

## **NOTICE OF COLLECTIVE ACTION LAWSUIT**

*A court has authorized this Notice. This is not a solicitation from a lawyer.  
Please review this Notice carefully, as it details certain legal rights that you may have.*

**TO: All employees who worked for Defendants Union Kitchen LLC and Cullen Gilchrist on or before February 14, 2022.**

**RE: Underpaid wage lawsuit filed against Union Kitchen LLC and Cullen Gilchrist (District of Columbia Superior Court, No.: 2023-cab-001394).**

This Notice is to inform you of your right to join a collective action lawsuit filed against Union Kitchen LLC and Cullen Gilchrist (“Defendants”). The lawsuit seeks to recover unpaid wages that may be owed to former employees of Defendants while performing work at Union Kitchen stores. If you wish to join this suit, you must complete and return the attached Consent to Participate in Collective Action to the address indicated below so that it is received by **December 16, 2023**.

The Court has authorized this notice but has not decided whether Defendants violated District of Columbia law.

### **I. WHAT THIS LAWSUIT IS ABOUT**

On March 7, 2023, Gabriel Wittes, along with the United Food and Commercial Workers Union, Local 400 (together with Gabriel Wittes, the “Plaintiffs”), sued Defendants, alleging that employees of Union Kitchen LLC and Cullen Gilchrist were paid less than they should have been paid. Specifically, Mr. Wittes claims that he was not paid the tips he was owed while working at Union Kitchen LLC.

The lawsuit seeks to recover what Plaintiffs believe employees of Defendants should have been paid, plus liquidated damages, attorneys’ fees, and court costs.

### **II. WHO CAN JOIN**

This suit is brought collectively on behalf of all similarly situated employees. This case may be joined by persons who received tips and were employed by Union Kitchen prior to February 14, 2022, and who were not timely paid all of their lawfully owed tips.

### **III. HOW TO JOIN THIS LAWSUIT**

If you have received this notice in the mail, you have been identified as a person who may be entitled to join this lawsuit. Enclosed you will find a Consent to Participate in Collective Action form and an envelope addressed to the Claims Administrator. **To join this lawsuit, you must complete and sign the Consent to Join Suit form, and send it by fax, email, online or by U.S. mail to:**

Wittes v. Union Kitchen LLC  
c/o Analytics Consulting LLC  
P.O. Box 2006  
Chanhassen, MN 55317-2006  
Email: [info@UnionKitchenTipLawsuit.com](mailto:info@UnionKitchenTipLawsuit.com)  
Website: [www.UnionKitchenTipLawsuit.com](http://www.UnionKitchenTipLawsuit.com)  
Fax: (952) 404-5750

The form should be received by **December 16, 2023**. If you do not return the Consent to Join Suit form in time for Mr. Wittes' counsel to file it with the Court by the above deadline, you may not be able to participate in this lawsuit.

Whether or not you join this suit, your claim is subject to certain statutes of limitations and you may lose your right to possibly recover money if you do not file suit promptly. Whether or not you join, you have a right to retain your own counsel regarding these matters.

#### **IV. LEGAL EFFECT OF JOINING THIS LAWSUIT**

If you decide to join this lawsuit, and remain as a party in it, you will be bound by any judgment entered by the Court. You may therefore be entitled to a portion of the money that the Court may award if the plaintiffs prevail. While this lawsuit is proceeding, with the assistance of counsel, you may have to answer written questions under oath or give sworn testimony. By joining this lawsuit, you designate Mr. Wittes as your agent to make decisions on your behalf concerning all matters pertaining to this lawsuit. Unless you timely indicate to counsel for Mr. Wittes that you no longer wish Mr. Wittes to represent your interests, you will be bound to decisions and agreements made by Mr. Wittes, including agreements with Mr. Wittes' counsel regarding attorneys' fees and costs.

This lawsuit is being brought without prepayment of costs or attorneys' fees. If the plaintiffs are successful, costs expended and fees incurred by counsel on their behalf will be deducted from the settlement or judgment first or paid separately by Defendants. **IF THIS LAWSUIT IS NOT SUCCESSFUL, YOU WILL NOT BE RESPONSIBLE FOR PAYING ANY ATTORNEYS' FEES.**

#### **V. NO LEGAL EFFECT OF NOT JOINING THIS LAWSUIT**

If you choose not to join this lawsuit, you need not do anything. If you do not join, you will not be affected by any judgment or settlement rendered in this lawsuit.

#### **VI. FURTHER INFORMATION IS AVAILABLE**

If you have any questions about this lawsuit, do not contact the court.

If you have questions, Matthew Handley, one of the attorneys for the Plaintiffs, may be contacted by calling (202) 559-2411 or by emailing [mhandley@hfajustice.com](mailto:mhandley@hfajustice.com). To communicate in Spanish, you may contact Flor de Lis Siria, a paralegal who works with Matthew Handley, at (202) 559-2411 or [fsiria@hfajustice.com](mailto:fsiria@hfajustice.com).

Dated: November 1, 2023

Carl E. Ross  
District of Columbia Superior Court Judge