EX. 18 -- JOINT DECLARATION OF PLAINTIFFS IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

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

JOINT DECLARATION OF PLAINTIFFS IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

We plaintiffs Alicia Marshall, Paris Townsend, Kristina Henderson, Jamie Jones, John Martin, Gregory Lloyd, Alyshia Johnson, Lametria Marvel, Jahbrael Horne and Sharon Bradley Smith (collectively, "Plaintiffs") declare to the best of our knowledge, information and belief under penalty of perjury under the laws of the United State of America as follows:

1. We submit this Joint Declaration in support of our motion for class certification. We have personal knowledge about the information in this Joint Declaration and would testify consistent with this information if asked to do so.

2. We have retained plaintiffs' counsel to prosecute this litigation for us as a class action, specifically the firms of Bailey & Glasser LLP and Nolan Heller Kauffman LLP.

3. This case is about Prestamos' failure to fund our Paycheck Protection Program ("PPP") loans and the PPP loans of many other borrowers who, like us, had loans approved by the Small Business Administration (the "SBA") but not funded. Prestamos also submitted false reports to the SBA indicating that it funded our loans to obtain the loan processing fee, and obtained money from the federal government to fund our loans. This case is also about some of

the other consequences of Prestamos' failure to fund our PPP loans, including that we also were "locked into" and had to rely on Prestamos under the PPP to actually fund our loans; we were deprived of the opportunity to obtain PPP loan forgiveness which the bulk of all PPP funded loan borrowers obtained; and we are ***still*** obligated under our PPP loan note agreements with Prestamos to pay back to Prestamos PPP loan proceeds we never received, plus interest. All plaintiffs and class members share these alleged facts.

4. We also are committed to continue to prosecute this case and ready, willing and able to continue to serve if the Court appoints us as class representatives. We believe the Court certifying the classes and appointing us as class representatives is especially important in this case for several reasons. First, although we seek certification of a class of unfunded Prestamos borrowers only in plaintiffs' respective states and not a national class, we understand that even this already reduced class size includes thousands of class members who failed to receive many millions of dollars of guaranteed, forgivable loans while Prestamos still collected millions of dollars in fees on those loans. Second, under our note agreements with Prestamos, we are still obligated to repay Prestamos loans we never received plus interest. That of course makes us even worse off than not receiving funding in the first place. And we understand that Prestamos has already attempted to collect repayment from some of us such as plaintiff Lloyd as detailed in paragraphs 297 – 298 of the Third Amended Complaint, including with quotes directly from Prestamos' own collections correspondence. Third, our SBA-approved loan amounts ranged from $1,875.00 to $20,832.00. It is therefore unlikely that we and other class members whose loans were also approved in relatively limited amounts could retain other lawyers and sue on any basis other than in a class action that groups us all together. In sum, absent class certification and

our appointment as class representatives, we will very likely lose even the opportunity to obtain any relief and worse yet still be bound to repay Prestamos.

5. Since the inception of our participation in this case, we have worked closely with our attorneys; received numerous status reports from them and followed up with them for other information; produced relevant documents; responded to several rounds of written discovery from Prestamos and its corporate parent, Chicanos Por La Causa, Inc. ("CPLC"), including two rounds of interrogatory requests and document requests; and engaged in a variety of related tasks. We also diligently searched for and provided tax returns and bank account statements or certifications as Prestamos requested and the Court directed; provided verifications to our interrogatory responses; prepared for and gave testimony during Prestamos' depositions of each of us; and worked with our attorneys as part of our request for class certification in support of which we make this Joint Declaration among other things.

6. Each of our PPP loans was approved by the SBA. Had Prestamos actually funded our loans, we would have used the proceeds for our business. Also, because Prestamos failed to fund our PPP loans, we were unable to obtain PPP loan forgiveness as the PPP was designed to do, since we could not certify to the SBA that we used the PPP proceeds for purposes consistent with the PPP, such as to pay salary and rent. We could not make that representation because Prestamos failed to ultimately fund our PPP loans. So we were injured by both not receiving the loans; by being denied the opportunity to obtain loan forgiveness; and by still being bound under the notes that we entered into with Prestamos to pay back to Prestamos the very PPP loan proceeds Prestamos failed to get to us, plus interest. These injuries are shared by all plaintiffs and class members according to the definition of the class.

7. We understand that we owe a duty to all members of the two proposed classes to do all we can to provide fair and adequate representation, and to continue to work with our attorneys to seek the highest recovery and best relief possible consistent with good faith and as the Court may permit. Specifically, we seek two classes be certified. First, we want Prestamos to pay us money damages as part of the first class. Second, we seek that the Court release us from any obligation to repay Prestamos. We intend to continue to pursue this relief for each of us and for the benefit of the classes if the Court honors us with our appointment as a class representative. Each of us has also already testified in deposition as we noted previously, and we are also willing to testify at trial if necessary in Allentown, Pennsylvania.

8. We believe that the Court should certify the two classes as requested and respectfully ask the Court to do so; certify us as class representatives; and appoint our lawyers, Bailey & Glasser, LLP and Nolan Heller Kauffman LLP, as class counsel.

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

Executed as of this 6th, day of September 2024.

Alicia Marshall
Alicia Marshall

Paris Townsend
Paris Townsend

Kristina Henderson
Kristina Henderson

Jamie Jones
Jamie Jones

John Martin

Gregg Lloyd
Gregory Lloyd

Alyshia Johnson
Alyshia Johnson

Lametria Marvel
Lametria Marvel

Jahbrael Horne
Jahbrael Horne

Sharon Smith
Sharon Bradley Smith