

**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,

v.

PRESTAMOS CDFI, LLC,

Defendant.

Civil Action No. 5:21-cv-04337-JMG

**APPENDIX IN SUPPORT OF PRESTAMOS CDFI, LLC'S BRIEF IN OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Prestamos CDFI, LLC (“Prestamos”) respectfully submits this Appendix of Exhibits in Support of its Opposition to Plaintiffs’ Motion for Class Certification. In accordance with Judge Gallagher’s Policy and Procedure I.C., Prestamos is filing each of the following Exhibits as a separate document on the CM/ECF system, specifically as follows:

- Ex. 1 – The Paycheck Protection Program Borrower Application Form (Form 2483) Signed by Class Representative Gregory Lloyd
- Ex. 2 – Declaration of David Castillo, Senior Credit Officer with Prestamos
- Ex. 3 – Compilation of Documentation Showing Disbursement and Return of Class Representatives’ PPP Loans
- Ex. 4 – Chart and Compilation of Documents re: Reasons Class Representatives’ Banks Returned Disbursements of PPP Funds to Prestamos
- Ex. 5 – Guidance Document from SBA and U.S. Secret Service titled “Paycheck Protection Program—Application Fraud Indicators,” dated March 19, 2021
- Ex. 6 –Email Chain between Indiana Members Credit Union, SBA, and Prestamos
- Ex. 7 – Compilation of Examples of Banks that Accepted Disbursements of PPP Funds for Borrowers they Suspected were Ineligible Contacting Prestamos and SBA and Seeking to Return Funds
- Ex. 8 – Email from Michelle Blank (SBA) to Jose Martinez (Prestamos) and Patricia Gonzalez (Prestamos), dated May 24, 2021
- Ex. 9 – Email Chain Containing Email from Gertrude Brocke (SBA) to Jose Martinez (Prestamos), dated July 29, 2021
- Ex. 10 – Blueacorn Paycheck Protection Program Loan Processing Script Containing Guidelines for Enhanced Due Diligence
- Ex. 11 – Chart and Compilation of Documents re: Class Representatives’ Loan Documentation Deficiencies
- Ex. 12 – Email from Craig Jordan (SBA) to David Castillo (Prestamos), dated September 7, 2021 (W. Manger Dep. Ex. 12)
- Ex. 13 – Chart and Compilation of Documents re: Dismissed Class Representatives

- Ex. 14 – Excerpts of Deposition of William M. Manger, Jr., dated August 26, 2024
- Ex. 15 – Excerpts of Deposition of William Briggs, dated August 22, 2024
- Ex. 16 – Report of Kenneth Swain, dated July 12, 2024
- Ex. 17 – Rebuttal Report of Jorge Baez, dated August 9, 2024
- Ex. 18 – Prestamos Loan Statement to Lloyd, dated Feb. 1, 2023
- Ex. 19 – Plaintiffs’ Responses and Objections to Prestamos’s First Requests for Production of Documents
- Ex. 20 – Compilation of Blueacorn Inadvertent Emails to Class Representatives re: Obligation to Repay, dated January 27, 2022
- Ex. 21 – Compilation of Blueacorn Correction Emails to Class Representatives re: No Obligation to Repay if Not Funded, dated January 27, 2022
- Ex. 22 – SBA Procedural Notice 5000-20091, dated February 8, 2021 (W. Manger Dep. Ex. 11)
- Ex. 23 – Excerpts of Deposition of Stephen Feinstein, dated August 28, 2024

Dated: October 4, 2024

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By: /s/ Marcel S. Pratt

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CERTIFICATE OF SERVICE

I, Thomas J. Gallagher IV, hereby certify that on this 4th day of October, 2024, I caused a copy of the foregoing Appendix in Support of Prestamos CDFI, LLC's Brief in Opposition to Plaintiffs' Motion for Class Certification and accompanying papers to be served on all counsel of record via the Court's ECF system.

/s/ Thomas J. Gallagher IV

Thomas J. Gallagher IV