

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

LAURA MCFEELEY, et al.,
:
:
v. : Civil Action No. DKC 12-1019
:
JACKSON STREET ENTERTAINMENT,
LLC, et al. :

NOTICE OF COLLECTIVE ACTION LAWSUIT

**TO: INDIVIDUALS WHO HAVE WORKED AS EXOTIC DANCERS AT EITHER
FUEGO'S EXOTIC DANCE CLUB OR CLUB EXTASY EXOTIC DANCE CLUB
SINCE APRIL 1, 2009**

I. INTRODUCTION

A lawsuit, captioned *McFeeley et al. v. Jackson Street Entertainment et al.*, has been filed in the United States District Court for the District of Maryland, Civil Action No. 12-1019. Laura McFeeley and Danielle Everett (the "Named Plaintiffs") bring their claims on behalf of all individuals who have worked as exotic dancers at either Fuego's Exotic Dance Club or Club Extasy Exotic Dance Club since April 1, 2009. You are receiving this Notice because you might be "similarly situated" to the Named Plaintiffs and eligible to join this lawsuit. This letter advises you how this suit may affect your rights and instructs you on how to join if you choose.

II. DESCRIPTION OF THE LAWSUIT

On April 3, 2012, the Named Plaintiffs filed this lawsuit alleging Defendants violated the Fair Labor Standards Act (the "FLSA"), and the Maryland Wage and Hour Law (the "MWHL") by failing to pay their exotic dancers the legally required minimum hourly wage and the proper overtime compensation for all the time they worked in excess of forty (40) hours per week. The Named Plaintiffs ask the court to order Defendants to pay them and anyone else who joins this lawsuit the legally required minimum wage and for work that Plaintiffs allege constitutes compensable overtime, plus interest, statutory penalties, attorneys' fees, and litigation costs. Defendants have responded to the lawsuit, denying the Named Plaintiffs'

allegations that they violated the FLSA, contending that exotic dancers were properly classified as independent contractors and that they were adequately compensated for all compensable working time.

III. WHO CAN JOIN

The Named Plaintiffs have sued on behalf of:

1. Themselves; and,
2. Anyone who is, or has been, at any time since April 1, 2009, employed as an exotic dancer at either Fuego's Exotic Dance Club or Club Extasy Exotic Dance Club.

IV. HOW TO JOIN

You may join this lawsuit by completing and sending a signed copy of the attached "Consent to Join Lawsuit" form to counsel for the Named Plaintiffs via email, facsimile, or U.S. mail:

**Jackson Street Entertainment FLSA Action c/o
The Zipin Law Firm, LLC
8403 Colesville Road, Suite 610
Silver Spring, MD 20910
Tel: (301) 587-9373
Fax: (301) 587-9397
ggreenberg@zipinlaw.com**

If you choose to join this lawsuit, this consent form must be returned to Named Plaintiffs' counsel by the ___ day of ____, 2012, to have the Named Plaintiffs' counsel file it with the court on or before the ___ day of ____, 2012.

V. EFFECT OF JOINING THIS SUIT

If you choose to join the suit and return the "Consent to Join" form on or before the ___ day of ____, 2012, you will be bound by the judgment or settlement, whether it is favorable or unfavorable. After joining the suit, you may be required to respond to written questions, and otherwise provide information, including the giving of testimony at a deposition and/or in court.

VI. NO LEGAL EFFECT IN NOT JOINING THIS SUIT

You may choose to do nothing. By doing nothing, you retain your legal rights to bring a separate lawsuit against Defendants (within the applicable statute of limitations period) for alleged violations of the FLSA and MWHL. If you do not return the "Consent to Join" form on or before the ___ day of _____, 2012, you will not be a party in this case and will be entitled to no recovery from this lawsuit. In determining whether you want to be included or excluded from this lawsuit, you may want to consult with your own attorney. A decision not to participate in the lawsuit will not affect your rights to pursue possible claims on an individual basis.

VII. NO RETALIATION PERMITTED

If you choose to join the lawsuit, federal law prohibits Defendants from retaliating against you because you have done so.

VIII. YOUR LEGAL REPRESENTATION IF YOU JOIN

You have the right to obtain your own counsel to represent you in this action. If you do not choose to join this lawsuit with your own attorney, your interests will be represented by counsel for the Named Plaintiffs as listed below:

Gregg Greenberg
The Zipin Law Firm, LLC
8403 Colesville Road, Suite 610
Silver Spring, MD 20910
Tel: (301) 587-9373
Fax: (301) 587-9397
ggreenberg@zipinlaw.com

If you choose to be represented by the attorney above, you will not be required to pay any portion of the attorneys' fees.

IX. FURTHER INFORMATION

The information in this Notice is only a summary of the litigation. You may review and copy the pleadings and all other records of this lawsuit during regular business hours in the Office of the Clerk, United States District Court for the District of Maryland, Southern Division, 6500 Cherrywood Lane, Greenbelt, Maryland, 20770. **Do not call the court. The court takes no position regarding the merits of this lawsuit.**

Further information about this Notice or this lawsuit may also be obtained by contacting the attorney for the Named Plaintiffs listed above.

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CONSENT TO JOIN

I work(ed) as an exotic dancer at either Fuego's Exotic Dance Club or Club Extasy Exotic Dance Club since April 1, 2009, and I want to be part of this lawsuit to collect unpaid wages;

I believe that I am a member of the collective class in this lawsuit;

I consent to join the lawsuit and will submit to the court's jurisdiction;

I understand that I will be bound by the judgment of the court as to all issues in this lawsuit; and

I believe that I am entitled to relief against the Defendants in this lawsuit.

Full Legal Name (please print clearly)

Full Address

Telephone Number

Email Address

Signature and Date