

Notice of Class Action Settlement - *Chitwood et al v. Circa Hospitality Group, LLC, et al., Case Number A-23-882231-C*

A NEVADA STATE COURT AUTHORIZED THIS NOTICE

You have been identified as a member of a Class Action Settlement. You are eligible to receive comp dollars from the Settlement. You are not being sued. **If you do not take steps to exclude yourself from the Settlement Class, you will receive comp dollars credited to your Club One account for free.**

This Notice explains the Settlement, the Settlement Class, and your legal rights and options. Please read its contents carefully.

WHAT IS THIS CASE ABOUT?

The Plaintiffs filed a class action lawsuit, or a lawsuit seeking to recover on behalf of all members of the Club One player rewards program, against Circa Hospitality Group, LLC, Circa Hospitality Group I, LLC d/b/a Golden Gate Hotel & Casino, Circa Hospitality Group II, LLC d/b/a The D Hotel & Casino, and Circa Hospitality Group III, LLC d/b/a Circa Resort & Casino (“Defendants”). The lawsuit alleges that Defendants reduced the value of complimentary benefit dollars (“comp dollars”) earned by Club One members at Defendants’ properties for both the menu price and associated sales tax, thereby allegedly depriving Club One members of the full value of their earned comp dollars.

Defendants deny all allegations of wrongdoing in this lawsuit.

WHAT IS THE STATUS OF THE CASE?

The Court has not made any finding that Defendants have engaged in any wrongdoing or misconduct. Instead Plaintiff and Defendants (together, the “Parties”) agreed on a Class Action Settlement to avoid the uncertainty and cost of further legal proceedings, and to provide benefits to the Settlement Class members. The Settlement has been approved by the Court.

This Notice explains your rights and options as a member of the Settlement Class. Whether or not you act, your legal rights will be affected by the Settlement.

AM I INCLUDED IN THE SETTLEMENT?

Yes. You are a member of the Settlement Class. That means that, according to Defendants’ records,

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you were a member of Defendants' Club One player rewards program between October 23, 2020 and December 31, 2025, and you redeemed comp dollars at Circa, The D, and/or Golden Gate in exchange for food, meals, and/or nonalcoholic beverages and had your comp dollars reduced proportionally to the menu price and the associated sales tax of the food, meal, and/or nonalcoholic beverage obtained.

If you would like more information about why you are a Settlement Class member, you may contact Class Counsel representing the Plaintiffs. Those attorneys are:

Robert M. Adams, Esq. (Nevada Bar #6551)
Artemus W. Ham, Esq. (Nevada Bar #7001)
Maggie A. DiFederico, Esq. (Nevada Bar #16225)
Megan A. Adams, Esq. (Nevada Bar #17039)
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5575 S. Durango Dr., Suite 110
Las Vegas, NV 89113
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Email: eservice@adamsham.com
Website: www.adamsham.com

WHAT ARE THE TERMS OF THE SETTLEMENT?

To settle the lawsuit, Defendants have agreed to:

- a) Distribute 800,000 comp dollars ("Settlement Comp Dollars") to the Qualifying Members split equally between all Qualifying Members;
- b) Ensure the Club One Program policies and procedures regarding comp dollar redemptions comply with Nevada law;
- c) Pay a Service Award to the Class Representatives;
- d) Pay attorneys' fees to Class Counsel; and
- e) Pay the costs associated with settlement administration.

Each Class Member who remains in the Settlement Class will be designated a Qualifying Member. Qualifying Members will receive an Award equivalent to an equal split between all Qualifying Members of the total amount of Settlement Comp Dollars. The Settlement Comp Dollars will be automatically credited to each Qualifying Members Club One account no later than December 31, 2026. The Settlement Comp Dollars are only valid for nine (9) months from the time they are credited in to the Qualifying Member's Club One account. Qualifying Members will not be responsible for paying any attorneys' fees, costs, or settlement administration expenses.

WHAT ARE YOUR OPTIONS?

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As a member of the Settlement Class, you have the choice of remaining in the class or excluding yourself from the class. **If you do nothing, you will remain in the Settlement Class and you will receive Settlement Comp Dollars credited to your Club One account for free.** Please review your options below. Each choice has certain risks and consequences.

- (1) **Remain in the Settlement Class.** If you do nothing, you will remain in the Settlement Class, and you: (i) will be bound by the terms of Settlement; (ii) will receive an Award of Settlement Comp Dollars credited to your Club One account as described above; and (iii) will lose any legal rights you may have against Defendants related to this lawsuit. You will not receive a cash payment. **If you wish to remain a member of the Settlement Class, you do not need to do anything. The judgment will include all Settlement Class members who do not request exclusion.** If you do not request exclusion, you may enter an appearance through your own counsel if you wish.

- (2) **Exclude yourself from the Settlement Class:** If you exclude yourself from the Settlement Class, you: (i) will not be bound by the terms of the Settlement; (ii) will retain any claims you may have against the Defendants; and (iii) will not receive an Award of Settlement Comp Dollars. If you elect to be excluded from the Settlement Class, you may file an individual action against Defendants. If you want your own lawyer to represent you in an individual case, the terms of such representation are for you and your lawyer to negotiate. **To exclude yourself from the Class, you must request exclusion.**

You may exclude yourself from the Settlement Class by mailing or emailing a request to the Settlement Administrator at **PO Box 25191, Santa Ana, CA 92799** or **info@ChitwoodVCircaSettlement.com**. The request must be postmarked by June 21, 2026, and must include: (i) your name, (ii) your email, (iii) your telephone number, (iv) your address, and (v) a statement substantially to the effect that: “I request to be excluded from the Settlement Class in *David Chitwood et al., v. Circa Hospitality Group, LLC et al.,* No. A-23-882231-C, pending in the District Court of Clark County, Nevada.” **Your request must be signed and dated.** You may use an electronic or scanned signature.

STATUTE OF LIMITATIONS CONSIDERATIONS

When this lawsuit was filed, the statute of limitations for Settlement Class members’ claims was tolled (suspended) from the date the complaint was filed. If you choose to exclude yourself from the Settlement Class, be aware that your individual claims may be subject to applicable statutes of limitations, and your right to bring an individual lawsuit could be time-barred if the relevant statutory period has expired. This lawsuit does not stop the statute of limitations clock for those who opt out.

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INQUIRIES

For more information, you may contact Class Counsel at the email and telephone number listed below. Please include your name and address on any correspondence, the case name and number, (“*Chitwood et al v. Circa Hospitality Group, LLC, et al., Case Number A-23-882231-C.*”)

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DO NOT CONTACT THE COURT OR THE JUDGE REGARDING THIS NOTICE.