EX. 25 -- EXCERPTS FROM PLAINTIFFS' DEPOSITION TESTIMONY

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Excerpts from Plaintiff Alicia Marshall's 7/9/24 Deposition

"A. I didn't get it resolved. They -- I had an e-mail that said that everything looked fine, that I was going to be receiving my funds soon. I opted in to a Dash card. They said I would be receiving it soon." **At 20**

"A. Because the Dash card option was -- it would ensure that the loan proceeds would be there, and it would ensure that I would be able to have documentation of all the loan proceeds coming in or going out, so that when I went to apply for forgiveness, I would have that all, and I would have it. And I didn't want any more issues since I had already picked it from SBA-approved, and the funds had got rejected." **At 51**

"A. […] I chose one and then my friends got rejected, so I opted into a Dash card because I didn't want any more confusion, any more anything going wrong. So I felt the Dash card was the easiest, most way -- or the best decision or the best bank to choose or whatever, because it -- there wouldn't be any issues, any more issues to arise between that." **At 52**

"A. […] So I waited and waited and waited again. Finally got an e-mail stating that I could update my banking or I could opt in to a Dash card." **At 83**

"Q. And let's go to the page ending in 298. Ms. Marshall, you see this section titled Information and Bank Account Certification and Authorization?
A. Yes.
Q. And do you see that it provides banking information at the bottom?
A. Yes.
Q. It says Bank Name, Evolve Bank and Trust?
A. Yeah.
Q. Did you provide this information?
A. Yeah." **At 128**

"A. I don't recall right now because I really had a lot of conversations with Blueacorn. I would have to go through my documents, refresh my memory again. But I know that whatever they asked of me, I provided it to them." **At 140-141**

Excerpts from Plaintiff Paris Townsend's 8/13/24 Deposition

"I called them. They offered me a different way to receive it, which -- which -- which they had to end up doing for -- they had a heavy load of people who had the same problem, so they said just give us some time but we're still gonna take care of you, and they had me wait a series of times for that Mastercard called Dash.
Q. Did Blueacorn or Prestamos ask you to provide new or updated bank account information?
A. Yes, they did.
Q. Did you provide that information?
A. I don't remember if I did or not, but the ending result was that they were gonna deposit it on

Dash card. So I don't think so." **At 232-233**

Excerpts from Plaintiff Kristina Henderson's 8/23/24 Deposition

"A. No. I probably -- I don't know. Whatever it asked me to submit, that's what I submitted. But[…]" **At 80**

"So the funds got sent back, and Blue Acorn received the funds, and they said there was a problem with depositing them and that you could put them -- you could give another account. And that's what I did. I gave another account and waited for those funds to be deposited, but then Blue Acorn asked for other documents, and I sent those over, and then out of nowhere they just stopped responding, and then they stated that the loan was denied." **At 83**

Excerpts from Plaintiff Jamie Jones's 8/7/24 Deposition

"Q And it's the Information and Bank Account Certification and Authorization page; right?
A Yes.
Q And do you see at the bottom -- well, about halfway down where it says "BMO Harris Bank, NA"?
A Yes.
Q And you wanted your PPP loan to be deposited into that BMO account; right?
A Yes." **At 51**

Excerpts from Plaintiff John C. Martin's 7/16/24 Deposition

"A. There -- I chose my America First Credit Union because I handle all my transactions and I also handle my business transactions as well, including my deposits. So since they were all hitting that bank account, I chose to use America First Credit Union." **At 85**

"that the loan was approved. And after my bank returned the funds and after I attempted to have it redeposited, that's when the second communication happened where I did everything to provide all the relevant documentation, and they continued to say that it was not matching, somehow." **At 197**

"A. Yes, I do remember and I do know -- wait a minute. That I did not submit enough material? No, I submitted everything. I do remember there was an issue online and I was going back and forth with technical support. It was an issue submitting -- there was a glitch with the website. It was not allowing me to upload it. I have tons of correspondences. I was struggling for, like, a whole week to upload the documents. But, finally, it was uploaded and I sent the e-mail. And I only have one version of my tax returns. There is no change. Nothing has changed. And I did submit everything that was required." **At 199-200**

"Q. Okay. And after you got that letter from America First, did it occur to you to go back to Blueacorn and identify a different bank account, specifically the Mountain America bank account you told me was a business account, and ask that the monies be deposited there?
A.Yes, I did that. And -- but they refused to fund the loan. They did not --
Q. When you say "they refused to fund the loan," who is the "they"?

A. Blueacorn, Prestamos.” **At 201**

“alternative account. I even -- obviously, I was willing to even accept the Visa option. They had another card as an option. I mean, worst-case scenario, if the banks don't work, I mean, there's -- I could have -- they could have easily sent the Visa option, but all options were refused.” **At 202**

“business, because that's their policy. So obviously I have two alternatives. One is the Visa card alternative, which they could have easily mailed out. Or two, just redeposit it in the Mountain America account.” **At 222**

Excerpts from Plaintiff Gregory Lloyd’s 7/24/24 Deposition

“Q You say that you know you're just a number for Prestamos. What's your basis for that statement?
A Have they ever contacted me? No. Have they ever assisted in helping me? No. I've got a few emails from Elexis saying we're working on it, we're working on it. For over a year you're still working on it? No. To me, I'm pushed aside. That's how I feel. That's how the truth looks like.
Q And why don't you think Capital One, similarly, pushed you aside?
A Because Capital One -- when I send an ACH payment, if I'm the lender, the lender can pull the money back right away. So why didn't they? I'm not the one that's supposed to be doing all the hard work. That's not my job. That's what they get paid for. That's why they get these fees. That's why every time they fund a loan, they get a percentage or whatever it is. They work for me at that time. I don't work for them.
Q And do you believe you provided all necessary information to Prestamos or Blue Acorn?
A I believe I did, yes. Absolutely. What information do I need to provide them for them to reverse the funds? None. They need to reverse the funds and then they send out this Dash card or -- I can't even remember what it was called. That was what was supposed to have happened almost immediately.” **At 59-60**

“Did Capital One freeze your account before the attempt at PPP fund deposit, or was it right at the same time?
A It was right after those funds hit. It was the only reason they froze my account.” **At 112**

“Q And you recall needing to identify the bank account you wanted the PPP funds deposited into right?
A I do.
Q And the bank you identified was Capital One; right?
A That's correct.” **At 180**

“Q So they told you that your account was flagged due to this PPP funds deposit; right?
A. Correct. Along with multiple others. They literally told me it was anybody. The words from the Capital One agent at the time were anybody that had a PPP loan that had a personal bank account that wasn't from Capital One was frozen.” **At 184**

“Do you recall receiving this email?
A I do.

Q And having reviewed this email, do you recall whether you, in fact, provided those documents in response to it?
A I believe I did." **At 188**

<u>Excerpts from Plaintiff Alyshia Johnson's 8/12/24 Deposition</u>

"MR. WATSON: Let's go to the information on the bank account and certification.
Q. And Ms. Johnson, do you recognize that document?
A. Yes, I do.
Q. And was that one of the loan documents you received?
A. Yes
Q. Okay. Did you provide the information, the bank, the Republic Bank & Trust Company, the account, that you wanted the funds disbursed into?
A. Yes." **At 82-83**

"And they stated to me they were going to send it to me on a prepaid debit card, and rest assured, you would get your funds. You were approved for your loan. We're going to make sure you get your loan. I communicated probably every day, six or seven times, if not more." **At 88**

"Q. Did anybody ever ask you to provide any information?
A. They asked me to do proof of identity. They needed a copy of my ID, and I had to do a face scan.
Q. Did they ask for anything else?
A. No.
Q. So they asked you for -- when you say, proof of I.D., what do you mean by that?
A. They wanted me to send a copy of my I.D., I believe it was front and back." **At 89**

"A. They may have asked me for bank statements, and I believe they asked me for my loan number. Yes, I believe they -- I think they did ask for bank statements.
Q. Did you send this information?
A. Yes.
Q. Who did you send it to or where did you send it to?
A. I believe they gave me an e-mail or somewhere to upload the documents to." **At 90**

"As I stated, one of them told me that they were sending a debit card. All in all, I went over -- I had over a hundred and something tickets with them, speaking to different people." **At 91**

"They were trying to find a way to get the funding because a lot of people had the same issue, and they were sending out cards with the funding on it. Rest assured, you were approved. You signed your loan documents. We're going to send you your funding. And nothing." **At 91**

<u>Excerpts from Plaintiff Lametria Marvel's 8/16/24 Deposition</u>

"Q And did you remember having to assign a bank account where you would receive the PPP loan?
A That's when I did the Chime.

Q And where did you provide the Chime information?
A Through Blue Acorn's portal.
Q And what did you provide about your Chime account?
A It was just like the routing, the account. I think it was like the routing and the account number.
Q Okay. When did you first become aware of the PPP program?
A I guess whenever I did the application." **At 58**

"A Because for some reason they sent it back or -- I'm not really sure. All I know is they went into the account and then it went out of the account. Then once I called Blue Acorn, they said, oh, need different banking -- because they said Chime rejected it or something like that. Then I gave them Dave.
Q How did you identify which bank you wanted them to send the money to the first time?
A Through the portal. Through Blue Acorn's portal." **At 75**

"Q So was it Blue Acorn or Prestamos that asked you to provide updated bank account information?
A It was Prestamos.
Q Okay.
A But everything was inputted through Blue Acorn's website. So I guess Blue Acorn was a third-party.
Q And did Blue Acorn tell you that it might be possible to provide you with the funds on a prepaid card called a dash card?
A Not that I was aware of.
Q Did they ask you to provide any additional documentation other than a different bank account?
A After the second bank account, no. I just never heard anything back." **At 85**

Excerpts from Plaintiff Jahbrael Horne's 8/8/24 Deposition

"Q. Does -- does the statement that we're looking at now on the screen refresh your memory that you had a Bank of America account, which you still have?
A. Yeah.
Q. And that you asked that the loan money go into that account?
A. Yeah." **At 82**

Excerpts from Plaintiff Sharon Bradley Smith's 7/19/24 Deposition

"Q And this document, I'll represent to you, shows your loan package documents. The first page here says Information and Bank Account Certification and Authorization. Do you see that?
A Yes.
Q It has your name. It lists your bank name as Shell FCU. Does that refer to Shell Federal Credit Union?
A Yes.
Q And then it lists your account and routing number. Are these the numbers you would have provided to Blue Acorn?
A Yes." **At 80-81**