EX. 26 -- DECLARATION OF PLAINTIFF MARTIN DATED MAY 20, 2025

DECLARATION OF JOHN MARTIN

I, John Martin, declare as follows:

1. I am over the age of 18 and competent to testify. I make this declaration based on my personal knowledge in support of Plaintiffs' opposition to Defendant Prestamos CDFI, LLC's motion for summary judgment.

2. In early 2021, I applied for a Paycheck Protection Program (PPP) loan through Blue Acorn and Prestamos. My application was approved by the Small Business Administration (SBA), and I received an SBA loan number.

3. I initially designated a personal account at America First Credit Union to receive the funds, not realizing that business loan deposits could not be accepted into a personal account.

4. On or about May 26, 2021, America First rejected the ACH deposit from Prestamos, and the funds were returned.

5. After the return, I contacted both Blue Acorn and Prestamos and explained the situation. I offered an alternative business bank account (at Mountain America Credit Union) and requested that the funds be redeposited.

6. I also asked them to use their prepaid Visa card option, which I understood was being used for other borrowers. This would have resolved the issue, but the request was refused.

7. At no time did anyone from Prestamos or Blue Acorn notify me that they would not attempt another disbursement. Instead, they treated the returned funds as a final denial without allowing me to correct anything.

8. I was later told my loan was denied due to "incomplete" tax documentation. However, I submitted my full tax documents, including a complete Schedule C and tax return, through the portal and directly when I was asked. I believe a website error may have initially affected the uploads, but I promptly corrected that.

9. I was never given a fair opportunity to verify or re-submit the documents before Prestamos canceled the loan.

10. I understand that Prestamos may have received a standard processing fee from the SBA for my loan, even though I never received any funds. I raise this only to note that they were compensated for processing my loan while denying me the opportunity to receive it.

11. I believe Prestamos breached its obligations under the PPP process and failed to act in good faith by refusing to disburse the approved funds despite my repeated attempts to cure the issue and my willingness to accept an alternative disbursement method.

12. As a result of not receiving the PPP funds I was approved for, I experienced financial harm. I was unable to use the loan to support my business during the COVID-19 crisis and lost opportunities that the funding was meant to address. I also understand that Prestamos received approximately $2,500 from the SBA to process my loan. That amount, in my opinion, was more than sufficient to justify spending the time needed to help me finalize the disbursement. Despite being paid, they did not follow through to resolve the issue or complete the loan process.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 20th day of May, 2025, in Midvale, Utah.

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John Martin
Midvale, Utah