

**Ex. 19 – Plaintiffs’ Responses and Objections to
Prestamos’s First Requests for Production of
Documents**

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

ALICIA MARSHALL, DANIEL
PRONSKY, PARIS TOWNSEND,
NANCILEE HOLLAND, LEONA
OWSLEY, KOLAWOLE AHMADOU,
KIANA DERVIN, KRISTINA
HENDERSON, DUSTIN INNIS, KELLY
STALNAKER and JAMIE JONES,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

PRESTAMOS CDFI, LLC and CHICANOS
POR LA CAUSA, INC.,

Defendants.

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

**PLAINTIFFS' RESPONSES AND OBJECTIONS TO DEFENDANT PRESTAMOS
CDFI, LLC'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiffs respond and object to Defendant Prestamos CDFI, LLC'S First Requests for Production of Documents as follows.

General Objections

1. Plaintiffs object to each Request to the extent that it purports to require Plaintiffs to produce any documents or information that are not relevant to any party's claim or defense or that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.

2. Plaintiffs object to each Request to the extent that it seeks documents not in Plaintiffs' possession, custody, or control. Any such Request is overly broad and unduly burdensome and inconsistent with the obligations imposed by the Federal Rules of Civil Procedure. Plaintiffs do not intend to search for or produce documents or information that are in the possession of any third party as such discovery would be "unreasonably cumulative or duplicative" and the "burden or expense of [any such] proposed discovery would outweigh its likely benefit." Fed. R. Civ. P. 26(b)(2). Plaintiffs will only provide information that is in their possession, custody, or control.

3. Plaintiffs object to each Request as imposing an undue burden to the extent that it calls for documents that are in the public domain, are otherwise equally available to Defendants, or were already produced to Defendants or Defendant Prestamos's PPP agent Blueacorn pursuant to the PPP application process, and which therefore are or should be in Defendants' possession, custody, or control.

4. Plaintiffs object to each Request to the extent that it is unreasonably cumulative or duplicative, or seeks information obtainable from other sources that are more convenient, less burdensome, or less expensive.

5. Plaintiffs object to each Request to the extent that it purports to require Plaintiffs to produce "any" or "all" documents or data responsive to the specific Request. Where Plaintiffs agree to produce documents in response to these Requests, Plaintiffs will produce non-duplicative documents that can be located after a reasonably diligent search.

6. Plaintiffs object to each Request to the extent that the descriptions of the documents sought are vague, ambiguous, and/or not specified with reasonable particularity.

7. Plaintiffs object to each Request to the extent that it purports to require Plaintiffs to create documents not currently in existence.

8. Plaintiffs object to each Request to the extent it seeks information protected by privilege, including the attorney-client privilege, work product immunity doctrine, common interest privilege, the mediation privilege, or other applicable privileges, immunities, or restrictions on discovery. Any inadvertent production of any document shall not constitute a waiver of any such privilege, exemption, or protection, either as to such document itself or any information or subjects contained therein. Plaintiffs reserve their right to demand the return of, and destruction of any copies of, any inadvertently produced material subject to any such privilege, exemption, or protection, subject to any procedures specified in any order entered in this action.

9. Plaintiffs object to each Request to the extent that it purports to require Plaintiffs to produce any electronically stored information that is not readily accessible without incurring an undue burden or cost.

10. Plaintiffs object to each Request as premature to the extent it purports to call for the facts or data that will be considered by expert witnesses or materials that will be the subject of expert discovery in connection with class certification and trial, and/or materials such as trial exhibits that will be the subject of disclosures at a later point in the litigation. Plaintiffs will produce any such materials as required by, and in the time and manner specified by, the applicable Federal and Local Civil Rules of this Court and Court scheduling orders.

Objections to Definitions and Instructions

1. Plaintiffs object to each Definition and Instruction to the extent that it purports to impose any obligations on Plaintiffs in responding to these Requests beyond the requirements of the Federal Rules of Civil Procedure and/or Local Civil Rules of this Court.

2. Plaintiffs object to Defendant's definitions of "You" and "Your" as overly broad, unduly burdensome, vague, ambiguous, not reasonably calculated to lead to the discovery of admissible evidence and as they seek to impose any obligation on Plaintiffs beyond the scope of discovery authorized by the Federal Rules of Civil Procedure and/or Local Civil Rules of this Court, including the extent to which the definitions of "You" and "Your" incorporate Plaintiffs' "attorneys, representatives, and any other Persons or entities, acting or purporting to act on behalf of You, whether past or present and without regard to whether their relationship currently exists or has been terminated."

3. Plaintiffs object to Defendants' definitions of "Communication[s]" as overly broad, unduly burdensome, vague, ambiguous, and to the extent that it seeks to impose any obligation on Plaintiffs beyond the scope of discovery authorized by the Federal Rules of Civil Procedure and/or Local Civil Rules of this Court.

4. Plaintiffs object to Defendant's definitions and to the Relevant Time Period to the extent they purport to impose any obligations on Plaintiffs in responding to these Requests beyond the requirements of the Federal Rules of Civil Procedure.

General Statements

1. Plaintiffs' responses and objections are based on the information presently known to them. Plaintiffs reserve the right to amend and/or supplement their responses and/or objections.

2. No statement that Plaintiffs will produce documents or information in response to the Requests shall be deemed a representation that such documents or information exist.

Plaintiffs reserve the right to object to the use by Defendants or any non-party of any documents produced in response to these Requests, including to the introduction of the documents into evidence in this case.

3. Plaintiffs reserve the right to object to the use by Defendants or any non-party of any documents produced in response to these Requests, including to the introduction of the documents into evidence in this case.

Objections and Responses to Specific Requests

REQUEST NO. 1:

All Documents sufficient to show that You owned that [sic] business You identified as the loan applicant on Your Loan Documents.

RESPONSE TO REQUEST NO. 1:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request, to the extent that any exist.

REQUEST NO. 2:

All Documents sufficient to show the federal, state, and local licenses or permits held by Your Business, such as business activity licenses, retail or seller's licenses, rental licenses, professional licenses, trade licenses, health-related licenses, and safety certifications.

RESPONSE TO REQUEST NO. 2:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request

only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 3:

All of Your state and federal tax returns filed for each tax year from 2018 through the present, including but not limited to Schedule C (Form 1040).

RESPONSE TO REQUEST NO. 3:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans only to the extent that the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 4:

All Documents relating to Your Business that You used or referenced to complete Your state and federal tax returns for each tax year from 2018 through the present, including but not limited to all Documents from which you derived information on Schedule C (Form 1040) and all other tax schedules.

RESPONSE TO REQUEST NO. 4:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were

not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 5:

All Documents (including handwritten notes) reflecting or relating to Communications between You and Prestamos relating to the PPP, including but not limited to PPP rules, guidelines, and Qualification Criteria, the disbursement or attempted disbursement of PPP funds, the rejection of any attempted disbursement of PPP funds, and Your PPP loan and loan application with Prestamos.

RESPONSE TO REQUEST NO. 5:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. In addition, Plaintiffs specifically object to this Request to the extent it calls for documents that are already in the possession, custody, or control of Defendants. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request, to the extent that any exist.

REQUEST NO. 6:

All Documents reflecting or relating to Communications between You and the SBA relating to the PPP, including but not limited to PPP rules, guidelines, and Qualification Criteria, the disbursement or attempted disbursement of PPP funds, the rejection of any attempted disbursement of PPP funds, and Your PPP loan and loan application with Prestamos.

RESPONSE TO REQUEST NO. 6:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request to the extent that any exist.

REQUEST NO. 7:

All Documents reflecting or relating to Communications between You and Blueacorn relating to the PPP, including but not limited to PPP rules, guidelines, and Qualification Criteria, the disbursement or attempted disbursement of PPP funds, the rejection of any attempted disbursement of PPP funds, and Your PPP loan and loan application with Prestamos.

RESPONSE TO REQUEST NO. 7:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request to the extent that any exist.

REQUEST NO. 8:

All Documents reflecting or relating to Communications between You and Your Designated Financial Institution(s) relating to the PPP, including but not limited to PPP rules, guidelines, and Qualification Criteria, the disbursement or attempted disbursement of PPP funds, the rejection of any attempted disbursement of PPP funds, and Your PPP loan and loan application with Prestamos.

RESPONSE TO REQUEST NO. 8:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request, to the extent that any exist.

REQUEST NO. 9:

All Documents reflecting or relating to Communications regarding Your efforts to comply with requests to re-verify or confirm Your eligibility for Your PPP loan after You did not received [sic] Your PPP loan, including after Your Designated Financial Institution(s) rejected any attempted disbursement of PPP funds.

RESPONSE TO REQUEST NO. 9:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request to the extent that any exist.

REQUEST NO. 10:

All IRS Income Verification Express Service (IVES) Form 4506-C documents signed by You relating to tax years 2018, 2019, 2020, and 2021, including All Communications with third-parties regarding those documents.

RESPONSE TO REQUEST NO. 10:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 11:

All Documents relating to any unemployment benefits, disability benefits, retirement benefits, pension benefits or worker's compensation benefits that You received during the Relevant Time Period, including but not limited to Documents sufficient to show the type of benefit, payer of the benefit, the monthly amount, how long You have received the benefit, and the reasons(s) for receiving the benefit.

RESPONSE TO REQUEST NO. 11:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs are willing to meet and confer with Defendant Prestamos regarding this request.

REQUEST NO. 12:

All Documents reflecting or relating to Communications You posted to or otherwise caused to appear on Social Media Platforms relating to the PPP, including but not limited to PPP rules, guidelines, and Qualification Criteria, the disbursement or attempted disbursement of PPP funds, the rejection of any attempted disbursement of PPP funds, Your PPP loan and loan application with Prestamos.

RESPONSE TO REQUEST NO. 12:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs are willing to meet and confer with Defendant Prestamos regarding this request.

REQUEST NO. 13:

All Documents reflecting or relating to Communications between You and any Consumer Advocacy Organizations relating to the PPP, including but not limited to PPP rules, guidelines, and Qualification Criteria, the disbursement or attempted disbursement of PPP funds, the rejection of any attempted disbursement of PPP funds, and Your PPP loan and loan application with Prestamos.

RESPONSE TO REQUEST NO. 13:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs are willing to meet and confer with Defendant Prestamos regarding this request.

REQUEST NO. 14:

All Documents relating to Your decision to, on Your Loan Documents, direct Prestamos and/or Blueacorn to fund your PPP loan via deposit into a Designated Account at a Designated Financial Institution or via loading of a Dash Card.

RESPONSE TO REQUEST NO. 14:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request, to the extent that any exist.

REQUEST NO. 15:

All Documents reflecting or relating to any Communications by which You directed, or attempted to direct, Prestamos and/or Blueacorn to modify the method via which Your PPP loan should be funded.

RESPONSE TO REQUEST NO. 15:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request, to the extent that any exist.

REQUEST NO. 16:

All Documents relating to Your understanding, interpretation, and/or reliance upon the Release of Lender Paragraph in the promissory note You executed as part of Your Loan Documents.

RESPONSE TO REQUEST NO. 16:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs' specifically object to this Request to the extent it seeks information protected by privilege, including the attorney-client privilege, work product immunity doctrine, or common interest privilege. Subject to and without waiving the foregoing objections, Plaintiffs are willing to meet and confer with Defendant Prestamos regarding this request.

REQUEST NO. 17:

All Documents relating to the impact of COVID-19 on Your operations and financial condition, including but not limited to the following:

- a. Any employee terminations, layoffs, furloughs, reductions in hours, or reductions in benefits that You implemented as a result of COVID-19;
- b. Any contracts or agreements to which You were a party that were terminated, renegotiated, or not renewed as a result of COVID-19;
- c. Any potential contracts or agreements that You were considering or attempting to execute that were lost as a result of COVID-19; and
- d. Any increases or decreases in Your income, costs, expenses, revenues, profits, cash flow, capital, loans, liens, collateral, lines of credit, equity, debt, financings, accounts receivable, accounts payable, investments, or profit margins as a result of COVID-19.

RESPONSE TO REQUEST NO. 17:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance

of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 18:

All Documents relating to Your PPP Loan Application(s), including all Documents that You submitted as part of their PPP Loan Application(s) (including any Documents submitted in response to supplemental document requests) and all Documents that You referred to or relied on in the course of preparing its [sic] PPP Loan Application(s).

RESPONSE TO REQUEST NO. 18:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. In addition, Plaintiffs specifically object to this Request to the extent it calls for documents that are already in the possession, custody, or control of Defendants. Subject to and without waiving the foregoing objections, Plaintiffs are willing to meet and confer with Defendant Prestamos regarding this request.

REQUEST NO. 19:

All Documents sufficient to show that You satisfied all Qualification Criteria for the PPP loan You applied for from Prestamos.

RESPONSE TO REQUEST NO. 19:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request

only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 20:

Documents sufficient to show that You submitted all Documents that Prestamos and/or Blueacorn requested each PPP loan applicant to provide, including Documents that were required for Your PPP Loan Application as well as requests by Prestamos and/or Blueacorn for any additional documents and/or information.

RESPONSE TO REQUEST NO. 20:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. In addition, Plaintiffs specifically object to this Request to the extent it calls for documents that are already in the possession, custody, or control of Defendants or Defendant Prestamos's agent Blueacorn. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request, to the extent that any exist.

REQUEST NO. 21:

All Documents concerning the financial operations of Your Business, including without limitation Your sources of funding, financial condition, profit and loss (P&L) statements, balance sheets, revenues, expenses, costs, profits, cash flow, capital, loans, liens, collateral, lines of credit, equity, debt, financings, accounts receivable, accounts payable, investments, profit margins, bank accounts, and bank statements.

RESPONSE TO REQUEST NO. 21:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. In addition, Plaintiffs specifically object to this Request to the extent it calls for

documents that are already in the possession, custody, or control of Defendants. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 22:

All Documents relating to Your Gross Receipts, including but not limited to all bank statements for Your Business and invoices issued by You.

RESPONSE TO REQUEST NO. 22:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. In addition, Plaintiffs specifically object to this Request to the extent it calls for documents that are already in the possession, custody, or control of Defendants. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 23:

All Documents relating to Your Payroll Costs, including but not limited to paystubs, paychecks, bank statements, accounting diaries, or other record(s) of payment.

RESPONSE TO REQUEST NO. 23:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this

Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 24:

All Documents relating to, if any, Your covered operations expenditures, covered property damage costs, covered supplier costs, covered worker protection expenditures, or other expenditures that served as the basis of Your PPP Loan Application.

RESPONSE TO REQUEST NO. 24:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request. only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 25:

All bank statements, credit card statements, investment account statements, and other account statements showing transaction-level income and expenditures for Your Business during the Relevant Time Period.

RESPONSE TO REQUEST NO. 25:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 26:

All Documents concerning Your business plans, forecasts, projections, or analyses.

RESPONSE TO REQUEST NO. 26:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 27:

All Documents relating to any loans, cash advances, sales of accounts receivable, or other financial products or arrangements that You obtained, or considered obtaining, subsequent to the date You submitted their [sic] PPP Loan Application to Prestamos, including but not limited to all Documents You submitted as part of an application and all Documents that You referred to or relied on in the course of preparing any applications.

RESPONSE TO REQUEST NO. 27:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs are willing to meet and confer with Defendant Prestamos regarding this request.

REQUEST NO. 28:

Documents sufficient to show the number of employees on Your payroll (if any), by month, for each month from January 1, 2019 to the present.

RESPONSE TO REQUEST NO. 28:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request, only to the extent that such documents were not already produced to Prestamos or Blueacorn pursuant to the SBA's approval of Plaintiffs' PPP loans.

REQUEST NO. 29:

All Documents related to the allegations in Paragraphs 120, 141, 155, 164, 173, 182, 191, 203, 212, and 224 of the Complaint that Prestamos's alleged "failure to fund" each Plaintiff's SBA-approved PPP loan "deprived [You] of funds that would have directly assisted in the

operation of [Your] [type of] business and resulted in lost opportunities and other consequential damages.”

RESPONSE TO REQUEST NO. 29:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 30:

All Documents related to the allegation in Paragraph 229 of the Complaint that “Prestamos has belatedly sought to fund certain class member borrowers following the filing of plaintiffs’ original complaint on October 1, 2021.”

RESPONSE TO REQUEST NO. 30:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 31:

All Documents relating to any existing or potential business relationships that You allege were affected by Prestamos’s alleged failure to fund Your SBA-approved PPP loan, including but not limited to the following:

- a. Any contract or potential contracts between You and any existing or potential business partners, including any Communications or negotiations concerning the same;
- b. Your costs, expenses, revenues, profits, and profit margins for each existing or potential business relationship You allege was affected by Prestamos’s alleged failure to fund Your SBA-approved PPP loan; and
- c. Any Communications between You and any existing or potential business partners regarding Your financial condition, including the impact, if any, of Prestamos’s alleged failure to fund Your SBA-approved PPP loan.

RESPONSE TO REQUEST NO. 31:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs specifically object to this Request to the extent that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 32:

All Documents relating to any effort by Prestamos or any other entity to induce, persuade, or require You to "repay funds [You] never received," as alleged in Paragraph 121.

RESPONSE TO REQUEST NO. 32:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 33:

All Documents relating to any claim or investigation, actual or threatened, against You relating to any affirmation(s) that You made in a PPP loan application.

RESPONSE TO REQUEST NO. 33:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 34:

All Documents concerning Your purported damages caused by Prestamos, including all Documents You intend to rely upon to prove the claims You have alleged against Prestamos.

RESPONSE TO REQUEST NO. 34:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs further object to this Request to the extent that it seeks information protected by privilege, including the attorney-client privilege, work product immunity doctrine, common interest privilege, the mediation privilege, or other applicable privileges, immunities, or restrictions on discovery. Plaintiffs further object to this Request as it calls for communications between Plaintiffs' counsel and experts retained by Plaintiffs' counsel, or for the facts or data that will be considered by testifying expert witnesses prior to the required disclosure of such materials. Plaintiffs will produce expert materials for testifying experts as required by and in the time and manner specified by the applicable Federal and Local Civil Rules of this Court and Court scheduling orders. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 35:

All Documents You intend to rely upon to prove or establish any element of any claim that You have or intend to assert in this Action.

RESPONSE TO REQUEST NO. 35:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs further object to this Request to the extent that it seeks information protected by privilege, including the attorney-client privilege, work product immunity doctrine, common interest privilege, the mediation privilege, or other applicable privileges, immunities, or restrictions on discovery. Plaintiffs

further object to this Request as it calls for communications between Plaintiffs' counsel and experts retained by Plaintiffs' counsel, or for the facts or data that will be considered by testifying expert witnesses prior to the required disclosure of such materials. Plaintiffs will produce expert materials for testifying experts as required by and in the time and manner specified by the applicable Federal and Local Civil Rules of this Court and Court scheduling orders. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 36:

All Documents shown to any testifying expert retained by You in connection with this Action.

RESPONSE TO REQUEST NO. 36:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs further object to this Request to the extent that it seeks information protected by privilege, including the attorney-client privilege, work product immunity doctrine, common interest privilege, the mediation privilege, or other applicable privileges, immunities, or restrictions on discovery. Plaintiffs further object to this Request as it calls for communications between Plaintiffs' counsel and experts retained by Plaintiffs' counsel, or for the facts or data that will be considered by testifying expert witnesses prior to the required disclosure of such materials. Plaintiffs will produce expert materials for testifying experts as required by and in the time and manner specified by the applicable Federal and Local Civil Rules of this Court and Court scheduling orders.

REQUEST NO. 37:

All Documents listed or referenced in Plaintiffs' Rule 26(a)(1) Initial Disclosures.

RESPONSE TO REQUEST NO. 37:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 38:

All Documents You relied on, considered, or reviewed to answer Prestamos's First Set of Interrogatories to Plaintiffs.

RESPONSE TO REQUEST NO. 38:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Plaintiffs further object to this Request to the extent that it seeks information protected by privilege, including the attorney-client privilege, work product immunity doctrine, common interest privilege, the mediation privilege, or other applicable privileges, immunities, or restrictions on discovery. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

REQUEST NO. 39:

All Documents cited in Plaintiffs' answers to Prestamos's First Set of Interrogatories to Plaintiffs.

RESPONSE TO REQUEST NO. 39:

Plaintiffs incorporate by reference each General Objection and Objection to Definitions and Instructions into its specific objections to this Request. Subject to and without waiving the foregoing objections, Plaintiffs will search for and produce documents responsive to this Request.

Dated: August 21, 2023

Bailey & Glasser LLP

By: /s/ Bart D. Cohen

Lawrence J. Lederer

Bart D. Cohen

1622 Locust Street

Philadelphia, PA 19103

T: (215) 274-9420

F: (202) 463-2103

llederer@baileyglasser.com

bcohen@baileyglasser.com

Bailey & Glasser LLP

Michael L. Murphy (*pro hac vice*)

1055 Thomas Jefferson St., NW, Suite 540

Washington, DC 20007

T: (202) 463-2101

F: (202) 463-2103

mmurphy@baileyglasser.com

Nolan Heller Kauffman LLP

Justin A. Heller (*pro hac vice*)

Matthew M. Zapala (*pro hac vice*)

80 State Street, 11th Floor

Albany, NY 12207

T: (518) 449-3300

F: (518) 432-3123

jheller@nhkllp.com

mzapala@nhkllp.com

*Attorneys for Plaintiffs and the
Proposed Class and Subclasses*

Certificate of Service

I hereby certify that a copy of the foregoing document was served on all counsel of record on August 21, 2023 via electronic mail, in accordance with the Federal Rules of Civil Procedure.

/s/ Bart D. Cohen

Bart D. Cohen