

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

TO: «FNAME» «LNAME» MAILID: «MAILID»
«ADDRESS» «ADDRESS_2»
«CITY», «STATE» «ZIP»
UNIQUE ID: «UNIQUE ID»
PIN: «PIN»

If you received a paycheck from VCE Theaters, LLC or Studio One Theaters for a pay period in which you were required to participate in a tip pool that included managers, supervisors, or other statutory employers, a collective action lawsuit may affect your rights.

A court authorized this notice. This is not a solicitation from a lawyer.

- Employees have sued VCE Theaters, LLC, dba Studio One Theaters (Studio One), alleging federal wage-and-hour violations.
- The Court has allowed the lawsuit to be a collective action on behalf of all employees who received a paycheck from Studio One for a pay period in which they were required to participate in a tip pool that included managers, supervisors, or other statutory employers.

The Court has not decided whether Studio One did anything wrong. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
Join the collective action	<p>Join this collective action. Await the outcome. Give up right to separately sue Studio One for same claims.</p> <p>By joining, you keep the possibility of getting money or benefits from a trial or settlement in the lawsuit. You give up any rights to separately sue Studio One Theaters for the same federal claims in this lawsuit.</p>
Do nothing	<p>Do not join this collective action. Keep right to sue Studio One for same claims.</p> <p>By doing nothing, you will not share in any money or benefits from the federal collective action. You retain the right to sue Studio One for the same federal claims in the collective action.</p>

Your options are explained in this notice. To join, you must act before **June 16, 2025**.

Any questions? Read on and visit www.studiooneclassaction.com.

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BASIC INFORMATION

1. Why did I get this notice?

VCE Theaters, LLC, dba Studio One Theaters' (Studio One) records show that you received a paycheck from them for a pay period in which you were required to participate in a tip pool that Plaintiff alleges included managers, supervisors, or other statutory employers. This notice explains that the Court has allowed, or “certified,” a collective action that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims being made against Studio One are correct. Judge Stacie F. Beckerman of the United States District Court for the District of Oregon is overseeing this lawsuit. The lawsuit is known as *Alexander Atkins v. VCE Theaters, LLC, dba Studio One Theaters, et al*, Civil Action No. 3:23-cv-01332-SB.

2. What is this lawsuit about?

This lawsuit is about whether Studio One required employees to participate in a tip pool that included managers, supervisors, or other statutory employers (as defined by federal law). More information about federal wage-and-hour laws can be found at the website of the United States Department of Labor’s Wage and Hour Division, <https://www.dol.gov/agencies/whd>.

3. What is a collective action and who is involved?

In a collective action lawsuit, based on federal wage-and-hour violations, one or more people called “Collective Representatives” (in this case Alexander Atkins) sue on behalf of other people who may have similar federal-law claims. The people together are a “Collective” or “Collective Members.” The employee who filed the lawsuit—and all the Collective Members like him—are called the Plaintiffs. The party they sued regarding the tip pooling claims (Studio One) is called the Defendant. One lawsuit resolves the issues for everyone in the Collective. **In a Collective Action, no employees are included as part of the case unless they JOIN the lawsuit.**

If you want to be part of the lawsuit, JOIN the Collective Action and you will be included.

If you don’t want to be part of the lawsuit, you do not need to do anything.

4. Why is this lawsuit a collective action?

The Court decided that this lawsuit can be a collective action and move toward a trial because it meets the requirements of 29 U.S.C. § 216(b), which requires that employees in federal Fair Labor Standards Act cases be similarly situated. More information about why the Court is allowing this lawsuit to be a collective action is in the Court's Order, which is available at www.studiooneclassaction.com.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

In the lawsuit, Alexander Atkins claims that Studio One required employees to participate in a tip pool that included managers, supervisors, and/or other statutory employers. You can read the Plaintiff's Complaint at www.studiooneclassaction.com.

6. How does Studio One answer?

Studio One denies that its tip pooling practices violate federal law. Studio One denies that managers, supervisors, or statutory employers (as defined by federal law) received tip-outs from a tip pool. Studio One's Answer to the Complaint is also at the website, www.studiooneclassaction.com.

7. Has the Court decided who is right?

The Court hasn't decided whether Alexander Atkins or Studio One is correct. By certifying the Collective Action and issuing this Notice, the Court is not suggesting that either Mr. Atkins or Studio One will win or lose this case. If the case does not settle, the Plaintiffs will have to prove their claims at a trial. (See "The Trial" below on page 7.)

8. What are the Plaintiffs asking for?

Mr. Atkins is asking for each Collective Member to be awarded compensatory damages equal to their share of the tips allegedly allocated to managers, supervisory employees and statutory employers, as well as liquidated damages, in amounts to be proven at trial.

9. Is there any money available now?

No money or benefits are available now, because the Court has not yet decided whether Studio One did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits will be obtained.

WHO IS IN THE COLLECTIVE

10. Am I part of this Collective?

The Court decided that all “current or former VCE employees who received a paycheck for a pay period in which they were required to participate in a tip pool” can be Collective Members, but only if they **JOIN** the lawsuit.

11. Which current and former employees are included?

Any employee can be in the Collective if they received a paycheck from VCE Theaters, LLC for a pay period in which they were required to participate in a tip pool, but only if they **JOIN** the lawsuit.

12. I’m still not sure if I am included?

If you are still not sure whether you are included, you can get free help at www.studiooneclassaction.com.

YOUR RIGHTS AND OPTIONS

You have an opportunity to decide whether or not to **JOIN** the Collective, but if you wish to be a Collective Member, you must submit the JOIN form not later than **June 16, 2025**.

13. Why would I JOIN the Collective?

If you **JOIN** the Collective and the Plaintiffs obtain money or benefits for the federal claims, either as a result of the trial or a settlement, you will be entitled to receive your share of the recovery. You will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this lawsuit.

14. How do I JOIN the Collective?

To join this case, just complete and return the JOIN form. It must be postmarked, emailed, or faxed on or before **June 16, 2025**. You can also JOIN online at www.studiooneclassaction.com. **To file online you will need to enter the following Unique ID and PIN. Unique ID: «Unique ID» & PIN: «PIN»**

The website also has more information about the case and the case documents.

15. Why would I not JOIN the Collective?

If you already have your own wage-and-hour lawsuit against Studio One for the same federal claims at issue in this case and want to continue with it and/or if you want to otherwise preserve your right to bring the same federal claims at issue in this case against the Defendant outside of this lawsuit, you should not join the collective.

If you don't join the collective, you won't get any money damages from this lawsuit even if the Plaintiffs obtain them as a result of a trial or any settlement between Studio One and the Plaintiffs. However, you may be able to start or continue your own lawsuit against Studio One for the same federal claims. If you do not join the collective, you will not be legally bound by the Court's judgments in this lawsuit.

If you do not join this collective action, and you wish to start your own lawsuit against Studio One, you'll have to retain your own lawyer for that lawsuit unless you proceed without a lawyer, and you'll have to prove your own claims. If you do not join this collective action or continue with your own existing lawsuit against Studio One, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

16. What happens if I do nothing?

If you do nothing, you will not be a Collective Member in this case.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

The Court has appointed the law firm Lewallen Law, LLC to represent you and all Collective Members. The law firm is called "Collective Counsel."

18. Should I get my own lawyer?

You do not need to hire your own lawyer, because Collective Counsel will work on your behalf if you join the lawsuit. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask your own lawyer to appear in Court for you if you want someone other than Collective Counsel to speak for you.

19. How will the lawyers be paid?

If Collective Counsel get money or benefits for the Collective, they may ask the Court for fees and expenses. You won't have to pay these fees and expenses. If the Court grants Collective Counsel's request, the fees and expenses would be either deducted from any money obtained for the Collective, or paid separately by Studio One.

THE TRIAL

If the case is not settled or resolved by motions, the Court will hold a trial to decide who is right in this case.

20. How and when will the Court decide who is right?

If the case isn't resolved by a settlement or otherwise, Collective Counsel will have to prove the Plaintiffs' claims at a trial. The trial has not yet been scheduled. If and when it is scheduled, it will take place in the United States District Court for the District of Oregon, 1000 S.W. Third Ave., Portland, OR 97204. During the trial, a Jury and/or the Judge will hear all of the evidence to help them reach a decision about whether the Plaintiffs or Studio One are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win, or that they will get any money for members of the Collective.

21. Do I have to come to the trial?

No, you do not need to attend the trial unless the Plaintiffs or Studio One call you as a witness. Collective Counsel will present the case for the Plaintiffs, and Studio One will present the defenses. You or your own lawyer are welcome to come at your own expense.

GETTING MORE INFORMATION

22. Are more details available?

Visit the website, www.studiooneclassaction.com, where you will find the Court's Certification Order, the Complaint that the Plaintiff filed, the Studio One's Answer to the Complaint, as well as a **JOIN** form.

DATE: APRIL 17, 2025