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PRESS RELEASE

Attorney General's Office To Distribute Nearly \$4 Million In Restitution To Former Customers Of Boston Sports Club

Approximately 47,000 Consumers to Receive Restitution After They Were Wrongfully Charged While the Gyms Were Closed During COVID-19 Pandemic

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BOSTON — The Massachusetts Attorney General's Office (AGO) today announced that approximately 47,000 Massachusetts consumers will soon receive restitution

checks as a result of its **victory** ([/news/ag-campbell-secures-judgement-for-nearly-4-million-in-restitution-for-former-customers-of-boston-sports-club?_ga=2.46589794.436010277.1771521478-1781308262.1771521478&_gl=1%2A1nzt5f%2A_ga%2AMTc4MTMwODI2Mi4xNzcxNTIxNDc4%2A_ga_MCLPEGW7WM%2AczE3NzE1MjE0ODckbzEkZzAkdDE3NzE1MjE0ODckajYwJGwwJGgw](https://www.boston.com/news/ag-campbell-secures-judgement-for-nearly-4-million-in-restitution-for-former-customers-of-boston-sports-club?_ga=2.46589794.436010277.1771521478-1781308262.1771521478&_gl=1%2A1nzt5f%2A_ga%2AMTc4MTMwODI2Mi4xNzcxNTIxNDc4%2A_ga_MCLPEGW7WM%2AczE3NzE1MjE0ODckbzEkZzAkdDE3NzE1MjE0ODckajYwJGwwJGgw)) in its lawsuit against Patrick Walsh, the former CEO of Town Sports International LLC d/b/a Boston Sports Club (“BSC”). The Court found that Walsh unfairly charged members in April 2020 for services he knew would not be provided while the gyms were inaccessible due to the COVID-19 pandemic.

Following the trial, the AGO secured full refunds for BSC members who were unfairly billed while the gyms were closed and had not already received promised credits or refunds.

The AGO has engaged a refund administrator, Analytics LLC, due to the large number of consumers receiving refunds. Affected consumers will receive an email from bostonsportsclubrefund@refundadministrator.com with instructions on how to claim their refunds. To claim your refund, please visit www.bostonsportsclubrefund.com (<http://www.bostonsportsclubrefund.com/>) and log in using your claim number and PIN, which can be found in the email, and select your preferred payment method. You should claim your refund within 90 days of receiving the email.

If you have questions, please contact the Refund Administrator by email at bostonsportsclubrefund@refundadministrator.com or by phone at (855) 927-8664.

During the COVID-19 pandemic, all BSC locations were closed from mid-March 2020 through July 2020. Despite being closed, Walsh decided to bill members for April 2020. The Court found that Walsh’s decision to bill members for time that the gyms were closed was unfair because Walsh knowingly charged members for gym services he knew that BSC would not provide.

Surrounding the April billing, the AGO received more than 2,000 complaints from members who tried and failed to cancel their contracts with the company to avoid paying for facilities they could not access. Consumers reported and testified at trial that they called, emailed, and sent social media messages to BSC in an effort to

cancel their contracts, all without receiving a satisfactory response. Consumers also testified that BSC continued to charge them for memberships, even after they had submitted cancellation requests.

In addition to finding that Walsh unfairly charged members in April 2020, the Court found that Walsh made deceptive statements to BSC members and violated the Health Club Act by thwarting BSC members' ability to cancel their memberships and failing to honor cancellation requests.

This matter was handled by Managing Attorney Matthew Lashof-Sullivan, Assistant Attorney General Richard Dohoney, Senior Trial Counsel Peter Downing, and Paralegals Noam Miller and Sarah Most of the AGO's Consumer Protection Division, State Trial Counsel Jim Sweeney and Chief State Trial Counsel Katherine Dirks of the Office of the State Trial Counsel, Assistant Attorney General Ann Lynch of the AGO's Civil Rights Division, Assistant Attorney General Kimberly Hudson-Wright, and Senior Financial Investigator Colleen McMahon of the AGO's Civil Investigations Division.

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The Attorney General is the chief lawyer and law enforcement officer of the Commonwealth of Massachusetts.

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