, G. Drevnak, J. Martin, K. Loyd, E. Beattie, G. Lloyd, A. Johnson, L. Marvel.

⁷ These Plaintiffs include: A. Marshall, D. Innis, K. Dervin, L. Marvel, and L. Owsley.

3. Prestamos's Third-Party Subpoena to Produce Documents (directed to Dave Inc.)

Summary of Document Requests (4)	Nos.	Response	Outstanding	Completed
Served: April 24, 2024		134 documents produced on May 9, 2024.	Complete deposit account agreements for Plaintiffs.	No
Dave Inc. did not object to the production of documents responsive to Prestamos's.				
Account documents ⁸	1, 2, and 3	Produced account statements/ transaction histories, including ACH return codes; and correspondence (email, transcripts of phone calls).	None	Yes
Policy documents	4	Produced account opening screens and account agreements.	Policy documents relating to account use.	No

⁸ These Plaintiffs include: A. Marshall, D. Innis, K. Dervin, L. Marvel, and L. Owsley.

C. ANTICIPATED DISCOVERY**1. Prestamos's Third-Party Subpoenas to Produce Documents (directed to Plaintiffs' Financial Institutions)⁹**

Summary of Document Requests (3)	Nos.	Response	Outstanding	Completed
Served: May 8, 2024		Parties have not responded.	All responsive documents are outstanding.	No
Financial institution documents	1		Documents relating to each Plaintiffs' account including bank statements, loan applications, etc.	No
Returned funds	2		Documents reflecting rejected or returned PPP loan funds for each Plaintiffs' account.	No
Plaintiffs' communications	3		Communications between each Plaintiff and their financial institution regarding PPP funds.	No

⁹ The financial institutions include: JP Morgan Chase, Azlo Business, Inc., Bluebird, Wells Fargo Bank, N.A., Chime financial, Inc., TCF Bank National Bank, GO Bank, Public Service Credit Union, Green Dot. Corp., FirstBank, American First Federal Credit Union, SoFi Securities LLC, The Bancorp, Metabank National Association, Radius Bank, BMO Harris Bank NA, EECU, Capital One, Bank of America.