

EXHIBIT E

Burruss, Chesley

From: Bart D. Cohen <bcohen@baileyglasser.com>
Sent: Thursday, May 16, 2024 5:38 PM
To: Pratt, Marcel S.
Cc: Justin Heller; Matthew Zapala; Lawrence J. Lederer; Gabriel R. Dos Santos; Watson, Travis W.; Austin Marshall; daniel@ha-firm.com; roy@ha-firm.com; Rogers, Edward; Burruss, Chesley; Longley, Henry; Gallagher, Thomas J.; Bart D. Cohen
Subject: Marshall v. Prestamos - Discovery meet and confer

⚠ EXTERNAL

Marcel:

This updates Prestamos on several of the outstanding discovery issues including ones we discussed in our Tuesday 5/14 meet and confer:

- Plaintiffs agree to depose Ms. Nunez and Messrs. Martinez and Castillo either in Arizona or remotely assuming defendants agree to also depose plaintiffs remotely.
- We are still working on getting you dates for plaintiffs' depositions. That said, we can offer you now the following all assuming the depositions will be conducted remotely – plaintiff Alyshia Johnson 1:00 pm 6/13/24 as Prestamos noticed; plaintiff Enobong Etuknwa 1:00 pm 6/20/24 as Prestamos noticed; plaintiff Sharon Bradley Smith either 6/26/24 or 6/28/24 (Prestamos noticed her for 6/24/24 but she is unavailable that day); plaintiff Paris Townsend later on 5/30/24 as Prestamos noticed or earlier in May 2024 (she has health issues and potential surgery in June); Alicia Marshall 5/28/24 as Prestamos noticed, but 9:00 am or 10:00 am PT; Kristina Henderson Saturday 6/8/24 not 6/5/24 as Prestamos noticed, she works full time.
- We will agree to depose Ms. Nunez and Messrs. Martinez and Castillo once provided that the parties stipulate that they'll be no objections at the depositions regarding whether the testimony sought involves class certification issues, merits issues or a combination of the two, and this also reciprocally applies to Prestamos's sole deposition of each plaintiff.
- You have agreed to share with us in advance of the 5/23/24 hearing any documents that you've subpoenaed for that hearing and obtain from Evolve Bank and Blueacorn.
- The parties have agreed that they will promptly produce to each other all documents the parties obtain from non-parties, and without any need for any party to propound any further written discovery requests.

Best regards,

Bart

Bart D. Cohen

Of Counsel

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