Ex. 13 – Chart and Compilation of Documents re: Dismissed Class Representatives

FORMER CLASS REPRESENTATIVES VOLUNTARILY DISMISSED

Name	**Entry to Case**[1]	**Explanation of Voluntary Dismissal**
Etuknwa, Enobong	*Marshall* Third Am. Compl.	Borrower had no records or firsthand knowledge that he executed Loan Documents with Prestamos.[2]
Loyd, Katherine	*Drevnak* Compl.[3]	SBA sent Prestamos a letter on December 4, 2022 regarding Katherine Loyd stating: "SBA has determined that the borrower was ineligible for the PPP loan. . . . After a review of the documentation provided it has been determined that the borrower has received more than one PPP loan. . . . SBA notes that the borrower received multiple first draw PPP loans from different lenders. . . . Based on the above stated reason(s), SBA has determined that forgiveness in the amount of $0.00 is appropriate."[4]
Drevnak, Georgina	*Drevnak* Compl.	Bank records confirmed that Drevnak received and spent the PPP loan funds disbursed by Prestamos.[5]
Ahmadou, Kolawole	*Marshall* Am. Compl.	Bank records show that Ahmadou received his PPP loan funds, withdrew some of them, had his account frozen by his bank, returned the withdrawn funds to his bank, and then had his bank return the PPP funds to Prestamos.[6]
Grichar, Guy	*Marshall* Third Am. Compl.	Bank records confirmed that Grichar received and spent the PPP loan funds disbursed by Prestamos.[7]
Owsley, Leona	*Marshall* Am. Compl.	Plaintiff did not agree to a date for deposition.
Beattie, Ezra	*Drevnak* Compl.	Did not provide written discovery consistent with the Court's order or agree to a date for deposition.
Dervin, Kiana	*Marshall* Am. Compl.	Did not provide written discovery consistent with the Court's order or agree to a date for deposition.

Holland, Nancilee	*Marshall* Am. Compl.	Did not provide written discovery consistent with the Court's order or agree to a date for deposition.
Innis, Dustin	*Marshall* Am. Compl.	Did not provide written discovery consistent with the Court's order or agree to a date for deposition.
Pronsky, Daniel	*Marshall* Compl.	Did not provide written discovery consistent with the Court's order or agree to a date for deposition.
Stalnaker, Kelly	*Marshall* Am. Compl.	Did not provide written discovery consistent with the Court's order or agree to a date for deposition.

[1] *Marshall* Compl. (filed 10/21/2021); *Marshall* Am. Compl. (filed 01/14/2022); *Drevnak* Compl. (filed 07/20/2023); *Marshall* Third Am. Compl. (filed 05/02/2024).
[2] Accompanying Compilation at 1-3 (E. Etuknwa Dep.) 61:9-63:6, 65:17-24.
[3] *Drevnak, et al. v. Prestamos CDFI, LLC, et al.*, 2:23-cv-02777-JMG (E.D. Pa.).
[4] Accompanying Compilation at 4-5 (Letter from SBA to Prestamos dated Dec. 4, 2022 re: SBA Loan Review Decision for Katherine Loyd) at '58.
[5] *Id.* at 6-9 (G. Drevnak Dep. Ex. 8) at '6.
[6] *Id.* at 10-12 (Ahmadou Dep. Ex. 11) at '13.
[7] *Id.* at 13 (G. Grichar June 24, 2021 Bank Statement).

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALICIA MARSHALL, et al., individually and on behalf of all others similarly situated, Plaintiffs	: CASE NO. 5:21-ev-04337-JMG
vs.	:
PRESTAMOS CDFI, LLC, Defendant	:

* * *

FRIDAY, AUGUST 2, 2024

* * *

Oral deposition of ENOBONG ETUKNWA taken remotely, commencing at 12:20 p.m. before Debbie Leonard, Registered Diplomate Reporter, Certified Realtime Reporter.

the exhibits attached to the Third Amended Complaint are the PPP -- it's a sample of a PPP loan document from somebody else in this case --
A. Okay.
Q. -- and I'm wondering -- can you see that okay? I'm going to --
A. Yeah, I could see it.
Q. So this is a note from the Small Business Administration for the PPP loan. Did you ever see a note from the SBA?
A. I don't recall.
Q. Did you ever see anything like this document?
A. I don't recall. No, I don't recall.
Q. And what do you mean by you don't recall?
MR. COHEN: Objection.
THE WITNESS: Meaning any documents, if any -- I don't recall seeing any documents.
BY MS. AGUIRRE:
Q. Okay. So you -- do these payment terms look familiar?

A. I don't -- I don't remember seeing anything about payment terms.
Q. Okay. This would be the signature page at the end of the PPP loan application. Do you remember signing a PPP loan application?
A. That's what I'm telling you. I assume that my -- whatever that stuff was -- when Steve called me, he said, "Hey, we're wrapping this up," whatever. "You need to answer" -- that would be -- it would be your authorization, is what I was told.
I can't remember exactly what type of authorization. So I assumed that my authorization -- my -- either my text input or my verbal input, whatever, was my authorization to sign. That's what I'm going to assume.
Q. So you don't have firsthand knowledge that Steve signed a PPP loan application?
A. No, I don't have knowledge if he signed. I'm assuming that he signed it. Otherwise, I mean, this wouldn't all be happening if he did not. So I'm going to

assume that he signed on my behalf.
Q. But he never shared the application with you?
A. No, never, never. Never. Never ever, ever shared the documents with me, no. I didn't know how any of this goes.
Q. Okay.
A. So let's start off with that. I don't know how -- I didn't know how any of that goes. I've never done a PPP loan before, so I don't know how that goes. That's the reason I hired him.
Q. When he told you that you were denied, did he tell you it was Blueacorn that denied you?
A. Yeah, he said that Blueacorn -- yeah, he said that Blue -- yeah, he said that -- I don't know if he said Blueacorn denied -- he said that when he spoke to somebody at Blueacorn or -- like I said, it was e-mail or a text. I just remember him saying that that organization said I was denied.
Q. Do you remember whether he said Prestamos denied you as well?

A. I don't remember him verbally telling me Prestamos, in all honesty. I remember him saying the words "Blueacorn," and then the other word was "they." That's what I was told. The other word was "they." I do remember the "they." They denied.
Q. I believe the last question was, do you remember the denial coming from Prestamos?
A. I don't recall -- I don't remember. I just remember "they." Blueacorn was the name tossed in there. "They" was another term. He used, "They denied you."
Because, like I said, I was bugging them. I just wanted to know why. What was going on. Why. Why did they deny you? I don't know. They just denied you.
Q. But do you have any firsthand knowledge about Steve signing a note for the loan?
A. No, no, because I didn't know how that goes, you know. I did, like I told you in the beginning -- I don't -- I can't lie to you and tell you -- I'm not going to lie to you and tell you how the conversation

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went. I do recall something about us agreeing for him to sign the documents, any documents that I need, he'll take care of it, he'll handle it. And I thought that was appropriate. What I believed was appropriate.

So I mean, was it? Was it not? I thought that that was appropriate, you know. I mean, like I said, I have no knowledge about how the PPP loan process is supposed to go, so I just went with word of mouth from my godmother that this guy would help because he takes care of other people's -- he's taken care of other people's PPP loans and he's taken care of people's taxes.

Q. So to this day, do you have a copy of the forms that Steve supposedly submitted on your behalf?
A. I don't have any of that.
Q. And you never saw any of those documents?
A. Never saw any of those documents.
Q. Okay. Give me one second here.

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We're going to go back to the Third Amended Complaint, Exhibit 2. Can you see that okay?

So I'll zoom in on -- or highlight, rather, paragraph 352 of the Third Amended Complaint. Do you see where I've highlighted?
A. Uh-huh. 352.
Q. Yes. Here -- I'll zoom in.
A. Yes, ma'am.
Q. Here it says, "In May 2021, the SBA approved Etuknwa's PPP loan application and assigned it an SBA loan number [redacted]"

Do you have any firsthand knowledge about SBA approving your loan application?
A. You want me to get into how I found out about it and then -- or do you -- I don't understand the question. Are you asking me did I have any knowledge at the time when Steve was telling me I got denied that I was approved?
Q. I'll -- I'll rephrase the --
A. Because I didn't have any knowledge -- so let's be clear. I didn't

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have any knowledge at the time that I was denied, that I was told I was denied, that I was approved by the SBA. I had no knowledge of that. No, ma'am.
Q. Okay. And what about after? How did you find out -- how do you know the SBA approved your loan application?
A. Great question. During my -- me and my wife's separation, right before the divorce, I was dating another woman. We broke up. She became almost stalker-ish. And she called me one day. She told me, "Hey, you know, congratulations. I'm just -- I don't want no trouble. I'm just telling you congratulations." Yada, yada, yada. "I saw you got a PPP loan."

So I'm, like -- excuse my language. I'm just telling you what I said. "Fuck are you talking about?"

And so I kind of ignored it because I didn't know where that was coming from. And so it was definitely on my radar because I was, like, where the hell did she get that from? I thought she was just making something up to just have conversation with

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me.

So going forward, I went to court -- during the divorce proceedings with my ex-wife, we go to court and her lawyer says -- she pulls up the documents showing that I've been approved for a PPP loan, and she says the amount, around 20,000.

And me and my lawyer -- I'm telling him the business is not making money like that right now. We're telling the judge -- me and my lawyer, we're telling the judge this.

The lady is adamant that I received a PPP loan. And then says, "You're hiding the money. Judge, Your Honor, he's hiding the money." The judge thinks I'm lying. I don't know where he's getting this from.

I mean, feel free, it's probably in the record. I'm pretty sure you guys can go look up what happened.

I don't know where they're getting this from. I'm, like, what the hell are they talking about? "He's got approved for a PPP loan. He has a PPP loan. It shows

SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

12/04/2022

VIA FORGIVENESS PLATFORM

Jose Martinez

Prestamos CDFI, LLC

Re: PAYCHECK PROTECTION PROGRAM FINAL SBA LOAN REVIEW DECISION
Borrower: Katherine Loyd
SBA Loan No.: [redacted]
Approved Loan Amount: [redacted]
Loan Approval Date: 05/22/2021
Lender Forgiveness Decision Submission Date: 09/07/2022
Lender Forgiveness Decision Amount: [redacted]
SBA Final Forgiveness Amount: $ 0.00

Dear: Jose Martinez

The U.S. Small Business Administration (SBA) has completed its review of the above-referenced Paycheck Protection Program (PPP) loan. Based on a review of lender and/or borrower submissions, and consideration of the facts and circumstances, SBA has made a final SBA loan review decision.

SBA has determined that the borrower was ineligible for the PPP loan. The reason(s) for SBA's decision is as follows:
After a review of the documentation provided it has been determined that the borrower has received more than one PPP loan. A borrower may receive only one First Draw PPP Loan and one Second Draw PPP Loan.
SBA notes the borrower received multiple first draw PPP loans from different lenders.
It is conformed the borrower received multiple first draw PPP Loans. A search of the borrower in CAFS shows an additional first draw PPP loan making this request ineligible.

Based on the above stated reason(s), SBA has determined that forgiveness in the amount of $0.00 is appropriate. Additional details regarding the forgiveness payment amount (if any) will be provided in a Notice of Paycheck Protection Program Forgiveness Payment.

Within 5 business days of the date of this letter, you must provide a copy of this final SBA loan review decision to the borrower.

You must continue to service the loan. You must notify the borrower that the remaining balance of the loan after application of the forgiveness payment (if any) must be repaid on or before the maturity date. The notification must include the date on which the first principal and interest payment is due and the amount of the borrower's regular payment. As set forth below, if the borrower files a timely appeal with SBA's Office of Hearings and Appeals (OHA), the deferment period of the loan will be extended pursuant to 13 CFR § 134.1211.

Pursuant to 13 CFR § 134.1201(b), the borrower has the right to appeal to SBA's Office of Hearings and Appeals a final SBA loan review decision that the borrower:

1. was ineligible for a PPP loan;
2. was ineligible for the PPP loan amount received or used the PPP loan proceeds for unauthorized uses;
3. is ineligible for PPP loan forgiveness in the amount determined by the lender in its full approval or partial approval decision issued to SBA; and/or
4. is ineligible for PPP loan forgiveness in any amount when the lender has issued a full denial decision to SBA.

Any appeal must be made in accordance with the SBA Rules of Practice for Borrower Appeals of Final SBA Loan Review Decisions Under the Paycheck Protection Program, located at 13 CFR § 134.1201, *et seq*., including but not limited to the following:

- An appeal petition must be filed with SBA's Office of Hearings and Appeals (OHA) within 30 calendar days after the borrower's receipt of the final SBA loan review decision. 13 CFR § 134.1202(a). To file and manage an appeal of a final SBA loan review decision with OHA, refer to Office of Hearings and Appeals.
- Borrower must include, among other things, a copy of this final SBA loan review decision with its appeal. 13 CFR § 134.1204(a).
- Borrower must provide you (the lender) with a copy of the timely appeal petition filed with OHA so that you can extend the deferment period of the loan. 13 CFR § 134.1202(b).
- An appeal to OHA is an administrative remedy that must be exhausted before judicial review of a final SBA loan review decision may be sought in a federal district court. 13 CFR § 134.1201(d).

Thank you for your cooperation.

Sincerely,

Office of Capital Access
U.S. Small Business Administration

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

EXHIBIT
11
Ahmadou 8/22/2024 D.H.

[redacted]

Thank you for banking with TCF National Bank

How to Balance Your Account

1. Check off in your check register each transaction shown on the front of this statement.
2. ENTER your ending balance from the front of your statement on this line: $__________
3. ADD any deposits or additions not shown on the statement, including ATM deposits:

$__________ $ __________ $ __________ $ __________ $ __________ Total Additions (+) $__________

Subtotal $__________

4. SUBTRACT any checks written or withdrawals made that are not shown on this statement, such as bill payment withdrawals, automatic withdrawals, ATM withdrawals, check printing charges, service fees, check card, and other transactions:

$__________ $ __________ $ __________ $ __________ $ __________
$__________ $ __________ $ __________ $ __________ $ __________ Total Subtractions (-) $__________

This adjusted statement balance should agree with your check register balance $__________

If Your Account Balance and Adjusted Statement Balance Do Not Agree

1. Verify that all differences were corrected from your last month's statement.
2. Check additions and subtractions in your checkbook.
3. Make sure that you listed all of your outstanding checks and deposits.
4. Make sure you have recorded all electronic transfers, automatic deposits or withdrawals, fees, interest deposits, and all automatic bill payment and ATM activities and other transactions.
5. Compare the amount of each check and deposit with the amount recorded on this statement and in your checkbook.
6. Call us if you have a problem balancing your account.

Information Concerning Your Consumer Checking or Savings Account Statement

You Choose How TCF Handles Your TCF Debit Card Overdrafts. You can tell TCF if you do not want us to authorize and pay overdrafts on your consumer checking or money market account for your ATM and everyday debit card transactions. This choice does not apply to recurring debit card transactions or transactions you make using debit cards not issued by TCF. You can select or change this option by calling TCF Customer Service at 1-866-823-4472, or for hearing impaired (TTY) 1-800-343-6145. TCF charges a $37 fee for paying your overdrafts. TCF does not charge a fee for declining ATM and everyday debit card transactions. We can change these fees at any time. For more information, call us at the number above, or see your account disclosures and the notice called *What You Need to Know about Overdrafts and Overdraft Fees.* You can get this at tcfbank.com or at any TCF branch.

In Case of Errors or Questions About Your Electronic Transfers. If you think your statement or receipt is wrong or if you need more information about a transfer on your statement or receipt, telephone us or write us at the phone number or address shown below as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the suspected error or problem appeared. Give us the following information: 1) your name and account number; 2) the dollar amount of the suspected error; and 3) a description of the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information. If you need more information, describe the item you are not sure about. We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation. This time period is extended to 20 business days if the error involves an electronic funds transfer to or from your account within 30 days after the first deposit to the account.

In Case of Errors or Questions Not Involving Electronic Transfers. You must promptly examine your statement and notify us of any errors at the phone number or address shown below. For any errors that do not involve electronic transfers, we must hear from you no later than 30 days after we sent you the FIRST statement on which the suspected error appeared. Give us the information desired in the previous paragraph for us to investigate the suspected error. We will correct any error promptly. If TCF does not hear from you within the 30 day period, we are released from all liability for the transactions unless otherwise stated in your Account Contract.

Checking Your Preauthorized Credit Deposits. If you have arranged direct deposits to your checking or savings account at least once every 60 days from the same person or company, you can check to see if the deposits were made by calling the phone number on the front of this statement.

Your Right to Stop Payment on Preauthorized Payments. If you have told us in advance to make regular payments out of your checking or savings account, you can stop any of these payments. Call us at the telephone number or write us at the address shown below in time for us to receive your request 3 Business Days or more before the payment is scheduled to be made. If you call, we may also require you to put your request in writing and get it to us within 14 days after you call. We will charge you a fee for each stop payment order you give.

Checking Account Statement Delivery. You can choose the delivery method for your checking account statements. If you enroll for online statements, you will not receive paper statements. If you do not enroll for online statements, you will receive a paper statement. Depending on your account type, we may charge you a fee for paper statements. Additional fees may apply if you ask for check image copies with your paper statements. Paper statement fees do not apply to accounts TCF classifies as commercial relationship accounts. You can change your delivery method at any time.

Contacting TCF Customer Service

By Phone: 1-800-823-2265 or TTY (hearing impaired) 1-800-343-6145

By Mail: TCF National Bank, PO Box 190, Minneapolis, MN 55440-0190

* Confidential

REGIONS

Regions Bank
Mall
4441 Central Avenue
Hot Springs, AR 71913

MARY J WELCH
GUY GRICHAR
[redacted]

1

ACCOUNT # [redacted]

053

Cycle	15
Enclosures	0
Page	1 of 5

62+ LIFEGREEN CHECKING
May 25, 2021 through June 24, 2021

SUMMARY

Beginning Balance	[redacted]	Minimum Balance	[redacted]
Deposits & Credits		Average Balance	
Withdrawals			
Fees			
Automatic Transfers			
Checks Converted			
Checks			
Ending Balance			

DEPOSITS & CREDITS

[redacted]

Total Deposits & Credits [redacted]

WITHDRAWALS

[redacted]

For all your banking needs, please call 1-800-REGIONS (734-4667)
or visit us on the Internet at www.regions.com. (TTY/TDD 1-800-374-5791)

EQUAL HOUSING LENDER

Thank You For Banking With Regions!