

**IMPORTANT NOTICE ABOUT YOUR RIGHT TO JOIN A LAWSUIT
SEEKING TO RECOVER UNPAID MINIMUM WAGE FROM WILD WING
CAFE**

TO: All individuals who (1) worked as a server at one of the following Wild Wing Cafe locations (Mt. Pleasant, Downtown Charleston, Spartanburg, North Charleston, Bluffton, Columbiana, The Vista, Greenville, Hilton Head, Wilmington, Southwest Charlotte, and Uptown Charlotte) since April 28, 2013; (2) who were compensated by a direct or hourly rate (excluding tips) less than \$7.25 per hour; and (3) who were required to give a portion of their tips to an expeditor.

RE: Your right to join a potential collective action lawsuit for alleged violations of the Fair Labor Standards Act of 1938

1. WHY YOU ARE RECEIVING THIS NOTICE.

This Notice is to inform you of a lawsuit in which you may be “similarly situated” to the named Plaintiffs, to advise you of how your rights under the Federal Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, et seq., may be affected if you choose to participate in the lawsuit, and to instruct you on the procedure for participating in this lawsuit if you choose to do so. You have been sent this Notice because there is reason to believe that sometime during the period between April 28, 2013 and the present, you were employed as a server who was compensated at an hourly rate less than \$7.25 per hour at one of the following Wild Wing Cafe locations: Mt. Pleasant, Downtown Charleston, Spartanburg, North Charleston, Bluffton, Columbiana, The Vista, Greenville, Hilton Head, Wilmington, Southwest Charlotte, or Uptown Charlotte. If so, you may be allowed to participate in this lawsuit if you timely consent to join. Participation is completely voluntary and you have no obligation to join the lawsuit. This Notice does not mean that you have a valid claim or are entitled to any money. That will be decided by the Court at a later date.

This notice does not mean that ultimately you will be allowed to remain a part of this lawsuit. In a collective action lawsuit, one or more people bring the suit and ask the Court to permit other people who may have similar claims to join the lawsuit. This lawsuit may later be decertified by the Court.

2. DESCRIPTION OF THE LAWSUIT.

David Meller and Kerstin Robinson (hereinafter referred to collectively as “the Plaintiffs”) filed a Complaint against Wings Over Spartanburg, LLC, Aetius Companies, LLC, Aetius Holdings, LLC, Aetius Restaurant Holdings, LLC, and Aetius Restaurant Group, LLC in the United States District Court for the District of South Carolina, Charleston Division, Civil Action No. 2:15-cv-02094-PMD.

The Plaintiffs allege that Wild Wing Cafe violated the FLSA by requiring them to give a portion of their tips to the expeditors (expos), who Plaintiffs allege should not have been included in a tip share arrangement. Plaintiffs are suing to recover the allegedly unpaid minimum wages and overtime wages for themselves and for any other similarly situated employee.

Plaintiffs also seek to recover for themselves, and for any other similarly situated employee, an additional equal amount as liquidated damages, plus attorneys’ fees and costs under the FLSA.

Wild Wing Cafe denies the Plaintiffs’ claims and states that it properly paid all wages owed to Plaintiffs. Nothing in this Notice should be viewed as an admission of wrongdoing by Wild Wing Cafe.

The case is in the early stages of litigation, and the Court has not ruled on any asserted claims or defenses. This Notice does not indicate that Plaintiffs will win or lose the case.

3. YOUR RIGHT TO PARTICIPATE IN THIS SUIT.

IF you were employed as a server between April 28, 2013 and Present at one of the following Wild Wing locations:

- Mt. Pleasant, (644 Coleman Blvd, Mt Pleasant, SC 29464)
- Downtown Charleston, (36 N Market St, Charleston, SC 29401)
- Spartanburg, (109 W Main St, Spartanburg, SC 29306)
- North Charleston, (7618 Rivers Ave, North Charleston, SC 29406)
- Bluffton, (1188 Fording Island Rd, Bluffton, SC 29910)
- Columbiana, (1150 Bower Pkwy, Columbia, SC 29212)
- The Vista, (729 Lady St, Columbia, SC 29201)
- Greenville, (15 W Washington St, Greenville, SC 29601)
- Hilton Head, (72 Pope Ave, Hilton Head Island, SC 29928)
- Wilmington, (1331 Military Cutoff Rd, Wilmington, NC 28405)
- Southwest Charlotte, (2132 Ayrley Town Blvd, Charlotte, NC 28273)

- Uptown Charlotte, (210 E Trade St #262, Charlotte, NC 28202)

AND you were compensated by a direct or hourly rate (excluding tips) less than \$7.25 per hour;

AND you were required to give a portion of your tips to an Expeditor (Expo);

You have the right to participate in the lawsuit, but you are not obligated to do so. The Court may later decide to decertify the lawsuit if it determines that the potential opt-in plaintiffs are not similarly situated with regard to any of the potential FLSA claims. If the Court decertifies the lawsuit, it would result in any opt-in plaintiffs being dismissed from the suit.

4. HOW TO PARTICIPATE.

If you wish to participate in the lawsuit you must sign and return the attached Consent to Join a Lawsuit form to the following address:

Dahl Administration
P.O. Box 3613
Minneapolis, MN 55403-0613

Your signed Consent **MUST** be mailed and postmarked within 45 days from the mailing date of this notice in order for you to participate. Timeliness will be determined based upon the date that the Consent is post-marked. It is entirely your own decision whether you join this lawsuit. You are not required to participate or take any action unless you so desire.

5. WHO IS SENDING THIS NOTICE AND SCOPE OF COURT'S APPROVAL.

Plaintiffs, through a third party administrator, are sending you this Notice. Although the Court allowed them to do so, the Court has not expressed any opinion about Plaintiffs' claims, Wild Wing Cafe's defenses, or whether Plaintiffs are entitled to recover any money in the lawsuit.

6. EFFECT OF JOINING THE LAWSUIT.

If you choose to join in the lawsuit and the Court does not decertify the lawsuit as a collective action you will be bound by the Judgment, whether it is favorable or unfavorable. You will also give up the right to file a suit in a separate action for the claims made in this case. You will also be bound by any settlement that may be reached on behalf of all those who opt-in to the lawsuit. You may be required to cooperate in discovery, and you may be required to respond to written questions, sit for a deposition, and testify at trial, which will be held in Charleston, South Carolina.

Also, by joining the lawsuit, you will be designating Plaintiffs as your agents to make decisions on your behalf concerning the lawsuit, including, without limitation, the method and manner of conducting the lawsuit, whether to enter into a settlement agreement and on what terms, the nature of an agreement with their lawyers concerning fees and costs, and all other matters pertaining to the lawsuit. Accordingly, by joining the lawsuit, you are consenting to Plaintiffs and their lawyers making important decisions concerning the prosecution of this lawsuit on your behalf. The decisions and agreements made and entered into by Plaintiffs will be binding on you if you join the lawsuit. You also will be designating Plaintiffs' lawyers to act as your lawyers for purposes of the lawsuit.

The attorneys for the Plaintiffs are working on a contingency fee basis and will seek payment of attorneys' fees pursuant to the FLSA's fee shifting provisions. Meaning that if Plaintiffs are successful in their claims, the court may award attorneys' fees to Plaintiffs' attorneys which said fees would remain separate and apart from any monies awarded to Plaintiffs. If the Plaintiffs are not successful and there is no recovery, there will be no award of attorneys' fees. If there is a recovery and the court chooses not to award attorneys' fees pursuant to the FLSA, the attorneys for the Plaintiffs will receive part of any settlement obtained or money judgment entered in favor of all of the Plaintiffs.

If you join this suit and agree to be represented by Plaintiffs' attorneys, then you agree to a contingency fee agreement, a copy of which is available from Plaintiffs' attorneys.

7. EFFECT OF NOT JOINING THE LAWSUIT.

If you do not wish to be part of the lawsuit, you need not do anything. If you do not join the lawsuit, your rights will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable.

8. NO RETALIATION PERMITTED.

In compliance with applicable laws, and Wild Wing's policies, Wild Wing will not take any action against you if you choose to participate in the lawsuit.

9. YOUR LEGAL REPRESENTATION IF YOU JOIN.

If you choose to join this suit, your interests will be represented by Plaintiffs' attorneys, who are:

John G. Reckenbeil
Lawrence E. McNair, III
LAW OFFICE OF JOHN RECKENBEIL, LLC
Post Office Box 1633
Spartanburg, South Carolina 29304
Phone: (864) 582-5472
Fax: (864) 582-7280
Email: info@johnreckenbeillaw.com
Website: www.johnreckenbeillaw.com

Glen D. Savits
GREEN SAVITS, LLC
25B Vreeland Road
Florham Park, NJ 07932
Phone: (973) 695-7777
Fax: (973) 695-7788
Email: gsavits@greensavits.com
Website: www.greensavits.com

10. FURTHER INFORMATION.

Further information regarding this Notice, the deadline for filing a "Consent to Become a Party," or questions concerning this lawsuit may be obtained by writing or telephoning Plaintiffs' counsel at the address, email address, or telephone number stated above.