

1 JAMES W. MCGARRY (*pro hac vice*)

2 JMcGarry@goodwinlaw.com

3 **GOODWIN PROCTER LLP**

4 100 Northern Avenue

5 Boston, MA 02210

6 Tel.: +1 617 570 1000

7 Fax: +1 617 523 1231

8 SABRINA M. ROSE-SMITH (*pro hac vice*)

9 SRoseSmith@goodwinlaw.com

10 MATTHEW L. RIFFEE (*pro hac vice*)

11 MRiffee@goodwinlaw.com

12 **GOODWIN PROCTER LLP**

13 1900 N Street, NW

14 Washington, DC 20036

15 Tel.: +1 202 346 4000

16 Fax: +1 202 346 4444

17 Attorneys for Defendant

18 **BANK OF AMERICA, N.A.**

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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 JENNIFER
LENNON IN SUPPORT OF
BANK OF AMERICA, N.A.'S
MOTION TO DECERTIFY THE
CLASSES**

Ctrm: 12A – 12th Floor

Judge: Hon. Gonzalo P. Curiel

FILED PROVISIONALLY UNDER SEAL
PURSUANT TO STIPULATED PROTECTIVE
ORDER

1 I, Jennifer Lennon, hereby declare as follows:

2 1. I am employed by Defendant Bank of America, N.A. ("BANA"). I make
3 this declaration based upon personal knowledge and belief, upon BANA's records
4 maintained in the ordinary course and scope of business, and upon information
5 gathered from other BANA employees within the scope of their responsibilities. If
6 called to testify as to any of the matters set forth in this declaration, I could and would
7 competently testify thereto.

8 2. In my capacity as the Prepaid Unemployment Programs Executive for
9 BANA, my responsibilities include leading the following functions as part of
10 managing the Prepaid Business: prepaid controls and quality assurance; prepaid
11 change management and transformation including Visa and product oversight;
12 prepaid end-to-end check issuance oversight and balance reduction; prepaid data
13 management and analytics; prepaid call center, complaints, fraud policy, and return
14 of funds process; and prepaid claims processing, direct compensation and
15 individualized review process management, and cardholder communications.

16 3. In the same capacity, I am also responsible for overseeing BANA's
17 response to [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED] I am further responsible for coordinating with the relevant
21 state agencies, including California's Employment Development Department
22 ("EDD"), concerning [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 4. On January 30, 2026, the DOL-OIG issued a public alert memorandum
26 related to Prepaid Accounts still holding funds in suspense or having had their funds
27 escheated to various state unclaimed property authorities. A copy of the January 30,
28 2026 Alert Memorandum is attached as Exhibit A. [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 5. As explained in the January 30, 2026 Alert Memorandum, in August
5 2025, DOL-OIG issued an Inspector General subpoena to [REDACTED] Ex. A at 3. The
6 DOL-OIG sought [REDACTED] records pertaining to (1) all Prepaid Accounts funded for
7 UI between March 1, 2020 and September 30, 2021 with remaining UI balances, and
8 (2) Prepaid Account funded for UI between March 1, 2020 and September 30, 2021
9 with balances already escheated to state unclaimed property administrators. Ex. A at
10 3. [REDACTED] provided the requested records to OIG in September 2025, and OIG
11 subsequently investigated them for potential fraud.

12 6. According to the January 30, 2026 Alert Memorandum, DOL-OIG
13 reviewed 4,369,061 [REDACTED] Prepaid Accounts with balances remaining in their
14 Prepaid Accounts as of September 2025, and determined that 2,679,741 of those
15 Prepaid Accounts were potentially fraudulently obtained. Ex. A at 5. According to
16 the same memorandum, DOL-OIG also reviewed 914,527 Prepaid Accounts with
17 escheated funds, and determined that 459,350 were potentially fraudulently obtained.

18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]

22 7. [REDACTED]
23 [REDACTED]
24 [REDACTED] A copy of the
25 September 21, 2022 Alert Memorandum is attached as Exhibit B. According to the
26 September 21, 2022 Alert Memorandum, DOL-OIG considers the following types of
27 Prepaid Accounts to be potentially fraudulent: (1) accounts with Social Security
28 Numbers associated with unemployment insurance (“UI”) claims filed in two or more

1 states concurrently; (2) accounts with Social Security Numbers belonging to
2 deceased persons; (3) accounts with Social Security Numbers belonging to ineligible
3 federal prisoners; or (4) accounts associated with UI claims filed with email addresses
4 identified as suspicious by DOL-OIG (such as accounts enabling users to hide
5 personal information and identities). *See* Ex. B at 4-6.

6 8. On May 8, 2026, [REDACTED]
7 [REDACTED]
8 [REDACTED] A copy of the
9 cover letter describing the files is attached as Exhibit C.¹

10 9. [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

GOODWIN PROCTER LLP
ATTORNEYS AT LAW

25 ¹ The DOL-OIG letter (Exhibit C) is dated May 1, 2026. [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED], because EDD (and not BANA) is in possession of UI benefits eligibility information and is and was at all relevant times responsible for making UI benefits eligibility determinations.

11. As of today's date,

[REDACTED]

[REDACTED]

12. At my direction and under my supervision,

[REDACTED]

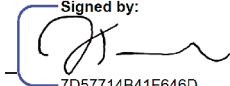
[REDACTED]

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1 I declare under the penalty of perjury that the foregoing is true and correct.
2 Executed on this 8th day of June, 2026.

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4 Signed by: 
5 7D57714B41F646D...
6 JENNIFER LENNON
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