

**EXHIBIT 2**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NICOLETTA PANTELYAT, MICHAEL EDWARDS, and ISABELLE SCHERER individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BANK OF AMERICA, N.A. and BANK OF AMERICA CORPORATION,

Defendants

Civil Action No. 16-cv-08964-AJN

**[PROPOSED] JUDGMENT**

Judgment is hereby entered dismissing the Action with prejudice, on the merits, and without taxation of costs in favor of or against any Party.

The Class to which the Judgment applies is defined as follows:

all holders of consumer deposit accounts with Bank of America, N.A. in the United States who were charged (and not refunded or credited) overdraft fees on debit card transactions made with Uber between January 1, 2012 and December 31, 2016 that were coded (or classified) by the merchant as recurring transactions. Excluded from the class are (a) all persons who are employees, directors, and officers of Bank of America, N.A. and Bank of America Corporation; (b) the Judge presiding over this Action, and (c) the Court staff.

Also excluded from the effect of the Judgment are those members of the Class who timely exercised their right to opt out of the class under Federal Rule of Civil Procedure 23(c)(2)(B)(v). The individuals who chose to opt out of the Settlement are listed on Exhibit A to this Judgment.

The Court hereby retains and reserves jurisdiction over: (a) implementation of this Settlement and any distributions from the Settlement Fund; (b) the Action until each and every act agreed to be performed by the Parties shall have been performed pursuant to the terms and

conditions of the Settlement Agreement, including the exhibits appended thereto; and (c) all Parties, for the purpose of enforcing and administering the Settlement.

**SO ORDERED.**

Date: \_\_\_\_\_, 2018.

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Alison J. Nathan  
United States District Judge

**EXHIBIT A**

**Pantelyat v. BofA**

Case no : 1:16-cv-08964-AJN

## Request for Exclusion

SR	First_Name_1	Middle_Name_1	Last_Name_1	First_Name_2	Middle_Name_2	Last_Name_2	Optout#
1	DANIEL		STATE				890000001
2	SALVADOR R	R	CASILLAS				890000002
3	JESSICA		HERNANDEZ				890000003
4	VALERII		HURA				890000004
5	FRANCES	T	GELEKANAQ				890000005
6	ESTHER		MANDE				890000006
7	AYANNA	M	ST HILL	AYANNA	M	ST HILL	890000007
8	DANIELYS		MUNOZ				890000008
9	ALISHA		RUMPH	ALISHA		RUMPH	890000009
10	BRANDON		DAVIS				890000010
11	HURI	N	HAN LEE				890000011
12	KEVIN	J	CARPENTIER I				890000012
13	AINA CHARISSA	L	MULLEDA				890000013
14	MAGDALE NA	A	JEDRZEJEK				890000015
15	JENNIFER	A	TRAN				890000016
16	JI HEA		KIM				890000018
17	JORGE	C	ROA	JORGE	C	ROA	890000019
18	JANEZA	M	SANTIAGO				890000020
19	KENNETH	R	MCNEELEY	KATHLEEN	G	MCNEELEY	890000021
20	WILLIAM	T	MARKS	CATHERIN E	M	MARKS	890000022
21	RACHELLE		HELAS				890000023

22	NEAL		KIRBY			890000024
23	ELIZAVET A		VEDROVA			890000025
24	UMASHA NKAR		SOMASUND ARAM	UMASHA NKAR	SOMASUND ARAM	890000026
25	RAUL	R	OLMOS JAEN			890000028
26	BRYCE DANNIEL	E	ABILLE			890000030
27	VICTORIA	N	KAMAGI			890000032
28	JIHO		JANG			890000033
29	RICK	J	DAVIS			890000034
30	EVELYN	M	LOPEZ			890000036
31	PRAHLAD		KUMAR	PRAHLAD	KUMAR	890000037
32	YINGHUA		SHEN			890000038
33	PRINCE	S	GLOVER			890000040
34	ERICA		HODGES	ERICA	HODGES	890000041
35	JON	C	KINNARD			890000042
36	MICHELLE		MONTERO	MICHELLE	MONTERO	890000043
37	GULAIYM		KALIEVA			890000046
38	WANDHE R	G	DIAZ			890000047
39	DENISSE		ACEVEDO			890000048
40	LOUIS		CORBA			890000050
41	FRANK		HEDIN			890000051
42	BERTA		STATHAM			890000053
43	TANIA		LOURENCO			890000055
44	ESTHER		NWADIAJU			890000057
45	BROWN		TENG			890000058
46	SAFVINAZ		ABDULLAYE VA			890000060
47	ANDREA		RITCHIE	ANDREA	RITCHIE	890000061
48	BRIA	C	ANDERSON			890000063
49	RUNZE		LI			890000065
50	ANA	K	PONTES MACHADO			890000066

51	URANZAY A		BATSUKH				890000067
52	SHEILA	J	TORRES	ALEISHA	Y	DAVILA TORRES	890000068
53	SRI ADITYA		CHALLA				890000069
54	SILJE MARIE		SKAALEVAA G				890000071
55	ELIJAH		BELCHER				890000072
56	OTGONBA YAR		TSERENNAD MID				890000073
57	GARY	A	GOSLIN				890000074
58	RICHARD	J	CLANCY	ALICIA	L	CLANCY	890000079
59	DYLAN		DICKMANN	DYLAN		DICKMANN	890000082
60	MAAME	D	OWUSU				890000083
61	ROSARIO	P	BABISKIN				890000084