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BANK OF AMERICA, N.A.

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

I, Jennifer Lennon, hereby declare as follows:

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

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

3. In the same capacity, I am also responsible for overseeing BANA's response to [redacted] I am further responsible for coordinating with the relevant state agencies, including California's Employment Development Department ("EDD"), concerning [redacted]

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

[redacted]

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

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

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

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

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

9. [redacted]

[1] The DOL-OIG letter (Exhibit C) is dated May 1, 2026. [redacted]

[redacted]

10. [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]

12. At my direction and under my supervision, [redacted]

[redacted]

13. [redacted]

14. [redacted]

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

Signed by:
7D57714B41F646D...

JENNIFER LENNON