

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CASSANDRA GREENE and ELIZABETH GOFF, individually and on behalf of all other persons similarly situated who were employed by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and/or any other entities affiliated with or controlled by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC,

Plaintiffs,

- against -

C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and/or any other entities affiliated with or controlled by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and SAMUEL BORGESE,

Defendants.

Docket No.: 10-CV-1094  
(JBW)(CLP)

**DECLARATION OF  
LADONNA M. LUSHER**

LaDonna M. Lusher, an attorney duly admitted to practice law in the Eastern District of New York, hereby affirms under the penalties of perjury that:

1. I am associated with the law firm of Virginia and Ambinder, LLP, counsel to Plaintiffs and a putative class in this action. I submit this declaration in further support of Plaintiffs' Motion for Conditional Certification and Notice to the Class pursuant to 29 U.S.C. § 216(b), and Plaintiffs' Motion to Amend the Complaint.

2. I am fully familiar with the facts and circumstances contained herein.

3. A true and correct copy of the declaration of Ruth Handler is attached hereto as Exhibit A.

4. A true and correct copy of the declaration of Cassandra Greene is attached hereto as Exhibit B.

5. Plaintiffs corrected proposed Notice of Lawsuit is attached hereto as Exhibit C.

WHEREFORE, it is respectfully requested that an order be issued conditionally certifying this matter as a collective action pursuant to 29 U.S.C. § 216(b) and directing that Plaintiffs' Notice of Lawsuit be sent to putative class members; granting Plaintiffs' Motion to Amend the complaint, and granting such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
July 21, 2010

\_\_\_\_\_/s/\_\_\_\_\_  
LaDonna M. Lusher  
VIRGINIA & AMBINDER, LLP  
111 Broadway, Suite 1403  
New York, New York 10006  
Tel: (212) 943-9080  
Fax: (212) 943-9082