

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

BLUE FLAME MEDICAL LLC,

Plaintiff,

v.

CHAIN BRIDGE BANK, N.A.,
JOHN J. BROUGH, and
DAVID M. EVINGER,

Defendants.

Civil Action No. 1:20-cv-00658 (LMB/IDD)

CHAIN BRIDGE BANK, N.A.,

Third-Party Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Third-Party Defendant.

**DECLARATION OF MEREDITH K. LORETTA IN SUPPORT OF
JPMORGAN CHASE BANK, N.A.'S MOTION FOR SUMMARY JUDGMENT**

Meredith K. Loretta, an attorney duly admitted to practice law in the Commonwealth of Virginia, declares as follows:

1. I am an attorney at Wilmer Cutler Pickering Hale and Dorr LLP, and counsel for Third-Party Defendant JPMorgan Chase Bank, N.A. ("JPMC") in the above-captioned case. I make this declaration based upon my personal knowledge and documents provided to me, in support of JPMC's Motion for Summary Judgment.

2. Exhibit 1 is a true and correct copy of an audio recording of a call between Mike Gula (Blue Flame) and Heather Schoeppe (Chain Bridge) ending on March 25, 2020 at 3:26:46

p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002794. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 1 via CD.

3. Attached hereto as Exhibit 2 is a true and accurate copy of an email titled "RE: Blue Flame Medical incoming wire 450 million" from John Brough to Maria Cole, David Evinger, Mike Richardson, and Joanna Williamson, dated March 26, 2020 at 1:34:41 p.m., produced by Chain Bridge, bearing Bates numbers CBB00000661-CBB00000671.

4. Attached hereto as Exhibit 3 is a true and accurate copy of a document titled "Daily Bank Balance Sheet," dated March 25, 2020 at 10:11 p.m., produced by Chain Bridge, bearing Bates number CBB00004312.

5. Attached hereto as Exhibit 4 is a true and accurate copy of an email titled "Re: Blue Flame Medical incoming wire 450 million" from Heather Schoeppe to John Brough, Mike Richardson, Joanna Williamson, and David Evinger, dated March 25, 2020 at 9:03:13 p.m., produced by Chain Bridge, bearing Bates numbers CBB00000761-CBB00000763.

6. Exhibit 5 is a true and accurate copy of an audio recording of a call between Heather Schoeppe (Chain Bridge) and Joanna Williamson (Chain Bridge) ending on March 25, 2020 at 4:30 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002797. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 5 via CD.

7. Exhibit 6 is a true and accurate copy of an audio recording of a call between Heather Schoeppe (Chain Bridge), David Evinger (Chain Bridge), and John Brough (Chain Bridge) ending on March 25, 2020 at 4:46 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002798. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 6 via CD.

8. Attached hereto as Exhibit 7 is a true and accurate copy of excerpts from the transcript of the deposition of John J. Brough, taken on February 21, 2021.

9. Attached hereto as Exhibit 8 is a true and accurate copy of excerpts from the Expert Report of Charles H. Grice dated February 12, 2021.

10. Attached hereto as Exhibit 9 is a true and accurate copy of excerpts from the transcript of the deposition of David Evinger, taken on January 29, 2021.

11. Attached hereto as Exhibit 10 is a true and accurate copy of Chain Bridge Bank, N.A.'s Wire Transfer Policy dated January 2020, produced by Chain Bridge, bearing Bates numbers CBB00004294-CBB00004301.

12. Attached hereto as Exhibit 11 is a true and accurate copy of a document titled "Payment Report – Detail" dated March 26, 2020, produced by JPMC, bearing Bates numbers JPMC-00000467-JPMC-00000468.

13. Attached hereto as Exhibit 12 is a true and accurate copy of a document titled "Fedwire® Funds Service - Annual Statistics, The Federal Reserve" dated April 8, 2021.

14. Attached hereto as Exhibit 13 is a true and accurate copy of excerpts from the transcript of the deposition of Rakesh Korpai, taken on February 9, 2021.

15. Attached hereto as Exhibit 14 is a true and accurate copy of an email titled "RE: 03/26/20 Large Outgoing Wire" from Ana Prieto to Natalie Gonzales, CTSMD-Desk@treasurer.ca.gov, Art Neville, Tamara Brown, and Angelique Uribe dated March 26, 2020 at 4:04:06 p.m. UTC, produced by JPMC, bearing Bates numbers JPMC-00000027-JPMC-00000030.

16. Attached hereto as Exhibit 15 is a true and accurate copy of a document titled “Fedwire Funds Processor” dated March 26, 2020 at 11:55:43, produced by Chain Bridge, bearing Bates number CBB00002779.

17. Attached hereto as Exhibit 16 is a true and accurate copy of an email titled “RE: Incoming Large Wire” from Thais Ribeiro to David Evinger dated March 26, 2020 at 12:30:58 p.m., produced by Chain Bridge, bearing Bates numbers CBB00000728-CBB00000729.

18. Attached hereto as Exhibit 17 is a true and accurate copy of an email titled “RE: Blue Flame Medical incoming wire 450 million” from Maria Cole to Mike Richardson, Thais Ribeiro, Jennifer Lincoln, Claudia Mojica, Rick Claburn, Heather Schoeppe, and Wires@chainbridge.com dated March 26, 2020 at 12:17:42 p.m., produced by Chain Bridge, bearing Bates numbers CBB00000919-CBB00000929.

19. Attached hereto as Exhibit 18 is a true and accurate copy of a call log from Chain Bridge Bank dated March 26, 2020, produced by Chain Bridge, bearing Bates numbers CBB00004323-CBB00004362.

20. Attached hereto as Exhibit 19 is a true and accurate copy of Defendants Chain Bridge Bank, John Brough, and David Evinger’s Responses to Plaintiff’s First Set of Interrogatories dated October 28, 2020.

21. Attached hereto as Exhibit 20 is a true and accurate copy of an email titled “Re: *Urgent* Call from Chain Bridge Bank RE: Large Sum Wire Transfer” from Fee Chang to Christine Reyes, John Lee, Jalid Perera, Lilian Lee, Jacqueline Campion, and Nicholas Chang dated March 26, 2020 at 9:54:40 a.m., produced by the California Department of General Services, bearing Bates numbers DGS6548-DGS6549.

22. Attached hereto as Exhibit 21 is a true and accurate copy of excerpts from the transcript of the Natalie Gonzales, taken on January 28, 2021.

23. Attached hereto as Exhibit 22 is a true and accurate copy of excerpts from the Expert Report of Thomas C. Baxter, Jr. dated March 12, 2021.

24. Exhibit 23 is a true and accurate copy of an audio recording of a call between John Brough (Chain Bridge), David Evinger (Chain Bridge), Claudia Mojica-Guadron (Chain Bridge), and Thais Ribeiro (Chain Bridge) ending on March 26, 2020 at 1:43 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002789. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 23 via CD.

25. Attached hereto as Exhibit 24 is a true and accurate copy of excerpts from the transcript of the deposition of Timothy Coffey taken on February 11, 2021.

26. Exhibit 25 is a true and accurate copy of an audio recording of a call between John Brough (Chain Bridge), David Evinger (Chain Bridge), and Rakesh Korpall (JPMC) beginning on March 26, 2020 at 12:44 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002541. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 25 via CD.

27. Attached hereto as Exhibit 26 is a true and accurate copy of an electronic chat titled "Conversation with Korpall, Rakesh (CIB OPS, USA)" dated March 26, 2020 at 6:37 p.m. UTC, produced by JPMC, bearing Bates number JPMC-00000124.

28. Exhibit 27 is a true and accurate copy of an audio recording of a voicemail from Fee Chang (California) delivered to David Evinger (Chain Bridge) on March 26, 2020 at 12:51 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00000707. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 27 via CD.

29. Exhibit 28 is a true and accurate copy of an audio recording of a call between John Brough (Chain Bridge), David Evinger (Chain Bridge), and Fee Chang (California) beginning on March 26, 2020 at 12:55 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002543. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 28 via CD.

30. Attached hereto as Exhibit 29 is a true and accurate copy of notes taken by John Brough and David Evinger dated March 25 to March 26, 2020, produced by Chain Bridge, bearing Bates numbers CBB00004453-CBB00004467.

31. Exhibit 30 is a true and accurate copy of an audio recording of a call between John Brough (Chain Bridge), David Evinger (Chain Bridge), and Rakesh Korpai (JPMC) beginning on March 26, 2020 at 1:34 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002544. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 30 via CD.

32. Exhibit 31 is a true and accurate copy of an audio recording of a call between John Brough (Chain Bridge), David Evinger (Chain Bridge), and Tim Coffey (JPMC) beginning on March 26, 2020 at 1:37 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002545. Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit Exhibit 31 via CD.

33. Attached hereto as Exhibit 32 is a true and accurate copy of a document titled "Fedwire Funds Processor" dated March 26, 2020 at 14:05:47, produced by Chain Bridge, bearing Bates number CBB00002780.

34. Attached hereto as Exhibit 33 is a true and accurate copy of a document titled "Fedwire Funds Service Format Reference Guide" dated November 19, 2011.

35. Attached hereto as Exhibit 34 is a true and accurate copy of a document titled “Fedwire Funds Processor” dated March 26, 2020 at 15:21:05, produced by Chain Bridge, bearing Bates number CBB00002781.

36. Attached hereto as Exhibit 35 is a true and accurate copy of an email titled “RE: Incoming Large Wire” from John Brough to Jennifer Lincoln, David Evinger, Joanna Williamson, Farrukh Memon, Heather Schoeppe, Mike Richardson, and Wires@chainbridge.com dated March 26, 2020 at 12:11:53 p.m., produced by Chain Bridge, and bearing Bates number CBB00000748.

37. Attached hereto as Exhibit 36 is a true and accurate copy of an email titled “RE: Please close BlueFlame accounts” from Heather Schoeppe to John Brough, Maria Cole, Mike Richardson, Mariano Castagnello, Angeli Nanali, David Evinger, Thais Ribeiro, Joanna Williamson, and Betsy Sharon dated March 26, 2020 at 3:22:44 p.m., produced by Chain Bridge, bearing Bates numbers CBB00000594-CBB00000599.

38. Attached hereto as Exhibit 37 is a true and accurate copy of excerpts from the transcript of the deposition of Heather Schoeppe taken on January 22, 2021.

39. Attached hereto as Exhibit 38 is a true and accurate copy of an email titled “RE: Please close BlueFlame Accounts” from Heather Schoeppe to Thais Ribeiro dated March 26, 2020 at 2:43:14 p.m., produced by Chain Bridge, bearing Bates numbers CBB00000815-CBB00000817.

40. Attached hereto as Exhibit 39 is a true and accurate copy of an email titled “No new accounts for these clients” from John Brough to various Chain Bridge employees dated March 27, 2020 at 3:23:23 p.m., produced by Chain Bridge, bearing Bates number CBB00000527.

41. Attached hereto as Exhibit 40 is a true and accurate copy of an email titled “Call from John Thomas” from John Brough to David Evinger, Betsy Sharon, Tsega Yohannes, Nancy Kelly, Heather Schoeppe, Thais Ribeiro, and Mike Richardson dated March 27, 2020 at 3:18:35 p.m., produced by Chain Bridge, bearing Bates number CBB00004452.

42. Attached hereto as Exhibit 41 is a true and accurate copy of a letter and accompanying exhibits from Jennifer Dauer to Angela Shell dated July 29, 2020, produced by the California Department of General Services, bearing Bates numbers DGS0294-DGS0322.

43. Attached hereto as Exhibit 42 is a true and accurate copy of an email titled “PRPC case” from Timothy Coffey to Debra Naughton and Rakesh Korpall dated March 26, 2020 at 8:03:42 p.m. UTC, produced by JPMC, bearing Bates numbers JPMC-00000170-JPMC-00000176.

44. Attached hereto as Exhibit 43 is a true and accurate copy of document titled “Book Transfer Credit” dated March 26, 2020 at 4:04 p.m. ET, produced by the California State Treasurer’s Office, bearing Bates number STO0001.

45. Attached hereto as Exhibit 44 is a true and correct copy of an email titled “RE: email chain restored w/all who need to know.....” from Fee Chang to various California employees dated March 26, 2020 at 2:54:30 p.m., produced by the California Department of General Services, bearing Bates numbers DGS0085-0113.

46. Attached hereto as Exhibit 45 is a true and correct copy of an email titled “Re: Canceled/Terminated Pos N95s” from Mitchell Medigovich to Angela Shell dated July 14, 2020 at 10:08:45 p.m., produced by the California Department of General Services, bearing Bates number DGS0329.

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

Executed on: May 6, 2021
Washington, DC

/s/ Meredith K. Loretta
Meredith K. Loretta