

**NOTICE OF
LE DOME RESTAURANT CLASS ACTION SETTLEMENT**

A class action lawsuit entitled LUDA, ET AL. V. LE DOME RESTAURANT, INC. ET AL., has been settled, and the settlement has received the preliminary approval of the Court. The purpose of this Notice is to give prospective class members information concerning the settlement and an opportunity to be excluded from its terms, if they wish.

The lawsuit bears Case No. BC221177 and is pending in the Superior Court for the State of California, Los Angeles County. The defendants are Le Dome Restaurants, Inc., a California corporation ("Le Dome") and Eddy Kerkhofs, an individual. The Complaint alleges that certain non-exempt employees (waiters, kitchen help, etc.) were not paid overtime compensation pursuant to the *California Labor Code*.

While not admitting any wrongdoing, Le Dome has agreed with the representative of the plaintiff class to settle the lawsuit. This settlement applies to all non-exempt employees of Le Dome Restaurant who worked between December 6, 1995 through December 31, 2000. Under the terms of the settlement, Le Dome will pay \$122,873.53 to be distributed among the Settlement Class. The amounts which will be paid to each member of the class have already been calculated and range from approximately \$50.00 to \$7,000.00 depending upon the number of overtime hours worked. Le Dome has also agreed to provide \$1,500.00 to the named plaintiff representative and to be solely responsible for the cost of the Settlement. In addition, Le Dome has agreed to the entry of a conditional injunction requiring it to comply with all labor laws regarding overtime compensation and to provide the plaintiff representative' reasonable attorneys' fees, costs and expenses as approved by the Court, in the amount of \$25,000.00. Should some Class Members either decide not to participate or otherwise do not claim the funds due them, counsel for the Plaintiff Class may request up to an additional \$10,000.00 in fees.

If you were employed by Le Dome during the period from December 6, 1995 to December 31, 2000, were a non-exempt employee, and did not receive overtime compensation, you are a member of the Class. **TO RECEIVE YOUR SETTLEMENT MONIES YOU NEED TO DO NOTHING. THEY WILL AUTOMATICALLY BE SENT TO YOU.** You will however be responsible for any tax liability on the monies received and you will receive an IRS Form 1099. You should discuss its significance with your tax advisor.

If you wish to be *excluded* from the terms of the Settlement Agreement however, you must notify the Settlement Administrator in writing on or before February 26, 2001 at the following addresses:

Le Dome Settlement Administrator
2801 Ocean Park Boulevard, PMB# 356
Santa Monica, California 90405
E-mail address: ledomesettlement@mail.com

Your letter requesting exclusion should give your name and address and should state, "I hereby request to be excluded from the Settlement Class in Luda v. Le Dome Restaurant, Case No. BC221177", or you can simply fill in the form below and return it to the Settlement Administrator.

If you do not request exclusion from the Settlement Class, you will automatically be *included*

in the class and will be bound by the terms of the Settlement. You will not be able to file a separate claim against any of the Le Dome parties, or their subsidiaries, affiliates, parents, divisions, predecessors, distributors, present or former officers, directors, employees, agents, heirs, executors, attorneys, administrators, successors, reorganized successors, or assignees, based on the events and circumstances that were, or could have been, alleged in the complaint. If you request exclusion by the deadline, you will not remain a class member and will not be bound by the results of the settlement. *However, you will receive no settlement funds if you decide to be excluded.*

If you want to remain a member of this class, but wish to personally appear, or object to the terms of the Settlement Agreement, you must do so by entering an appearance, either personally or through counsel. You may do this by mailing your signed written objections or notice of appearance to the Court and to the Settlement Administrator at the addresses above on or before February 26, 2001. You may attend the hearing for Final Approval of the Court which shall take place on March 19, 2001 in Department 59 of the Los Angeles Superior Court, located at 111 North Hill Street, Los Angeles, California 90012.

PLEASE DO NOT CALL THE COURT. ALL CONTACT WITH THE COURT MUST BE IN WRITING. If you have any questions about this Notice, please write or e-mail Arias & Ozzello at the address below.

Arias & Ozzello, LLP
6701 Center Drive West, Suite 950
Los Angeles, California 90045
rmacleod@ariosozzello.com

Arias & Ozzello has been preliminary approved as counsel for the class to protect your interests and legal rights.

This Notice does not fully describe the litigation or the proposed settlement. The full text of the Settlement Agreement, as well as all court documents relating to this action, are on file at the Los Angeles County Superior Court, located at 111 North Hill Street, Los Angeles, California 90012. The files in this action are available for inspection at the Court between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding Court holidays.

DATED: January 23, 2001

HONORABLE BRUCE MITCHELL
Commissioner, Los Angeles Superior Court

(Please detach before mailing)

I hereby request to be excluded from the Settlement Class in Luda v. Le Dome Restaurant, Case No. BC221177.

Dated: _____

Print Name

Sign Name Here