EXHIBIT 2

CONFIDENTIAL

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

EXPERT REPORT OF CHARLES H. GRICE
February 12, 2021

banks' cancellation (i.e., recall) requests. In particular, receiving banks generally rely on this provision and understand that it causes a sending bank that makes a cancellation request to bear the risk that its cancellation will be deemed ineffective, lead to expensive litigation, or otherwise result in costs or expenses to the receiving bank. Absent such a safeguard, receiving banks would rarely, if ever, honor requests to cancel wire transfers that they have already accepted.

22. When a sending bank wishes to opt out of the U.C.C.'s indemnification obligation in connection with a wire-transfer cancellation request, it is industry practice that it do so explicitly and in writing prior to the receiving bank's decision to comply with a cancellation request. Specifically, a sending bank intending to opt out of the standard indemnification requirements will include the clear phrase "NO INDEMNITY," or similar phrasing, in the text of a Fedwire request to return a wire. Doing so provides a receiving bank with clear notice that it, rather than the sending bank, will bear any risk of loss associated with the sending bank's cancellation request should it choose to accept that request. This practice is consistent with paragraph 14.1 of the Federal Reserve Banks Operating Circular No. 6: Funds Transfers Through the Fedwire Funds Service, which was in effect on March 26, 2020 and which states that "[b]y requesting cancellation or amendment of a Payment Order, the sender may be liable under Section 4A-211 of Article 4A unless the request states 'NO INDEMNITY.'"[29] All else equal, a "no indemnity" qualifier on a wire-transfer cancellation request makes it more likely that a receiving bank will not agree to honor the cancellation.

23. I am unaware of any "No Indemnity" or similar disclaimer made by JPMorgan in connection with its request to cancel the California Wire Transfer. In particular, no such disclaimer

[29] Federal Reserve Banks Operating Circular No. 6, FUNDS TRANSFERS THROUGH THE FEDWIRE FUNDS SERVICE ¶¶ 1.1, 14.1 (December 20, 2019), available at https://www.frbservices.org/assets/resources/rules-regulations/122019-operating-circular-6.pdf, accessed February 5, 2021.