

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

IMPORTANT NOTICE TO DANCERS AT BONES CABARET AND SKIN CABARET

TO: All dancers who worked at Bones Cabaret or Skin Cabaret at the Scottsdale location at any time between July 29, 2018 and today.

RE: The right of current and former dancers employed by Bones Cabaret or Skin Cabaret to join a lawsuit seeking unpaid wages.

DEADLINE TO RETURN FORM: January 26, 2023

1. Why Are You Getting this Notice?

You are receiving this notice because you worked as a dancer at Bones Cabaret or Skin Cabaret at some time between July 29, 2018 and the present. During the time you worked at Bones Cabaret or Skin Cabaret, you were compensated through tips from customers. Bones Cabaret or Skin Cabaret did not pay you directly. As a result, a lawsuit was brought against Bones Cabaret and Skin Cabaret by a dancer alleging that you and all other dancers paid in this manner are owed additional wages under federal law.

2. What is this Lawsuit About?

The dancer who brought this lawsuit claims that Bones Cabaret and Skin Cabaret misclassified her and all other dancers as independent contractors, instead of employees, in order to avoid paying them wages due under the Fair Labor Standards Act. She claims Bones Cabaret and Skin Cabaret owes her compensation for every hour she worked from August 2017 to the present. In addition, she claims the house fees, penalties and other fees paid by the dancers to DJs, bouncers, house moms, and others must be returned by the club. She also claims Bones Cabaret and Skin Cabaret must pay her the amount of any tips that were retained by the club when customers paid for dances with credit cards. The dancer also claims you should receive double the amount you are owed as liquidated damages under the law. Finally, the dancer claims Bones Cabaret and Skin Cabaret should have to pay the dancers' attorney's fees. Bones Cabaret and Skin Cabaret denies the allegations. The Court has not made any determination on the merits and the authorization to distribute this notice does not mean that the Plaintiffs have prevailed or will prevail on this matter.

3. What are Your Options?

If you want to claim additional wages in this case, you must return your consent form. You may return your consent form in one of two ways:

1. Fill out the attached Notice of Consent Form and mail it to the dancer's attorneys in the enclosed enveloped; or
2. Sign the Notice of Consent Form electronically by going to this secure site: **www.ScottsdaleDancerLawsuit.com**. If you sign electronically, your form will automatically be delivered via email to the law firm representing the dancers.

THIS IS A COURT APPROVED NOTICE.
*****THIS IS NOT AN ADVERTISEMENT FROM A LAWYER*****

If you submit a Consent Form, you will be part of the case and be represented by the dancers' attorneys. Therefore, if the dancers who brought this lawsuit win the case, you may receive additional money from Bones Cabaret and Skin Cabaret. By joining this case, you may be required to respond to written discovery, appear for a disposition and/or testify at trial. If you want to make a claim for additional wages, you must return your Consent Form by **January 26, 2023**.

If you do not wish to be a part of the lawsuit, you do not need to do anything. If you do not join the lawsuit, you will not be part of the case in any way and will not be bound by or affected by the result, whether favorable or unfavorable. The decision to join is entirely yours.

Because of the statute of limitations, eligible employees who do *not* join this litigation or file their own separate claims may lose their right to recover wages for work performed in the past.

If you have questions about this Notice or the wage claim, you may contact the dancer's attorneys identified below.

4. Bones Cabaret and Skin Cabaret Cannot and Will Not Fire You for Joining

Federal law prohibits defendants from discharging or in any other manner discriminating against you because you "opt-in" to this case, or have in any other way exercised your own rights under the Fair Labor Standards Act. It is illegal for Bones Cabaret and Skin Cabaret to take any action against you for joining this lawsuit such as terminating your employment, reducing your hours, pay, or benefits. **This means Defendants are prohibited from firing you, demoting you, or cutting your pay because you participated in this case.**

5. Your Legal Representation if You Join

If you choose to join this suit, and agree to be represented through the dancers' attorneys, your counsel in this action will be David Hodges and William Hogg of the law firm Hodges & Foty, LLP. The firm's contact information is below.

These attorneys are being paid on a contingency fee basis, which means that if there is no recovery, there will be no attorneys' fees and you will not be required to pay anything. If there is a recovery, the attorneys for the class will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. **You may discuss with them in detail the nature of the case, including any specific terms of the contingency fee agreement. There is no charge for asking the attorneys questions, and the matters discussed are confidential.**

6. How Can You Get More Information?

You can get more information by calling the dancers' attorneys:

Attn: William Hogg	Toll Free: (877) 342-2020
HODGES & FOTY, LLP	Phone: (713) 523-0001
4409 Montrose Blvd, Ste 200	Fax: (713) 523-1116
Houston, TX 77006	Email: whogg@hftrialfirm.com

You should not contact the Court directly with any questions.

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