

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO**

ALEX MAYSTRENKO; and STEVE FRYE,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

6TH & ISLAND INVESTMENTS, LLC, dba
OMNIA NIGHTCLUB SAN DIEGO;
HAKKASAN-FABRIC STINGAREE
HOLDINGS, LLC; and DOES 1-50 inclusive,

Defendants.

AND RELATED CROSS-ACTIONS.

CASE NO. 37-2020-00028758-CU-CR CTL

Assigned for All Purposes to the Honorable
Matthew C. Braner, Dept: C-60

IF YOU ARE A MALE (I.E., MEN, GUYS) OR A NON-BINARY PERSON
WHO PAID FULL PRICE FOR A LADIES' NIGHT EVENT AT THE OMNIA
NIGHTCLUB IN SAN DIEGO BETWEEN APRIL 6, 2017, AND MAY 2, 2025,
YOU MAY BE ELIGIBLE TO RECEIVE A **CLASS MEMBER PAYMENT
FOR UP TO \$4000.**

***A STATE COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM
A LAWYER.***

A settlement ("Settlement") has been proposed in the class action lawsuit referenced above pending in the Superior Court of California, County of San Diego ("Action"). If the Court gives final approval to the Settlement, 6th & Island Investments, LLC dba Omnia Nightclub San Diego, Hakkasan-Fabric Stingaree Holdings, LLC, Hakkasan Holdings, LLC, Hakkasan Group, Michael McShane, Mark Caparelli, and Venue Driver, LLC (collectively "Defendants") will pay to each Class Member who properly and timely completes and submits a Claim Form a Class Member Payment for up to \$4000.

Your legal rights are affected whether you act or don't act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE(S)
SUBMIT A CLAIM FORM	If you received direct Notice of this Settlement via email or otherwise and made one or more Qualifying Purchase(s) between April 6, 2017, and May 2, 2025 (the “Class Period”): you will receive a Class Member Payment after completion of a Claim Form. Visit the Settlement Website, located at www.omniasandiegosettlement.com to obtain a Claim Form.	October 30, 2025
EXCLUDE YOURSELF	If you exclude yourself from the Settlement, you will not receive a Class Member Payment under the Settlement. Excluding yourself is the only option that allows you to bring or maintain your own lawsuit against Defendants for the allegations in the Action ever again.	October 30, 2025
OBJECT	You may file a written objection telling the Court why you object to (i.e., don’t like) the Settlement and think it shouldn’t be approved. Submitting an objection does not exclude you from the Settlement.	October 30, 2025
GO TO THE “FINAL APPROVAL HEARING”	<p>The Court will hold a “Final Approval Hearing” to consider the Settlement, the request for attorneys’ fees and costs of the lawyers who brought the Action, and the Named Plaintiffs’ request for a service fee award for bringing the Action.</p> <p>You may, but are not required to, speak at the Final Approval Hearing about any objection you filed to the Settlement.</p>	Hearing Date and Time: October 17, 2025, at 9:00 a.m.

- These rights and options—and the deadlines to exercise them—are explained in more detail below.
- The Court in charge of this Action has preliminarily approved the Settlement and must decide whether to give final approval to the Settlement. The relief provided to Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement. *Please be patient.*

BACKGROUND INFORMATION

1. Why did I get this Notice?

You received this Notice because a Settlement has been reached in this Action. You might be a member of the Settlement Class and may be eligible for the relief detailed below.

This Notice explains the nature of the Action, the general terms of the proposed Settlement, and your legal rights and obligations. To obtain more information about the Settlement, including information about how you can see a copy of the Settlement Agreement (which defines certain capitalized terms used in this Notice), see Section 20 below.

2. What is this lawsuit about?

Plaintiffs Alex Maystrenko and Steve Frye (the “Named Plaintiffs”) filed a lawsuit (the “Action”) against 6th & Island Investments, LLC dba Omnia Nightclub San Diego, Hakkasan-Fabric Stingaree Holdings, LLC, Hakkasan Holdings, LLC, Hakkasan Group, Michael McShane, Mark Caparelli, and Venue Driver, LLC (collectively “Defendants”), on behalf of themselves and all others similarly situated. The Action alleges that Defendants engaged in discriminatory conduct based on sex and/or gender identity by providing free or discounted admission and/or entry without pat down searches by security to females (i.e., ladies, women) for “Ladies’ Night Event(s)” at the Omnia Nightclub in San Diego, California, to the exclusion of males (i.e., men, guys) and non-binary persons.

Defendants deny each and every one of the allegations of unlawful conduct, any wrongdoing, and any liability whatsoever, and no court or other entity has made any judgment or other determination of any liability. Defendants further deny that any Class Member is entitled to any relief and, other than for Settlement purposes, that this Action is appropriate for certification as a class action.

The issuance of this Notice is not an expression of the Court’s opinion on the merits or the lack of merits of the Named Plaintiffs’ claims in the Action.

For information about how to learn about what has happened in the Action to date, please see Section 20 below.

3. Why is this a class action?

In a class action lawsuit, one or more people called “Named Plaintiff(s)” (in this Action, Alex Maystrenko and Steve Frye) sue on behalf of other people who allegedly have similar claims. For purposes of this proposed Settlement, one court will resolve the issues for all Class Members. The company and individuals sued in this Action, 6th & Island Investments, LLC dba Omnia Nightclub San Diego, Hakkasan-Fabric Stingaree Holdings, LLC, Hakkasan Holdings, LLC, Hakkasan Group, Michael McShane, Mark Caparelli, and Venue Driver, LLC, are collectively called the Defendants.

4. Why is there a Settlement?

The Named Plaintiffs have made claims against Defendants. Defendants deny that they have done anything wrong or illegal and admit no liability. The Court has **not** decided that the Named

Plaintiffs or Defendants should win this Action. Instead, both sides agreed to the Settlement. That way, they avoid the cost of a trial, and the Class Members will receive relief now rather than years from now, if at all.

5. How do I know if I am part of the Settlement?

The Court has decided that everyone who fits this description is a Class Member for purposes of the proposed Settlement: All males (i.e., men, guys) and non-binary persons, paid a full price entrance fee and/or were patted down by security for Ladies' Night Event(s), at the Omnia Nightclub in San Diego from April 6, 2017 until the date of Preliminary Approval Order.

6. I'm still not sure if I am included.

If you are still not sure whether you are included, you can write the Claims Administrator for free help. The email address of the Claims Administrator is info@omniasandiegosettlement.com and the U.S. postal (mailing) address is:

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c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

THE PROPOSED SETTLEMENT

7. What relief does the Settlement provide to the Class Members?

Defendants have agreed to provide each Class Member who timely submits a valid Claim Form by the Response Deadline and who does not exclude themselves from the Settlement, a Class Member Payment for up to \$4000.

HOW TO RECEIVE A CLASS MEMBER PAYMENT – SUBMITTING A CLAIM FORM

8. How can I get a Class Member Payment(s)?

If you received Notice of this Settlement and wish to receive a Class Member Payment for up to \$4000, you must complete a Claim Form.

A Claim Form is available at the website www.omniasandiegosettlement.com. The Claim Form may be submitted electronically or by postal mail. Read the instructions carefully, fill out the Claim Form, and postmark it by October 30, 2025, or submit it online on or before 11:59 p.m. (Pacific) on October 30, 2025.

9. When will I get my Class Member Payment(s)?

As described in Sections 17 and 18 below, the Court will hold a hearing on August 29, 2025, at 9:00am, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It's always uncertain when the appeals will be resolved, and resolving them can take time, perhaps more than a year. You can check on the progress of the case on the website dedicated to the Settlement at www.omniasandiegosettlement.com. *Please be patient.*

THE LAWYERS IN THIS CASE AND THE NAMED PLAINTIFFS

10. Do I have a lawyer in this case?

The Court has ordered that the law firm of Law Offices of Daniel J. Williams ("Class Counsel") will represent the interests of all Class Members. You will not be separately charged for this lawyer's services. If you want to be represented by your own lawyer, you may hire one at your own expense.

11. How will the lawyers be paid?

Defendants have agreed to pay Class Counsel's attorneys' fees and costs up to \$2,800,000, subject to approval by the Court. You will not be required to pay any attorneys' fees or costs. Please see paragraphs 2.5 and 2.7 of the Settlement Agreement, available at www.omniasandiegosettlement.com, for additional details.

12. Will the Named Plaintiffs receive any compensation for their efforts in bringing this Action?

The Named Plaintiffs will request a Service Fee award of up to \$25,000 each for their service as Class representatives and their efforts in bringing the Action. The Court will make the final decision as to the amount to be paid to the Named Plaintiffs.

DISMISSAL OF ACTION AND RELEASE OF ALL CLAIMS

13. What am I giving up to obtain relief under the Settlement?

If the Court approves the proposed Settlement, unless you exclude yourself from the Settlement, you will be releasing your claims against Defendants. This generally means that you will not be able to file a lawsuit, continue prosecuting a lawsuit, or be part of any other lawsuit against Defendants regarding the claims in the Action. The Settlement Agreement, available on the Internet at the website www.omniasandiegosettlement.com contains the full terms of the release.

14. How do I exclude myself from the Settlement?

You may exclude yourself from the Class and the Settlement. If you want to be excluded, you must send a signed letter or postcard stating: (a) the name and case number of the Action; (b) your full name, address, telephone number, and email address; and (c) a statement that you do not wish to participate in the Settlement, postmarked no later than October 30, 2025, to the Claims Administrator at:

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c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

If you timely request exclusion from the Class, you will be excluded from the Class, you will not receive a Class Member Payment under the Settlement, you will not be bound by the Judgment entered in the Action, and you will not be precluded from prosecuting any timely, individual claim against Defendants based on the conduct complained of in the Action.

15. How do I tell the Court that I disagree with the Settlement?

At the date, time, and location stated in Section 18 below, the Court will hold a Final Approval Hearing to determine if the Settlement is fair, reasonable, and adequate, and to consider Class Counsel's request for an award of attorneys' fees and costs and Service Fees to the Named Plaintiffs.

If you wish to object to the fairness, reasonableness, or adequacy of the Settlement Agreement or the proposed Settlement, you may file a written objection with the Court and deliver copies of the written objection to the Claims Administrator, Class Counsel, and Defendants' Counsel at the address set forth below no later than (i.e., postmarked by) October 30, 2025.

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Any written objections must contain: (a) the name and case number of the Action; (b) the Class Member's full name, address, telephone number, and email address; (c) the words "Notice of Objection" or "Formal Objection"; (d) in clear and concise terms, the legal and factual arguments supporting the objection; (e) facts supporting the person's status as a Class Member (e.g., the date and location of their entry purchases at Omnia and description of the Ladies' Night Event(s)); (f) the Class Member's signature and the date; and (g) the following language immediately above the Class Member's signature and date: "I declare under penalty of perjury under the laws of the State of California that the foregoing statements regarding class membership are true and correct to the best of my knowledge." You may, but need not, submit your objection through counsel of

your choice. If you do make your objection through an attorney, you will be responsible for your personal attorneys' fees and costs.

EVEN IF YOU DO NOT TIMELY MAKE YOUR OBJECTION, YOU WILL BE ENTITLED TO SPEAK AT THE FINAL APPROVAL HEARING.

Even if you do not submit a written objection, you may appear at the Final Approval Hearing, either in person or through personal counsel hired at your expense, to object to the fairness, reasonableness, or adequacy of the Settlement Agreement or the proposed Settlement, or to the award of attorneys' fees. You are not required, however, to appear if you timely submitted a written objection.

16. What is the difference between excluding myself and objecting to the Settlement?

Objecting is simply telling the Court that you disagree with something about the Settlement. You can object only if you do not exclude yourself from the Settlement.

Excluding yourself is telling the Court that you don't want to be part of the Settlement. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

FINAL APPROVAL HEARING

17. What is the Final Approval Hearing?

The Court has preliminarily approved the Settlement and will hold a hearing to decide whether to give final approval to the Settlement. The purpose of the Final Approval Hearing will be for the Court to determine whether the Settlement should be approved as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider the award of attorneys' fees and costs to Class Counsel; and to consider the request for a service fee award to the Named Plaintiffs. You may attend, but you do not have to.

18. When and where is the Final Approval Hearing?

On October 17, 2025, at 9:00 a.m., Pacific Standard Time, a hearing will be held on the fairness of the proposed Settlement. At the hearing, the Court will be available to hear any objections and arguments concerning the proposed Settlement's fairness. The hearing will take place before the Hon. Matthew C. Braner in Department C-60 of the Superior Court of California, County of San Diego, located at the Hall of Justice, 330 West Broadway, San Diego, CA 92101. The hearing may be postponed to a different date or time or location without notice. Please check www.omniasandiegosettlement.com, for any updates about the Settlement generally, or the Final Approval Hearing specifically. If the date or time of the Final Approval Hearing changes, an update to the Settlement Website will be the only way you will be informed of the change.

19. May I speak at the hearing?

At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

If you have requested exclusion from the Settlement, you may not speak at the hearing.

ADDITIONAL INFORMATION

20. How do I get more information?

To see a copy of the Settlement Agreement, the Court's Preliminary Approval Order, Class Counsel's application for attorneys' fees and costs, and the operative Complaint filed in the Action, please visit the Settlement Website located at: www.omniasandiegosettlement.com. Alternatively, you may contact the Claims Administrator at the email address: info@omniasandiegosettlement.com or the U.S. postal (mailing) address:

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This description of this Action is general and does not cover all of the issues and proceedings that have occurred. In order to see the complete file, you should visit <https://odyroa.sdcourt.ca.gov/> or the Clerk's office at the Hall of Justice, 330 West Broadway, San Diego, CA 92101. The Clerk will tell you how to obtain the file for inspection and copying at your own expense.

21. What if my address or other information has changed or changes after I submit a Claim Form?

It is your responsibility to inform the Claims Administrator of your updated information. You may do so at the address below:

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c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION TO THE CLERK OF THE COURT OR THE JUDGE.

By: Order of the Superior Court of California