

CLAIM FORM AND RELEASE
INSTRUCTIONS

In order to receive any portion of the settlement funds described in the Notice of Proposed Settlement (“Notice”), you must sign, date, and return this Claim Form and Release to the Settlement Claims Administrator by either Fax, Email, or Postal Mail with postmark by AUGUST 30, 2019:

Marina Del Rey Caterers Settlement Administrator
c/o Arden Claims Service LLC
PO Box 1015
Port Washington, NY 11050
Tel:877-623-2703 | Fax:516-888-3501
Email: info@ardenclaims.com

ADDRESS AND CONTACT INFORMATION

Name/Address Changes:

** Please Note: Points are based on the Wages & Events as demonstrated by the employer records for the period March 2012 through June 10, 2019. If you do not agree, please refer to the instructions below.

Check One box below:

<input type="checkbox"/>	I do NOT challenge the Points Allocation and will accept the corresponding amount when the money is funded by Defendants and approved by the Court.
<input type="checkbox"/>	I do challenge the Points Allocation because I performed service work for Defendants from March 2012 through June 10, 2019 in a customarily tipped position _____ and worked _____ events and earned _____ wages. (If this option is selected you should provide documentation or evidence that your wages/events differ from what Defendants’ documents or information reflect. Your challenge will be processed and reviewed then you may have to provide additional information, a sworn statement under oath, and/or speak to the attorneys/claims administrator. Your failure to do so will result in your challenge being voided and you will receive the allocation listed above).

It is **your responsibility** to keep a current address on file with the Settlement Claims Administrator. Please make sure to notify Class Counsel of any change of address. Additionally, it is **your responsibility** to keep a current phone number and email address on file. Please insert such information below:

Phone number: (_____) _____ Social Security Number: _____ - _____ - _____
Area Code

Email address: _____@_____.

CLAIM FORM AND RELEASE

THIS FORM MUST BE MAILED, EMAILED, OR FAXED BY AUGUST 30, 2019

I affirm that I performed work for Marina Del Rey, Paradise Catering, or Elm Catering as a service worker between the dates March 2012 through June 10, 2019 and hereby wish to participate in the settlement and join the class and assert a claim under New York law and the Fair Labor Standards Act.

I hereby designate the law firm of Leeds Brown Law, P.C. to represent me in this action.

By my signature below I forever and fully release and discharge of Dania Marina, Inc. d/b/a Marina Del Rey Caterers, Carl A. Randazzo, Paradise Catering Corp., Elm Enterprises, Inc, and Murray Plaut, from any and all wage and hour claims, including those alleged in the Complaint, including those based on or under New York Labor Law § 196-d, the Hospitality Wage Order, and/or common law claims related to unpaid gratuities, arising during the Settlement Period, whether known or unknown, that were asserted in the Action. The Released Class Claims include statutory, constitutional, contractual or common law claims for unpaid gratuities, service charges, tips, interest on such claims, penalties, damages, liquidated damages, attorneys’ fees, expenses, disbursements, litigation costs and fees related to such claims,

restitution, or equitable relief related to such claims, based on events that took place from the beginning of time through May 2019, including any such claims related to hours worked or wages received based on or under New York State law, federal law, and/or common law, whether known or unknown, including but not limited to unpaid overtime, off-the-clock work, spread of hours compensation, or minimum wage.

I understand that some, none, or all settlement funds allocated to me may be deemed W-2 wage income subject to applicable payroll and withholding taxes, which shall be deducted prior to payment of any settlement funds. Those individuals not employed directly by Dania Marina, Inc. d/b/a Marina Del Rey Caterers, Carl A. Randazzo, Paradise Catering Corp., Elm Enterprises, Inc, or Murray Plaut will be required to pay their own taxes on the proceeds earned and are strongly encouraged to discuss the proceeds with a tax advisor or attorney before spending such proceeds.

I declare under penalty of perjury that the above information is correct and agree to its terms.

Date

Signature