

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jane Doe, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

Bank of America, N.A.,

Defendant.

Case No. 1:25-CV-8520 (JSR)

**JOINT DECLARATION OF DAVID BOIES AND BRADLEY EDWARDS IN SUPPORT
OF CLASS REPRESENTATIVE JANE DOE’S MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

We, David Boies and Bradley Edwards, declare as follows:

1. I, David Boies, am a member in good standing of the bar of the State of New York and am admitted to practice before this Court. I am a Founding Partner of Boies Schiller Flexner LLP (“BSF”). I make this declaration on my own personal knowledge, and if called as a witness to testify, I could and would testify competently to the following facts.

2. I, Bradley Edwards, am a partner at Edwards Henderson, PLLC (“EH”). I am an attorney at law duly licensed to practice before the courts of the state of New York. I make this declaration on my own personal knowledge, and if called as a witness to testify, I could and would testify competently to the following facts.

3. The two law firms representing Plaintiff, Boies Schiller Flexner LLP and Edwards Henderson, PLLC (collectively, “Class Counsel”), have invested significant resources into investigating and litigating this case and as such, have moved to be appointed Co-Lead Class Counsel.

4. We submit this declaration in support of the motion filed by Jane Doe (“Plaintiff” or “Settlement Class Representative”), for preliminary approval of class action settlement with Defendant Bank of America, N.A. (“Defendant” and together with Plaintiff, the “Parties”). Our firms represent the Settlement Class Representative in the above-captioned action (the “Litigation”).

A. Preparation of this Case

5. This case grew out of our firms’ long representation of the survivors of Jeffrey Epstein’s sex trafficking ring. EH began representing Epstein survivors in 2009. BSF began representing Epstein survivors in the first half of 2014.

6. By 2021, our firms had successfully brought lawsuits against Epstein himself during his life, his estate after his death, certain collaborators like Ghislaine Maxwell, and certain participants like Prince Andrew. Although we had collectively recovered substantial amounts for our clients, we believed they had not been fully compensated, and that many who had made the scope, scale, and duration of Epstein’s sex trafficking possible had not been held accountable.

7. For several years we had investigated Epstein’s relationship with major banks. In early 2021, we decided to make a concerted effort to develop cases against JPMorgan and Deutsche Bank, the two primary banks on which Epstein had relied.

8. BSF and EH were appointed as co-class counsel for *Doe I v. JPMorgan Chase Bank, N.A.*, (22-cv-10019) (S.D.N.Y.). There, the Court granted class certification for similar claims against JPMorgan Chase, with BSF and EH as co-class counsel. BSF and EH led the case through discovery and eventually to an agreeable settlement for all involved victims. The Court also granted class certification for similar claims against Deutsche Bank for settlement purposes.

9. BSF and EH have expended substantial time and resources in actively and diligently litigating this action. Class Counsel has over ten thousand hours and substantial resources in developing the Settlement Class Representative's case, undertaking substantial discovery, and engaging in motion practice. In preparation for the filing of this action, Class Counsel engaged in extensive research, conducted dozens of interviews, and reviewed thousands of documents. Class Counsel confidentially interviewed over 50 individuals, including dozens of survivors. Additionally, Class Counsel conducted significant research into Defendant and reviewed an enormous volume of publicly available documents regarding Jeffrey Epstein and his sex-trafficking operation. Class Counsel expended considerable resources once the suit was filed engaging in extensive discovery efforts, including extensive fact, class certification, and expert discovery, taking and defending 10 depositions with other depositions continuing, producing and reviewing hundreds of thousands of pages of documents, and preparing and rebutting reports for nine expert witnesses. BSF also engaged in motion practice and opposed Defendants' motions, including discovery disputes, a motion to dismiss, and a motion for class certification.

B. Benefits of Settlement

10. Based on our experience litigating these cases over the years, and for the reasons set forth in the accompanying Stipulation of Settlement, we believe that this is a good Settlement for the Class.

11. Although we believe our claims are strong, we recognize that Defendant has asserted defenses to liability and damages.

12. We also understand that the outcome of any jury trial is inherently uncertain, and that even if the Class were ultimately successful at trial, any recovery could be delayed for several years due to post-trial proceedings and appellate review.

13. The potential delay in recovery to Class Members weighed in favor of settlement

given that many Class Members suffered harm many years ago and are in need of financial relief now.

14. Based on these considerations, we believe the proposed Settlement represents a favorable and fair result for the Class.

15. Class Members will receive \$72.5 million in cash, less any court-approved attorneys' fees and applicable taxes and tax-related expenses. This amount represents a life-changing recovery for the Class Members, available to them now.

16. Bank of America has also agreed to pay certain litigation costs and claims administration costs, meaning that these costs will not come from the fund used to pay Class Members.

17. As a result of the Settlement, Class Members will also not be required to participate in a trial, which is an important benefit to the Class given that participation in trial is intrusive and burdensome for survivors of sexual abuse.

18. Based on our experience representing survivors of sexual abuse for decades, trial testimony often requires survivors to revisit traumatic experiences and may implicate significant privacy concerns.

19. This Settlement avoids the need for potentially retraumatizing Class Members while still providing them a substantial recovery.

C. Relevant Firm Experience

20. BSF has a strong record of successfully and diligently representing plaintiffs in complex class action litigation. Recent cases in which BSF or its partners were lead or co-lead counsel include: *Ward v. Indyke et al.* (1:21-cv-01204) (S.D.N.Y.), an ongoing case where the court granted preliminary approval of an up to \$35 million class settlement in March 2025; *In re Grupo Televisa Securities Litigation* (1:18-cv-01979) (S.D.N.Y.), in which the court granted final

approval of a settlement in August of 2023; *In re Blue Cross Blue Shield Antitrust Litigation* (2:13-cv-20000) (N.D. Ala.), an antitrust class action in which BSF achieved both what the court referred to as “historic” injunctive relief and a \$2.7 billion award in a settlement that received final approval in October 2022; *In re Takata Airbag Products Liability Litigation* (1:15-md-02599) (S.D. Fla.), in which the Firm obtained a recovery of more than \$1.5 billion in a products liability class action, which is still proceeding against certain defendants but in which there has already been a recovery of more than \$1.5 billion; and *In re Halliburton Securities Litigation* (13-317) (U.S.), in which BSF won two appeals to the U. S. Supreme Court before achieving a \$100 million recovery.

21. Another notable case in which BSF was lead counsel is *In re Auction House Antitrust Litigation* (1:00-cv-00648) (S.D.N.Y.), in which the firm won \$512 million in an antitrust class action after prior interim lead counsel valued the case at less than \$100 million.

22. BSF has expended substantial time and resources in actively and diligently litigating this action. The BSF litigation team has already devoted thousands of hours and substantial resources in developing the Settlement Class Representative’s case and undertaking substantial fact discovery.

23. EH also has a strong record of successfully and diligently representing plaintiffs in complex class action litigation. *Hirsch, et al. v. Jupiter Golf Club, LLC*, 2017 WL 448962 (S.D. Fla. Feb. 1, 2017) (lead trial counsel in class action case resulting in a multimillion verdict for the full amount requested against the Trump Organization); *Jane Doe v. JPMorgan Chase Bank, N.A.* (1:22-cv-10018) (S.D.N.Y.) and *Jane Doe v. Deutsche Bank* (1:22-cv-10019) (S.D.N.Y.), in which the Court granted final approval of a \$290 million and \$75 million settlement, respectively. Through its creative, aggressive, and efficient approach to litigation, combined with its proven track record of success, EH has earned a world-class reputation in the sexual abuse arena and has written and published a book on the topic (*Relentless Pursuit: My Fight for the Victims of Jeffrey Epstein*).

24. EH has similarly expended substantial time and resources in actively and diligently litigating this action. The EH litigation team has devoted thousands of hours and substantial resources in developing the Settlement Class Representative's case and undertaking substantial fact discovery.

25. The expenses that BSF and EH have already incurred include the retention of expert witnesses, consultants, investigators, court reporters, videographers, and an e-discovery vendor.

26. EH took a lead role in the initial research into this matter and interviewed dozens of witnesses and dozens of survivors both in the United States and abroad, and reviewed tens of thousands of documents prior to filing of the complaint. EH was responsible for drafting the initial complaint and maintaining constant communication with the Settlement Class Representative and other prospective Class Members throughout the course of this litigation. After the filing of the complaint, EH conducted a number of interviews with confidential witnesses, took key depositions, and prepared witnesses for depositions including the Settlement Class Representative.

27. EH also worked alongside the Settlement Class Representative to identify, review, and produce tens of thousands of pages of discovery to the Defendant. EH has also engaged in an extensive investigation into the identity of the Class Members and has spent substantial time communicating with same.

28. BSF and EH began collaborating on this matter in 2025. BSF took a lead role in drafting the Settlement Class Representative's opposition to Defendant's motion to dismiss and arguing it before the Court, resulting in the Court denying Defendant's motion, in part, and allowing the matter to proceed through discovery. BSF also took a lead role in drafting the Settlement Class Representative's motion to certify the class. BSF has also taken a number of depositions and has reviewed thousands of documents produced by Defendant in order to further develop Class Members' claims.

29. On February 20 and March 9, 2026, the Settling Parties participated in confidential mediation with Judge Layn Phillips of Phillips ADR, a retired judge and an experienced mediator. The mediation was preceded by the submission and exchange of mediation statements by the Settling Parties. The Settling Parties engaged in good faith negotiations during the mediation sessions and outside the sessions and reached a settlement in principle on March 11, 2026. The Settling Parties drafted a Confidential Settlement Term Sheet (“Term Sheet”), memorializing their agreement to settle the Class’s claims against Defendant and end the Litigation, and executed the Term Sheet on March 15, 2026. The Term Sheet included, among other things, the Settling Parties’ agreement to settle and dismiss with prejudice the Litigation and grant full mutual releases in return for a cash payment of \$72.5 million by and/or on behalf of the Bank for the benefit of the Class, subject to the negotiation of the terms of a Stipulation of Settlement and approval by the Court.

D. Team Members

30. The BSF litigation team includes partners David Boies, Sigrid McCawley, Andrew Villacastin, and twenty other lawyers, as well as a full support staff led by experienced paralegals.

31. **David Boies:** David Boies personally served as co-lead counsel in cases such as *In re Grupo Televisa Securities Litigation* (1:18-cv-01979) (S.D.N.Y.), *In re Halliburton Securities Litigation* (13-317) (U.S.), *In re Blue Cross Blue Shield Antitrust Litigation* (2:13-cv-20000) (N.D. Ala.), *In re Takata Airbag Products Liability Litigation* (1:15-md-02599) (S.D. Fla.), and *In re Vitamins Antitrust Litigation* (99-7256, 99-7281) (D.D.C.).

32. David Boies, along with Ms. McCawley, has represented survivors of Jeffrey Epstein’s sex trafficking enterprise since June 2014. We brought our first case on behalf of survivors against Ghislaine Maxwell in 2015 and our first case against Jeffrey Epstein on behalf of survivors in 2016. Most recently, we served as co-class counsel representing victims of Jeffrey Epstein in a class action against JP Morgan Chase Bank and Deutsche Bank in *Jane Doe v.*

JPMorgan Chase Bank, N.A. (1:22-cv-10018) (S.D.N.Y.) and *Jane Doe v. Deutsche Bank* (1:22-cv-10019) (S.D.N.Y.).

33. We have also represented survivors in civil litigation against Epstein's Estate after his death, *see Farmer v. Indyke, et al.* (1:19-cv-10474) (S.D.N.Y.); *Farmer v. Indyke, et al.* (1:19-cv-10475) (S.D.N.Y.); *Helm v. Indyke, et al.* (1:19-cv-10476) (S.D.N.Y.); *Bryant v. Indyke, et al.* (1:19-cv-10479) (S.D.N.Y.); *Doe 1000 v. Indyke, et al.* (1:19-cv-10577) (S.D.N.Y.), and have represented survivors who made applications to the Epstein Victim's Compensation Fund. We also represented an Epstein survivor in her civil lawsuit against Prince Andrew, *Giuffre v. Andrew* (21-cv-6702) (S.D.N.Y.).

34. **Sigrid McCawley:** Sigrid McCawley is a Managing Partner of BSF. Ms. McCawley's experience and talents have been nationally recognized, having been named Litigator of the Year by *The American Lawyer*, a 2024 Titan of the Plaintiffs Bar, Top Ten Female Litigator in 2020–2023 by *Benchmark Litigation*, a finalist for Lawyer of the Year by *The American Lawyer* in 2022, a finalist for Attorney of the Year in Florida by *Daily Business Review*, and numerous other awards. Ms. McCawley has handled some of BSF's most challenging disputes, including securing a \$100 million victory in the landmark case before the U.S. Supreme Court in *In re Halliburton Securities Litigation* (No. 13-317).

35. Ms. McCawley's experience representing survivors of sexual abuse is also well-documented. Ms. McCawley has devoted years of her career to advocating on behalf of survivors of Jeffrey Epstein, including in cases against Prince Andrew, Ghislaine Maxwell, and the Epstein Estate. Ms. McCawley was recognized by Forbes Magazine for her "iron clad interrogation skills" during the deposition of Ghislaine Maxwell. Her work contributed to the arrest of Jeffrey Epstein, Ghislaine Maxwell, and Jean-Luc Brunel, and resulted in a successful resolution of claims for numerous Epstein survivors. Ms. McCawley's work for survivors of Jeffrey Epstein has been

featured on Netflix, Lifetime, 60 Minutes, ABC, NBC, CBS, CNN, and Fox, and has been reported on in *The New York Times* and *The Wall Street Journal*.

36. **Andrew Villacastin:** Andrew Villacastin is a partner at BSF. In 2022, Mr. Villacastin was recognized in the 2023–2025 editions of Best Lawyers in America as Ones to Watch for his work in commercial litigation. Mr. Villacastin also has significant experience litigating class actions—he is currently defending a life insurance company in multiple class action lawsuits and has represented a major bank in multidistrict LIBOR-related actions involving antitrust, securities, RICO, Commodities Exchange Act, and state law claims. As mentioned above, Mr. Villacastin has been a zealous advocate for survivors of Jeffrey Epstein for six years and has worked on many of the aforementioned Epstein-related cases alongside Ms. McCawley.

37. The EH team includes Bradley Edwards, Brittany Henderson, and other lawyers, as well as a full support staff led by experienced paralegals.

38. **Bradley Edwards:** Bradley Edwards has extensive experience in all aspects of sexual abuse, human trafficking, and complex litigation and is a board-certified trial lawyer. He specializes in representing crime victims across the country. Since 2008, he has represented Courtney Wild, a woman who was sexually abused by Jeffrey Epstein when she was 14 years old. From 2008 to the present, he has represented more than 70 women in litigation brought against Jeffrey Epstein, his associates, his enablers, and his Estate. He has also sued the U.S. Government for violating the rights of Jeffrey Epstein’s victims pursuant to the Crime Victims’ Rights Act as a result of the secret plea deal that the Government extended to Epstein. He has presented at a number of national conferences and conventions on the legalities of his over-a-decade-long legal battle with Epstein. He received one of the Top 50 verdicts in the United States in 2015, 2016, and 2018 and two of the top Florida verdicts in 2011 and 2012. Throughout his career, he has obtained hundreds of millions of dollars in verdicts and settlements for his clients and has argued and tried

cases in District and State courts around the country and before the U.S. Court of Appeals.

39. Mr. Edwards was named Lawyer of the Year by the Daily Business Review in 2020 and Lawyer of the Year in 2021 by the Florida Justice Association, both for his precedent-setting work on behalf of the survivors of Jeffrey Epstein and his work in defining the rights of crime victims in the United States. His professional peers have recognized him as a Top-Rated Lawyer through the Martindale-Hubbell© Peer Review Rating system and with an “AV” rating of “Very High to Preeminent” as a testament to his level of professional excellence and ethics. Mr. Edwards has been certified as a lifetime member of the Million Dollar Advocates Forum and the Multi-Million Dollar Advocates Forum. He has been profiled in the Best Lawyers in America and has been recognized by the National Trial Lawyers and SuperLawyers.

40. **Brittany Henderson:** Brittany Henderson is a partner at EH, and an experienced trial lawyer recognized as a leader in the representation of crime victims and survivors of sexual abuse in civil litigation. Ms. Henderson was recognized in 2016 for obtaining one of the top 50 jury verdicts in the United States resulting from a high-profile sexual abuse case that was litigated in Federal Court in Chicago, Illinois. Ms. Henderson was again recognized in 2018 after she obtained a \$71 million jury verdict after a multi-week trial in state court on behalf of a young woman who was sexually assaulted while working as a crew member on a yacht. Ms. Henderson has represented survivors of Jeffrey Epstein for nearly a decade and played an integral role in helping to establish the Epstein Victim’s Compensation Fund, which was one of the largest and most successful claims fund programs in U.S. history. Ms. Henderson has been recognized repeatedly as a “Rising Star” by SuperLawyers and annually by the National Trial Lawyers Association’s “Top 40 Under 40.”

E. Exhibits in Support of Jane Doe’s Motion for Preliminary Approval of Class Action Settlement

1. Attached are true and accurate copies of the following documents:

- a. **Exhibit A:** The Stipulation and Agreement of Settlement, dated March 27, 2026.
- b. **Exhibit B:** Declaration of Mediator Layn R. Phillips, dated March 25, 2026.

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

Dated: March 27, 2026

Respectfully Submitted,

By: /s/ David Boies

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