

DX 7

**REDACTED VERSION OF
DOCUMENT SOUGHT TO
BE SEALED PURSUANT TO
STIPULATED
PROTECTIVE ORDER**

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

IN RE: BANK OF AMERICA
CALIFORNIA UNEMPLOYMENT
BENEFITS LITIGATION

Case No. 21-MD-02992-GPC-MSB

**DECLARATION OF VICTOR
STANGO IN SUPPORT OF
DEFENDANT BANK OF
AMERICA, N.A.'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Date: April 17, 2026
Time: 1:30 p.m.
Ct rm: 12A – 12th Floor
Judge: Hon. Gonzalo P. Curiel

FILED PROVISIONALLY UNDER SEAL
PURSUANT TO STIPULATED PROTECTIVE
ORDER

1 I, Victor Stango, declare and state as follows:

2 1. I am over 18 years of age and am competent to testify in this matter. I make
3 this declaration in support of Defendant Bank of America, N.A.'s (BANA) Motion
4 for Partial Summary Judgment.

5 2. I have been retained by BANA to serve as an expert in this case.

6 3. If called as a witness at trial, I would testify to each and all of the opinions
7 and statements contained in my April 4, 2025 Expert Report in this matter (Expert
8 Report), a true and correct copy of which is attached to the Declaration of Laura G.
9 Brys (Brys Dec.) as DX 7.A.

10 4. The contents of my Expert Report are based on my personal knowledge,
11 education, training, academic research, and professional industry experience in the
12 consumer behavior industry, as well as the information and documents made
13 available to me in this action, as listed in the report itself.

14 5. Since submitting my Expert Report, I understand that BANA has updated
15 certain data [REDACTED]
16 [REDACTED] as of September 29, 2025. This includes updates to data that
17 BANA previously provided in response to Interrogatories Nos. 2, 4, 5, 6, 14, 15, 21,
18 and 46, which I understand Plaintiffs' expert Greg Regan relied on, in part, to identify
19 members of the Claim Denial, Credit Rescission, Account Freeze, Customer Service,
20 and EMV Chip Classes (collectively, Classes) and to calculate their alleged damages,
21 and which I relied on in my Expert Report to rebut Mr. Regan's opinions and to offer
22 certain opinions based on my review and understanding of the data.

23 6. To the extent I relied on this data in my Expert Report (*see, e.g.*, DX ¶¶ 21
24 & n.25, 33 & n.49, 64, 69, 72, 73, 74 & n.144, 76, 82, 83 & n. 162, 84-87, 89, 90 &
25 n. 170, 91, 96 & App'x B), I update my opinions only to reflect the following based
26 on the supplemental data and information available to me as of the date of this
27 declaration:

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- 1 a. I understand that on June 16, 2025, the Court issued an order
2 certifying certain classes of EDD cardholders.
- 3 b. Consistent with the opinions offered in my Expert Report (¶¶ 9, 21,
4 24, 33, 35, 64, 71, 72, 74), based on my review and analysis of the
5 supplemental data contained in BANA's Second Revised Second
6 Supplemental Response to Interrogatory Nos. 2, 4, 5, 6, 14 and 15
7 (Set 1), BANA's First Supplemental Response to Interrogatory No.
8 21 (Set 3) and BANA's First Supplemental Response to
9 Interrogatory No. 46 (Set 7), all members of the Claim Denial Class
10 that may be identified using Mr. Regan's proposed methodology for
11 identification of Claim Denial Class members [REDACTED]
12 [REDACTED]
13 [REDACTED]
- 14 c. As of September 29, 2025, based on my review and analysis of the
15 supplemental data contained in BANA's Second Revised Second
16 Supplemental Response to Interrogatory Nos. 2, 4, 5, 6, 14 and 15
17 (Set 1), BANA's First Supplemental Response to Interrogatory No.
18 21 (Set 3) and BANA's First Supplemental Response to
19 Interrogatory No. 46 (Set 7), and the methodology proposed by
20 Plaintiffs to identify class members, the total number of class
21 members is [REDACTED].
- 22 d. As of September 29, 2025, based on my review and analysis of the
23 supplemental data contained in BANA's Second Revised Second
24 Supplemental Response to Interrogatory Nos. 2, 4, 5, 6, 14 and 15
25 (Set 1), BANA's First Supplemental Response to Interrogatory No.
26 21 (Set 3) and BANA's First Supplemental Response to
27 Interrogatory No. 46 (Set 7), BANA has provided approximately
28 [REDACTED]

1 [REDACTED] to members of the Classes that may be identified using Mr.
2 Regan's proposed methodology for identification of such Class
3 members.

4 e. As of September 29, 2025, based on my review and analysis of the
5 supplemental data contained in BANA's Second Revised Second
6 Supplemental Response to Interrogatory Nos. 2, 4, 5, 6, 14 and 15
7 (Set 1), BANA's First Supplemental Response to Interrogatory No.
8 21 (Set 3) and BANA's First Supplemental Response to
9 Interrogatory No. 46 (Set 7), members of the Classes that may be
10 identified using Mr. Regan's proposed methodology for
11 identification of such Class members [REDACTED]

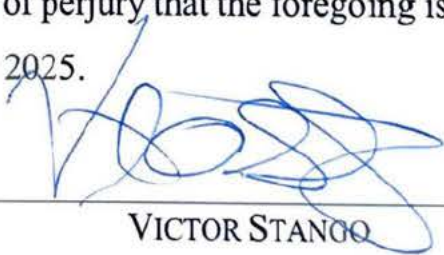
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 f. As of September 29, 2025, based on my review and analysis of the
17 supplemental data contained in BANA's Second Revised Second
18 Supplemental Response to Interrogatory Nos. 2, 4, 5, 6, 14 and 15
19 (Set 1), BANA's First Supplemental Response to Interrogatory No.
20 21 (Set 3) and BANA's First Supplemental Response to
21 Interrogatory No. 46 (Set 7), only [REDACTED] of those class members [REDACTED]

22 [REDACTED]
23 g. As of September 29, 2025, based on my review and analysis of the
24 supplemental data contained in BANA's Second Revised Second
25 Supplemental Response to Interrogatory Nos. 2, 4, 5, 6, 14 and 15
26 (Set 1), BANA's First Supplemental Response to Interrogatory No.
27 21 (Set 3) and BANA's First Supplemental Response to
28 Interrogatory No. 46 (Set 7), of the [REDACTED] class members whose [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 h. As of September 29, 2025, based on my review and analysis of the
5 supplemental data contained in BANA's Second Revised Second
6 Supplemental Response to Interrogatory Nos. 2, 4, 5, 6, 14 and 15
7 (Set 1), BANA's First Supplemental Response to Interrogatory No.
8 21 (Set 3) and BANA's First Supplemental Response to
9 Interrogatory No. 46 (Set 7), of the [REDACTED] class members [REDACTED]
10 [REDACTED] of those class members [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 7. I reserve the right to further supplement or amend my opinions and report
15 should new data or information become available. I also reserve the right to respond
16 to additional opinions or assumptions in the Regan Report or other plaintiff expert
17 reports if asked to do so by counsel in the future.
18

19 I, Victor Stango, declare under penalty of perjury that the foregoing is true and
20 correct. Executed on this 16th day of October 2025.

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22 _____
23 VICTOR STANGO
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