

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

TO: All hourly employees of Wrigley Rooftop Club, Sheffield Baseball Club and/or Ivy League Club ("Defendants") during the period March 31, 2008 through October 3, 2012, but excluding those persons who joined as party plaintiffs in the case titled *Pedro Castro, Rik Leja, Daniel Garcia, Abel Sanchez and Oscar Omar Serna v. Wrigley Rooftops IV, Wrigley Rooftops Management Corp. and Thomas Gramatis*, presently pending in the Cook County Circuit Court under Docket No. 13 L 2824.

**IF YOU WISH TO RECEIVE YOUR PORTION, IF ANY, OF THE CLASS SETTLEMENT, YOU MUST RETURN THE ENCLOSED CLAIM FORM BY MAIL POSTMARKED ON OR BEFORE July 16, 2014 (or by fax or email received by that date). If you do not wish to be part of the settlement, you must submit a written request for exclusion pursuant to the instructions below.**

**WHAT THIS LAWSUIT IS ABOUT** On October 3, 2012 a class action lawsuit was filed in the Circuit Court of Cook County alleging that Defendant Rooftops retained a 3% gratuity charge, failed to correctly pay overtime and required employees to work during unpaid meal breaks. Defendants deny Plaintiffs' claims. The Court dismissed Plaintiffs' gratuity claim and the Plaintiffs and Defendants subsequently reached a proposed settlement of all claims. The Court has preliminarily approved the settlement, has appointed the law firm of Krislov & Associates, Ltd. as counsel for the class ("Class Counsel"), and has approved the sending of this notice. This notice explains the nature of the lawsuit and the terms of the settlement, and informs you of your legal rights and obligations.

**THE FAIRNESS HEARING:** A hearing will be held by the Court to consider the fairness of the proposed settlement and to decide whether to issue a final approval of the settlement. At the hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement, including the amount of the attorney's fee awarded. The hearing will take place before the **Honorable Judge Neil Cohen on July 29, 2014 at 9:30 a.m. in Room 2308 of the Richard J. Daley Center, Chicago, IL 60602.** You are not obligated to attend this hearing but may do so if you plan to object to the settlement.

**THE PROPOSED SETTLEMENT AND ELIGIBLE RECIPIENTS** Class Members who were subject to the lunch break deduction (i.e., those who worked at least seven and one-half (7.5) hours during at least one day during the calendar year 2012) shall receive a cash payment for all lunch break deductions plus 2% interest calculated from the day of the deduction through February 3, 2013. The aggregate lunch break payments will total \$22,616.38. Hourly employees who worked 35 or more hours in any week during 2010 or 2011 shall receive a pro rata share of an additional \$25,383.62. Hourly employees other than managers, sales and administrative employees employed during the period 2008 through 2012 shall receive a pro rata share of an additional \$82,350, to settle Plaintiffs' gratuity claim. Withholding taxes will be deducted from all Class Member payments.

**Recovery to Plaintiffs:** Subject to Court approval, George Danhka and Nick Konstantopoulos will receive a class representative award of \$1,500 each for their services as representatives of the Class. These amounts will not reduce the above-stated amounts awarded for Class Members.

**Unless you exclude yourself from the settlement, you will be part of the Class and bound by the Settlement.** Regardless of whether you submit a Claim Form, if you stay in the Class you will release the Defendants from all wage payment claims that you may have arising out of your employment relationship with Defendants.

**WHAT TO DO IF YOU WISH TO RECEIVE MONEY FROM THE SETTLEMENT:** If you wish to obtain the benefits of the settlement, you must submit a completed Claim Form (see enclosed) by U.S. Mail, **no later than July 16, 2014** to Class Counsel, Clinton A. Krislov, Michael R. Karnuth or Christopher M. Hack, of Krislov & Associates, Ltd., 20 N. Wacker Dr. Suite 1300, Chicago, Illinois 60606. Alternately you may submit the Claim Form to Class Counsel by email at [mike@krislovlaw.com](mailto:mike@krislovlaw.com), or [chris@krislovlaw.com](mailto:chris@krislovlaw.com), or by fax to (312) 606-0207. **There will be no adverse consequences associated with filing a claim nor will filing a claim in any way affect the employment of existing employees.**

**REPRESENTATION BY CLASS COUNSEL OR YOUR OWN ATTORNEY:** As a member of the Class, your interests will be represented by the attorneys for the Class without any additional charge to you. If you wish to participate on your own or through your attorney, an appearance must be filed with the Clerk of the Circuit Court, Chancery Division, by **July 16, 2014.** If you participate through your own attorney, it will be at your expense.

**LEGAL FEES:** Defendants have agreed to pay Class Counsel's legal fees and costs in the amount of \$141,650. No portion of Class Counsel's legal fees and costs is being deducted from Class Member recoveries.

**CY PRES AWARD:** Any unclaimed funds shall be distributed in accordance with 735 ILCS 5/2-807(a).

**WHAT TO DO IF YOU OBJECT TO THE SETTLEMENT:** If you object to the settlement and do not wish to exclude yourself from the class action, you must submit your objection in writing to the Clerk of the Circuit Court, Chancery Division, Richard J. Daley Center, Chicago, IL 60602. The objection must be mailed to the Clerk of the Circuit Court postmarked on or before **July 16, 2014.** **Your objection must include the name and case number.** On the same date that you mail your objections to the Clerk of the Court, you must also mail copies of that objection to Class Counsel and to the attorneys for the Defendants, as follows:

**Class Counsel:**

Clinton A. Krislov, Michael R. Karnuth or Christopher M. Hack  
Krislov & Associates Ltd.  
20 N Wacker Dr., Suite 1300  
Chicago, Illinois 60606

**Defendants' Counsel:**

Jane Anderson  
Anderson & Moore P.C.  
111 West Washington, Suite 1720  
Chicago, Illinois 60602

Your written objections must include detailed reasons explaining why you contend that the settlement should not be approved. It is not sufficient to simply state that you object. Provided you have filed a written objection, you may also present your objection during the fairness hearing.

**WHAT TO DO IF YOU WISH TO BE EXCLUDED FROM THE SETTLEMENT:** You have the right to opt-out and exclude yourself from both the Class and the settlement by submitting a written request for exclusion to Class Counsel postmarked on or before **July 16, 2014.** You may use the enclosed exclusion form for this purpose. Your request for exclusion must state your name, address, telephone number and signature. Send your request for exclusion to Krislov & Associates Ltd., 20 N Wacker Dr., Suite 1300, Chicago, Illinois 60606; or by fax (312) 606-0207; or by email: [mike@krislovlaw.com](mailto:mike@krislovlaw.com).

**WHAT IF THE SETTLEMENT IS NOT APPROVED?** If the settlement is not approved, the case will proceed as if no settlement has been reached. There can be no assurance that, if the settlement is not approved, the Class will recover more than is provided in the settlement or, indeed, anything at all. But counsel for both parties agree that the settlement terms provide class members with full or substantial relief for the claims being resolved.

**ADDITIONAL INFORMATION:** The description of the case in this Notice is general and does not cover all of the issues and proceedings thus far. In order to see the complete file, including a copy of the settlement agreement, you may visit the office of the Clerk of the Circuit Court of Cook County, Chancery Division, Richard J. Daley Center, Chicago, IL 60602, Room 802, where you may inspect and/or copy the court file for this case at your own expense.

In addition, you or your attorney may direct questions to Class Counsel: Clinton A. Krislov, Michael R. Karnuth, or Christopher M. Hack, of Krislov & Associates, Ltd., 20 N Wacker Dr., Suite 1300, Chicago, Illinois 60606, Telephone No. (312) 606-0500 and Facsimile No. (312) 606-0207, and email [mike@krislovlaw.com](mailto:mike@krislovlaw.com) or [chris@krislovlaw.com](mailto:chris@krislovlaw.com).

**PLEASE DO NOT CALL THE JUDGE'S CHAMBERS.**