UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y
★ DEC 23 2010 ★
BROOKLYN OFFICE

In re C.B. Holding Corp. d/b/a Charlie Brown's Steakhouse Wage and Hour Litigation

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

CONSENT TO JOINDER

By signing below I, ROZA SZATHMARI (Print Name), consent to become a party plaintiff in this lawsuit.

Please check ONE of the following options:

✓ I hereby designate the law firms of Virginia & Ambinder, LLP, 111 Broadway, Suite 1403, New York, NY 10006, telephone (212) 943-9080 and Leeds, Morelli & Brown, P.C., One Old Country Road, Suite 347, Carle Place, NY 11514, (516) 873-9550 as my attorneys.

____ I wish to proceed with alternative counsel of my choosing.

Signature: Roza Szathmari Print Name: ROZA SZATHMARI

Address: 2 NORTH 4th AVE HIGHLAND PARK

Zip Code: NJ 08904 Apt. _____

Phone Number: (732 266-2923

E-mail: SMARTCAT63@MYWAY.COM

THE LAST DAY TO FILE THIS CONSENT TO JOINDER FORM IS JANUARY 30, 2011

CONSENT TO JOINDER FORMS FILED AFTER* JANUARY 30, 2011 *WILL BE REJECTED UNLESS GOOD CAUSE IS SHOWN FOR THE DELAY

IF YOU WISH TO FILE A CLAIM FOR UNPAID OVERTIME UNDER THE FEDERAL FAIR LABOR STANDARDS ACT, YOU MUST MAIL THE ENCLOSED CONSENT TO JOINDER FORM POSTMARKED BY JANUARY 30, 2011 TO:

CLERK OF THE COURT
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
225 CADMAN PLAZA EAST
BROOKLYN, NEW YORK 11201
RE: CHARLIE BROWN'S STEAKHOUSE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

In re C.B. Holding Corp. d/b/a Charlie Brown's Steakhouse Wage and Hour Litigation

Docket No.: 10 cv 1094 (JBW)(CLP)

NOTICE OF PENDENCY

IMPORTANT NOTICE ADVISING YOU OF YOUR LEGAL RIGHTS

TO: Each current and former employee of any Charlie Brown's Steakhouse restaurant who are/were employed in the position of server (wait staff), food runner, busser, hosts(ess), bartender, salad maker, dishwasher, line and prep cook, and other restaurant related tasks during the time period from November 1, 2007 through the present. Managers, supervisors, officers, executives, managerial or administrative personnel are not part of this group.

If you worked for Charlie Brown's Steakhouse at any time since November 1, 2007 the purpose of this Notice is to advise you of this lawsuit, and to further advise you of certain rights you may have with respect to this action.

ABOUT THIS LAWSUIT

The named plaintiffs, Cassandra Greene, Elizabeth Goff, and Martin Tello ("Plaintiffs") are former and current employees of Charlie Brown's Steakhouse who have brought this action under the federal Fair Labor Standards Act ("FLSA") on behalf of themselves and all other potentially "similarly situated" current and former Charlie Brown's Steakhouse employees seeking to recover alleged unpaid minimum wages and overtime compensation (for all hours worked in excess of 40 per week) and alleged withheld wages and tips.

Charlie Brown's Steakhouse denies the allegations of unlawful pay practices in violation of the FLSA. Charlie Brown's Steakhouse contends that it maintains policies and procedures printed in its employee handbooks, code of conduct, and workplace postings reflecting its commitment to comply with the law.

This lawsuit seeks the payment of minimum wages, overtime wages and allegedly withheld tips and gratuities pursuant to the Fair Labor Standards Act (29 U.S.C. 201 et seq.), New York State Labor Law, New Jersey State labor law, and Pennsylvania State labor law, allegedly owed to current and former employees of Charlie Brown's Steakhouse restaurants in the positions listed above.

This Notice is meant to advise you of your right to decide whether to participate in this lawsuit as a claimant and plaintiff under the Fair Labor Standards Act if you believe that you were not paid all wages that are owed to you under the FLSA by Charlie Brown's Steakhouse.

YOUR RIGHT TO JOIN IN THIS LAWSUIT UNDER THE FEDERAL FAIR LABOR STANDARDS ACT

You may be owed payment if you worked for Charlie Brown's Steakhouse and received less than the minimum wage for all hours worked, even if you are an employee that received tips, if a percentage of your tips were improperly retained by Charlie Brown's Steakhouse. You also may be owed payment if you attended staff meetings without receiving the minimum wage. Lastly, you may be owed payment if you worked for Charlie Brown's Steakhouse for more than 40 hours per week and you were not paid overtime at time and one-half (1.5x) your normal hourly rate of pay for all hours actually worked over forty (40) hours each week.

STATE LAW CLAIMS ALSO ARE PENDING

Plaintiffs in this case also have asserted claims on a class-wide basis under the wage-hour laws of the states where the categories of individuals identified above are/were employed, including New York, New Jersey, and Pennsylvania. A class has not yet been certified for claims arising under any individual state laws for persons employed in those states. Under New York law, Plaintiffs have asserted claims for improperly withheld tips and gratuities, minimum wages, and overtime compensation (work performed over 40 hours) that date back to March 10, 2004. Under New Jersey law, Plaintiffs have asserted claims for minimum wages and overtime compensation (work performed over 40 hours) that date back to March 10, 2008. Under Pennsylvania law, Plaintiffs' have asserted claims for minimum wages and overtime compensation (work performed over 40 hours) that date back to March 10, 2007.

In the event a state class(es) is later certified by the Court, you will be advised of any additional rights that you may have to recover under New York, New Jersey and/or Pennsylvania state law.

FILING THE CONSENT TO JOINDER FORM

If you wish to participate in this lawsuit that seeks payment of allegedly withheld wages (tips and gratuities), minimum wages, and overtime wages under the Fair Labor Standards Act, you must sign and return the enclosed yellow Consent to Joinder form as directed below.

If you decide to join this case by filing a consent, you should send the Consent to Join Form to the Clerk of the Court. If you fail to mail a signed Consent to Joinder form to the Clerk of the Court you will not be eligible to participate in the FLSA portion of this lawsuit. Consent to Joinder forms filed after **January 30, 2011** will be rejected unless good cause is shown for the delay.

THE LAST DAY TO FILE THE YELLOW CONSENT TO JOIN LAWSUIT FORM IS **January 30, 2011**

IF YOU WISH TO FILE A CLAIM FOR ALLEGEDLY WITHELD WAGES (TIPS AND GRATUITIES), UNPAID MINIMUM WAGES, AND UNPAID OVERTIME PAY UNDER THE FEDERAL FAIR LABOR STANDARDS ACT, YOU MUST MAIL THE ENCLOSED CONSENT TO JOINDER FORM POSTMARKED BY **January 30, 2011** TO:

CLERK OF THE COURT
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
225 CADMAN PLAZA EAST
BROOKLYN, NEW YORK 11201
RE: CHARLIE BROWN'S STEAKHOUSE

The Plaintiffs are currently represented by Lloyd Ambinder, Esq., of Virginia & Ambinder, LLP, located at 111 Broadway, Suite 1403, New York, New York 10006, telephone number (212) 943-9080, along with Jeffrey K. Brown, Esq., of Leeds, Morelli & Brown, P.C., located at One Old Country Road, Suite 347, Carle Place, New York 11514, telephone number (516) 873-9550, represent the plaintiffs in this case. The Defendants are represented by Jonathan M. Kozak and Michael A. Jakowsky of Jackson Lewis, LLP, One North Broadway, 15th Floor, White Plains, New York 10601, telephone number (914) 328-0404.

If you wish, you may choose to be represented by Plaintiffs' counsel in this case. You will not be required to pay any fee for services provided by plaintiffs' counsel Virginia & Ambinder, LLP and Leeds, Morelli & Brown, P.C.

However, you also have the right to consult with an attorney of your own choosing about this matter, and if you wish to be represented by counsel other than Plaintiffs' counsel, you may retain another attorney. You will be responsible for paying that attorney, and that attorney must notify the Court of your representation.

Further information about this Notice, the deadline for joining the lawsuit, the form provided or answers to other questions concerning this lawsuit may be obtained by contacting the plaintiffs' attorney Lloyd Ambinder, Esq. or LaDonna M. Lusher, telephone number (212) 943-9080, facsimile number (212) 943-9082, or by email at charliebrowns@vandallp.com. If you require Spanish translation, please ask for Leonor Coyle or Yeskenia Polanco, or Polish translation, please ask for Maria Tokarz. You may also obtain information about this suit via the internet at www.vandallp.com and www.lmblaw.com. The public docket and all documents filed in this matter can be accessed free and without charge at www.nyed.uscourts.gov/10-1094.cfm.

EFFECT OF JOINING THIS SUIT

If you choose to join this lawsuit, you will be bound by any decision of the Court, judgment of the Court, or settlement, whether favorable or unfavorable. If you sign and return the Consent To Sue form attached to this Notice, you are agreeing to designate the class representatives, Plaintiffs Cassandra Greene, Elizabeth Goff and Martin Tello as your agent to make decisions on your behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' counsel concerning attorney's fees and costs, and all other matters pertaining to this lawsuit. These decisions and agreements made and entered into by Plaintiffs will be binding on you if you join this lawsuit.

Plaintiffs have an agreement with their attorneys that the attorneys are being paid on a contingency fee basis, which means that if there is no recovery, they will not receive any attorneys' fees. If the Plaintiffs prevail and there is recovery, the Court will decide the amount of fees to be paid to their attorneys. The Court may order that attorneys' fees be paid from the money judgment entered in favor of Plaintiffs, or that they be paid separately by the defendant, or some combination of the two.

EFFECT OF NOT JOINING THIS LAWSUIT

If you choose not to join the FLSA portion of this lawsuit, you do not need to do anything. If you do not join the FLSA portion of this lawsuit, you will not be part of the case and you may not be affected by any judgment or settlement rendered in the lawsuit, whether favorable or unfavorable, and you remain free to file your own lawsuit under the FLSA.

NO RETALIATION PERMITTED

Charlie Brown's Steakhouse is prohibited from discharging or in any way retaliating against you because of your decision to join this lawsuit.

You have a right to participate in this action even if you are an undocumented alien or if you were paid in cash.

PLEASE DO NOT CONTACT THE CLERK OF THE COURT WITH QUESTIONS INVOLVING THIS LAWSUIT.

This Notice and its contents have been authorized by the U.S. District Court, Honorable Cheryl L. Pollak, United States Magistrate Judge. Although the Court has authorized Plaintiffs' counsel to send this notice, the Court takes no position regarding the merits of Plaintiffs' claims or of the Defendants' defenses. No determination has been made that you (or any other persons) are owed any minimum wages, overtime wages or withheld wages, and the Court is not endorsing the merits of this lawsuit or advising you to participate in this lawsuit. Plaintiffs' claims and the claims of any person who joins this lawsuit may be subject to later dismissal if the Court finds that the claims lack merit or that this lawsuit cannot be litigated on a collective basis. You are under no obligation to respond to this notice.

Dated: New York, New York
November 1, 2010

FG. ROZA SZATHMARI
2 North 4th AVE
Highland Park
NJ 08904

CLERK OF THE COURT
UNITED STATES DISTRICT
COURT EASTERN DISTRICT
OF NEW YORK
225 CADMAN PLAZA EAST
BROOKLYN NEW YORK 11201

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