

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

ANGELA WATSON, ET AL \* CIVIL ACTION NO. 12-2590  
VERSUS \* JUDGE TOM STAGG  
W.W.D., INC., d/b/a ACTION \* MAG. JUDGE KAREN L. HAYES  
CENTRAL CABARET

**FSLA COLLECTIVE ACTION**

**NOTICE OF FLSA COLLECTIVE ACTION TO:**

All current and former persons who worked as exotic dancers at ACTION CENTRAL CABARET at any time from JANUARY 1, 2010 TO THE PRESENT, and who (1) worked at any time therein for more than 40 hours per week; and/or (2) worked more hours than what was shown on pay stubs; and/or (3) were designated as independent contractors and therefore, not paid any wages; and/or (4) required to split dance fees with ACTION CENTRAL CABARET; and/or (5) were not paid their tips from credit card charges or otherwise on the next regular pay day after the tips were charged; and/or (6) were not paid statutory minimum wage.

**RE: Fair Labor Standards Act Lawsuit against W.W.D., INC., d/b/a ACTION CENTRAL CABARET**

**1. INTRODUCTION**

The purpose of this Notice is to inform you of the existence of a class action lawsuit in which you are potentially similarly situated to the named plaintiffs, and to instruct you on the procedure for participating in this lawsuit, should you decide that it is appropriate and should you choose to do so.

**2. DESCRIPTION OF THE LAWSUIT**

On September 27, 2012 and thereafter, Angela Watson, et al, former exotic dancers of the Action

Central Cabaret in Bossier City, Louisiana, brought this lawsuit against W.W.D, Inc. d/b/a ACTION CENTRAL CABARET, on behalf of themselves and all other past and present persons alleged to have been; 1) wrongfully classified as independent contractors of ACTION CENTRAL CABARET; and/or 2) who worked as exotic dancers in excess of forty (40) hours per week; and/or 3) who worked more hours than what was shown on pay stubs; and/or 4) who were designated as independent contractors and therefore, not paid any wages; and/or 5) who were required to split dance fees with ACTION CENTRAL CABARET; and/or 6) who were not paid statutory minimum wage, in the United States District Court for the Western District of Louisiana, Shreveport Division, alleging that they and others similarly situated were owed unpaid overtime wages, regular wages, unpaid tips, and other damages under the Fair Labor Standards Act.

The plaintiffs also allege that defendants willfully failed to properly compensate them and others similarly situated. Finally, the plaintiffs seek an additional equal amount of overtime as liquidated damages, an additional equal amount of regular wages as liquidated damages, and additional amount of unpaid tips as liquidated damages, as well as prejudgment interest, attorneys' fees, other penalties, and costs. This lawsuit is currently in the early pretrial stage.

After the suit was filed, other employees and former employees have expressed an interest in joining the lawsuit as named plaintiffs making the same claims. Defendants have denied plaintiffs allegations and maintain that exotic dancers were properly classified as independent contractors, were properly compensated, and that they complied with the Fair Labor Standards Act. Defendants also maintain they exercised good faith in the application of the Fair Labor Standards Act to the exotic dancers in classifying them as independent contractors.

### **3. COMPOSITION OF THE CLASS**

The named plaintiffs seek to sue on behalf of themselves and also on behalf of other persons with whom they are "similarly situated."

Specifically, the named plaintiffs seek to sue on behalf of any and all current and former exotic dancers of ACTION CENTRAL CABARET, who worked in excess of forty (40) hours per week and/or who worked more hours than what was shown on pay stubs; and/or who were designated as independent contractors and therefore, not paid any wages; and/or who were required to split dance fees with The Plantation; and/or who were not paid their tips from credit card charges or otherwise on the next regular pay day after the tips were charged; and/or who were not paid statutory minimum wage.

#### **4. YOUR RIGHT TO PARTICIPATE IN THIS SUIT**

If you fit the description above, you may join this suit (that is, you may “Opt in”) by signing and mailing the attached “Consent to Become Party Plaintiff” form to the following address:

In Re: ACTION CENTRAL CABARET FLSA Dancers Suit (Docket 12-cv-02590)  
c/o Clerk of Court, United States District Court  
Western District of Louisiana, Shreveport Division  
300 Fannin Street, Suite 1167  
Shreveport, Louisiana 71101

as soon as possible and in sufficient time to file it with the Federal Court **on or before August 26, 2013.**

**IF YOU FAIL TO RETURN THE “CONSENT TO BECOME PARTY PLAINTIFF” FORM TO THE CLERK OF COURT ON OR BEFORE August 26, 2013, YOU MAY NOT BE ABLE TO PARTICIPATE IN THIS LAWSUIT.**

If you file a Consent to Become Party Plaintiff form, your right to participate in this suit may depend upon later decisions by the District Court such as that you and the plaintiffs are actually similarly situated in accordance with federal law.

#### **5. EFFECT OF JOINING THIS SUIT**

If you choose to join in this suit, you will be bound by the Judgment, whether it is favorable or unfavorable. While this suit is proceeding, you may be required to respond to written questions, sit for depositions and/or testify in court.

The attorneys for the class plaintiffs are being paid on a contingency fee basis, which means that if there is no recovery, there will be no attorneys’ fee. If there is a recovery, the attorneys for the class will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. By joining this lawsuit, you designate the named plaintiffs as your agent to make decisions on your behalf concerning this litigation, the method and manner of conducting this litigation, and all other matters pertaining to this lawsuit. These decisions and agreements made and entered into by the named plaintiffs will be binding on you if you join this lawsuit.

#### **6. NO LEGAL EFFECT IN NOT JOINING THIS SUIT**

If you choose not to join this suit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable to the class. If you choose not to join in

this lawsuit, you are free to file your own lawsuit. However, because the passage of time may result in part or all of your claim being barred by the applicable statute of limitations, if you wish to participate in this lawsuit, it is important that you sign, date, and mail the attached consent form as soon as possible, but in any event, **NO LATER THAN August 26, 2013.**

## **7. NO RETALIATION PERMITTED**

FEDERAL LAW PROHIBITS THE ACTION CENTRAL CABARET OR ANY OF ITS OWNERS OR MANAGERS FROM UNLAWFULLY DISCHARGING YOU OR IN ANY OTHER MANNER RETALIATING AGAINST YOU BECAUSE YOU HAVE EXERCISED YOUR RIGHTS UNDER THE FAIR LABOR STANDARDS ACT.

## **8. YOUR LEGAL REPRESENTATION IF YOU JOIN**

If you choose to join this lawsuit, you may retain any counsel you desire. At this time, the attorneys are:

### **ATTORNEYS FOR PLAINTIFFS**

JESSE B. HEARIN, III  
1009 Carnation Street, Suite "E"  
Slidell, Louisiana 70406  
[jbhearin@hearinllc.com](mailto:jbhearin@hearinllc.com)  
O: 985-639-3377 Cell: 228-216-8103

### **ATTORNEYS FOR DEFENDANTS**

J. RANSDALL KEENE  
725 Southfield Road  
Shreveport, LA 71106  
(318)219-3921

## **9. FURTHER INFORMATION**

Further information about this Notice, the deadline for filing a Consent to Become Party Plaintiff, or questions concerning this lawsuit may be obtained by writing, or telephoning plaintiffs' attorneys or defendants' attorneys at the number and address stated above.

**THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA, SHREVEPORT DIVISION, BY THE HONORABLE MAGISTRATE KAREN L. HAYES. THE COURT HAS TAKEN NO POSITION ON THIS CASE REGARDING THE MERITS OF THE PLAINTIFFS' CLAIMS OR OF DEFENDANTS' DEFENSES. YOUR RECEIPT OF THIS NOTICE IS NOT AN INDICATION OF AN ENTITLEMENT TO RECOVERY.**