

If you were employed at Original Mike’s restaurant in a non-overtime exempt position between December 16, 2012 and December 16, 2016 a class action lawsuit may affect your rights.

This is a court authorized this Notice and not a solicitation from a lawyer.

- The Court has granted Class Certification in a lawsuit against ORIGINAL MIKE’S ENTERPRISES LLC, MICHAEL HARRAH, SAS INVESTMENTS, L.P., O.M. RESTAURANT MANAGEMENT LLC (the Defendants) alleging they violated California law by failing to pay overtime and regular wages, failing to provide meal and rest periods and failing to pay meal and rest compensation, failing to provide accurate wage statements and failing to pay all wages owed upon termination of employment. The case is pending in Orange County Superior Court and is captioned Segui v. Original Mike’s Enterprises, LLC et al., Orange County Superior Court Case No. 30-2016-00893360-CU-BT-CXC.
- The Court has not decided whether the Defendants did anything wrong. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now:

YOUR LEGAL RIGHTS AND OPTIONS	
Do Nothing	<p>You will:</p> <ul style="list-style-type: none">• Stay in the lawsuit• Await the outcome• Give up certain rights <p>By doing nothing, as a potential class member you may receive money or benefits that may come from a trial or settlement, but you give up any rights to sue the Defendants in your own lawsuit regarding the same legal claims.</p>
Ask to be excluded	<p>You will:</p> <ul style="list-style-type: none">• Get out of this lawsuit• Obtain no money or benefits from it• Keep any rights to sue individually <p>If you ask to be excluded and if money or benefits are later awarded, you won’t share in those, but you keep any rights to file your own lawsuit against the Defendants for the legal claims that are alleged in this lawsuit.</p>

- Your options are explained in this Notice. To ask to be excluded you must act by **February 20, 2020.**

SUPERIOR COURT FOR THE COUNTY OF ORANGE

- Lawyers must prove the claims against the Defendants at a trial to be held in the future. If money or benefits are obtained from either or both, you will be notified of how you can receive a share of that money.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION..... PAGE 3

- 1. Why did I get this notice?
- 2. What if I have a change of address?
- 3. What is this lawsuit about?
- 4. What is a class action and who is involved?
- 5. Why is this lawsuit a class action?

THE CLAIMS IN THE LAWSUIT..... PAGE 4

- 6. What does the lawsuit complain about?
- 7. How do the Defendants respond?
- 8. Has the Court decided who is right?
- 9. What are the Plaintiff asking for?
- 10. Is there any money available now?

WHO IS IN THE CLASS..... PAGE 5

- 11. Am I part of this Class?
- 12. Can the identity of the Class Members change?
- 13. Do I Have To Have Proof That I am a Class Member?

YOUR RIGHTS AND OPTIONS..... PAGE 5

- 14. What happens if I do nothing at all?
- 15. Why would I ask to be excluded?
- 16. How do I ask the Court to exclude me from the Class?

THE LAWYERS REPRESENTING YOU..... PAGE 6

- 17. Do I have a lawyer in this case?
- 18. Should I get my own lawyer?
- 19. How will the lawyers be paid?

THE TRIAL..... PAGE 7

- 20. How and when will the Court decide who is right?
- 21. Do I have to come to the trial?
- 22. Will I get money after the trial?

GETTING MORE INFORMATION..... PAGE 7

- 23. Are more details available?

BASIC INFORMATION

1. WHY DID I GET THIS NOTICE?

The records of the Defendants reflect that you were employed in a non-overtime exempt position at Original Mike's between December 16, 2012 and December 16, 2016. Therefore, you are a member of the Class. This Notice explains the Court has allowed or "certified" a class action that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims being made against the Defendants, on your behalf, are correct. Judge William Claster of the Orange County Superior Court is overseeing this class action. The case name is *Segui v. Original Mike's Enterprises LLC et al*, Case No. 30-2016-00893360.

2. WHAT IF I HAVE A CHANGE OF ADDRESS?

If this Notice was not mailed to your current address, or if you have a change of address, you should mail a letter with the previous and new address information to Class Counsel identified below in paragraph 23.

3. WHAT IS THIS LAWSUIT ABOUT?

The lawsuit contends that the Defendants failed to pay the non-overtime exempt employees of Original Mike's all overtime and regular compensation they were owed, failed to provide legal meal and rest periods and failed to pay meal and rest compensation, failed to provide accurate wage statements and failed to pay all compensation owed upon termination of employment. Plaintiff alleges that this conduct violated California law and that the class members are entitled to recover money for the violations.

This lawsuit is about whether the Defendant's alleged conduct violated the law. There has been no determination of liability and the Defendants deny any wrongdoing.

4. WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

In a class action lawsuit, one or more people called "Class Representatives" bring a lawsuit on behalf of other people who have similar claims. The people together are referred to as a "Class" or "Class Members." The businesses and the owners the lawsuit is filed against (in this case Original Mike's Enterprises LLC, Michael Harrah, SAS Investments, L.P., and O.M. Restaurant Management LLC) are called the Defendants. In a class action one court will resolve the issues for everyone in the Class—unless a class member chooses to exclude his or her self from the Class.

5. WHY IS THIS LAWSUIT A CLASS ACTION?

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of the California Code of Civil Procedure § 382, which governs class actions in state court. Specifically, the Court found:

SUPERIOR COURT FOR THE COUNTY OF ORANGE

- That the Defendants' alleged policies and practices of not paying the non-overtime exempt employees of Original Mike's all overtime and regular compensation they were owed, not providing legal meal and rest periods and not paying meal and rest compensation, not providing accurate wage statements and not paying all compensation owed upon termination of employment applied to all Class Members;
- That there are a sufficient number of persons within the Class to support Class Certification;
- That there are predominate legal questions and facts that are common to each of the Class Members;
- That the named Plaintiff's claims are typical of the claims of the rest of the Class;
- That the named Plaintiff and her lawyers will fairly and adequately represent the Class Members' interests; and
- That a class action will be more efficient to resolve the issues as opposed to resolving the issues in many individual lawsuits.

More information about why the Court is allowing this lawsuit to be a class action is in the Court's Order Certifying the Class, which is available at www.spencerlaw.net/originalmikes.

THE CLAIMS IN THE LAWSUIT

6. WHAT DOES THE LAWSUIT COMPLAIN ABOUT?

The lawsuit contends that the Defendants failed to pay the non-overtime exempt employees of Original Mike's all overtime and regular compensation they were owed, failed to provide legal meal and rest periods and failed to pay meal and rest compensation, failed to provide accurate wage statements and failed to pay all compensation owed upon termination of employment. Plaintiff alleges that this conduct violated California law and that the class members are entitled to recover money for the violations.

7. HOW DO THE DEFENDANTS RESPOND?

The Defendants deny they did anything wrong and dispute the claims in the lawsuit.

8. HAS THE COURT DECIDED WHO IS RIGHT?

The Court has not decided which side is correct. By allowing this lawsuit to proceed as a Class Action the Court is not suggesting which side will win the case. The burden will be on Plaintiffs to prove the case at trial.

9. WHAT ARE THE PLAINTIFFS ASKING FOR?

Plaintiffs are seeking money for the Class Members including payment for all hours worked that were not paid, payment of overtime compensation for all overtime

SUPERIOR COURT FOR THE COUNTY OF ORANGE

compensation, one hour of pay for each time the class members were not provided a meal or rest break, statutory penalties for the inaccurate wage statement provided to the class members and payment of waiting time compensation to Class Members who were not paid all wages they were owed when their employment terminated. The laws may allow various amounts to be awarded and this remains to be determined by the Court.

10. IS THERE ANY MONEY AVAILABLE NOW?

No money or benefits are available now because the Court has not yet decided whether the Defendants did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits ever will be obtained. If they are, you will be notified about how to ask for a share.

WHO IS IN THE CLASS

11. AM I PART OF THIS CLASS?

The Court has decided that all employees of Original Mike's employed in non-overtime exempt positions from December 16, 2012 through December 16, 2016 are members of the class. If you received this Notice by mail you can assume you are a member of the Class.

12. CAN THE IDENTITY OF THE CLASS MEMBERS CHANGE?

The Defendants may argue in the future that the class should be "decertified" which would mean the class definition could change. If the Judge changes the class definitions in the future and that change affects your status, you will be notified.

13. DO I HAVE TO HAVE PROOF THAT I AM A MEMBER OF THE CLASS?

If you received this Notice by Mail Defendants' records have identified you as a member of the Class. However, Defendants' records may not be complete. If you did not receive this Notice by mail, then your name is not on the list of class members or there was no valid address for you. Either way, if you believe you should be included in the class, you must notify Class Counsel identified in paragraph 23 as soon as possible.

YOUR RIGHTS AND OPTIONS

14. WHAT HAPPENS IF I DO NOTHING AT ALL?

You don't have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing you are staying in the class. If you do not exclude yourself from the lawsuit and the Plaintiffs obtain money or benefits, either as a result of the trial or a settlement, you will be notified about how to receive a share of the settlement proceeds. Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose the trial, you will not be able to file your own lawsuit against the

SUPERIOR COURT FOR THE COUNTY OF ORANGE

Defendants about the same legal claims that are the subject of this lawsuit.

15. WHY WOULD I ASK TO BE EXCLUDED?

If you already have your own lawsuit against the Defendants for failing to pay overtime and regular compensation or failing to provide meal and rest periods and pay meal and rest compensation, or failing to provide accurate wage statement or failing to pay all of the wages you were owed upon termination of your employment and wish to pursue that case on your own, you need to ask to be excluded from the Class. If you exclude yourself from the Class—which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class—you won’t get any money or benefits from this lawsuit even if the Plaintiffs obtain them as a result of a trial or settlement (that may or may not be reached) between the Defendants and the Class. However, you may then be able to sue or continue to sue the Defendants. If you exclude yourself, you will not be legally bound by the Court’s judgments in this class action.

If you start your own lawsuit against the Defendants after you exclude yourself, you’ll have to hire and pay your own lawyer for that lawsuit, and you’ll have to prove your claims. If you do exclude yourself because you want to start or continue your own lawsuit against the Defendants, you should talk to your own lawyer soon, because your claims may be subject to strict filing deadlines.

16. HOW DO I ASK THE COURT TO EXCLUDE ME FROM THE CLASS?

To ask to be excluded, you must mail a signed and completed “ Request for Exclusion Form” which is included with this Notice, postmarked by **February 20, 2020** to the address provided in the Request for Exclusion Form.

THE LAWYERS REPRESENTING YOU

17. DO I HAVE A LAWYER IN THIS CASE?

Yes. The Court decided that the law firms of The Spencer Law Firm and Goldberg & Gage are qualified to represent you and all Class Members. Together, the law firms are called “Class Counsel.” They are experienced in handling similar cases. More information about these law firms, their practices and their experiences is available at www.spencerlaw.net and www.goldbergandgage.com.

18. SHOULD I GET MY OWN LAWYER?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer.

19. HOW WILL THE LAWYERS BE PAID?

If Class Counsel get money or benefits for the Class, they may ask the Court for fees and

SUPERIOR COURT FOR THE COUNTY OF ORANGE

expenses. You won't have to pay these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would either be deducted from any money obtained for the Class or paid separately by the Defendants.

THE TRIAL

20. HOW AND WHEN WILL THE COURT DECIDE WHO IS RIGHT?

As long as the case isn't resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiffs' claims at a trial. The case has not yet been set for trial. It is also possible the Judge will make important rulings affecting the outcome of this lawsuit before the trial date. There is no guarantee that the Plaintiffs will win, or that that they will get any money for the Class.

21. DO I HAVE TO COME TO THE TRIAL?

You probably do not need to attend the trial. Class Counsel will present the case for the Plaintiffs and the Class and the lawyers for the Defendants will present the defense. You or your own lawyer are welcome to come at your own expense. However, it is possible a limited number of Class Members, including yourself, may be asked by one side or the other to testify at the trial as a witness, in which case you would be reimbursed for certain expenses.

22. WILL I GET MONEY AFTER THE TRIAL?

If the Plaintiffs obtain money or benefits as a result of the trial or a settlement, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

23. ARE MORE DETAILS AVAILABLE?

Visit the website www.spencerlaw.net/originalmikes.html where you will find the Court's Order certifying the classes, the Complaint, and the Class Notice. You may also call, write to or email the Class Counsel at:

<p>THE SPENCER LAW FIRM Jeffrey Spencer, Esq., (State Bar No. 182440) 2 Venture, Suite 220 Irvine, CA 92618 (Tel.) (949) 240-8595 (Fax) (949) 377-3272 jps@spencerlaw.net</p>	<p>LAW OFFICES OF GOLDBERG & GAGE Bradley C. Gage, Esq. (State Bar No 117808) Terry M. Goldberg, Esq. (State Bar. No. 55674) A Partnership of Professional Corporations 23002 Victory Boulevard Woodland Hills, California 91367 Telephone: (818) 340-9252 Facsimile: (818) 340-9088 Bgage@goldber gandgage.com</p>
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SUPERIOR COURT FOR THE COUNTY OF ORANGE

The pleadings and other records in this litigation may be examined at the clerk's office of the Orange County Superior Court Civil Complex Center located at 751 W. Santa Ana, Blvd., Santa Ana, CA 92701. They may also be examined online on the Orange County Superior Court's website, www.occourts.org and can be accessed by clicking on the "Online Case Access" tab, then by clicking on the "Civil Case & Document Access" tab and then by entering the case number 30-2016-00893360, the clicking on "Register of Actions" which contains images of the documents filed in the case.

Your communications with the class counsel listed above regarding this action will be confidential.

DO NOT CONTACT THE JUDGE OR THE COURT TO DISCUSS THE LAWSUIT.