

If you were charged \$9.99 for a USA Fitness gym membership between March 14, 2020 and September 30, 2020, then you may be affected by a class action lawsuit.

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

- A California resident has filed a lawsuit claiming Club 360 LLC, Valley Gym Corp, North Hollywood Fitness LLC, Van Nuys Fitness Center LLC, ABC Financial Services, LLC, and Jehangir Meher (collectively, “USA Fitness”) charged the checking accounts and/or debit cards of gym members a \$9.99 fee during the Covid-19 pandemic closures without obtaining prior authorization to do so.
- You may be part of this class action if you are a person in the United States whose bank account was debited on a reoccurring basis by USA Fitness, without USA Fitness first having obtained your written authorization to charge you \$9.99, between March 14, 2020 and September 30, 2020.
- USA Fitness denies and is contesting the plaintiff’s allegations and claims. The Court has not ruled on the merits of the plaintiff’s claims or USA Fitness’s defenses.
- This case is currently scheduled to go to trial. There is no money available now and no guarantee there will be in the future. However, your rights may be affected, and you have a choice to make **now**.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT:

DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Share in a possible money recovery, if any. Give up certain rights.</p> <p>By doing nothing, you are choosing to stay in the lawsuit. You will keep your right to share in a possible money recovery, if any, that may come from the trial. However, if you do nothing and remain in the lawsuit, you will give up the right to sue USA Fitness on your own about the legal claims included in this lawsuit.</p>
<p>ASK TO BE EXCLUDED</p> <p>Deadline: November 5, 2024</p>	<p>Get out of this lawsuit. Get no money recovery, if any. Keep certain rights.</p> <p>If you ask to be excluded, and money is later awarded, you will not be able to share in any such award. However, you will keep the right to sue USA Fitness on your own about the legal claims included in this lawsuit.</p>

Questions? Call 1-844-722-4005 or email info@Club360Lawsuit.com.

- Lawyers must prove the claims against USA Fitness at a trial to be scheduled by the Court. If money is obtained from USA Fitness, you will be able to ask for a share.
- Your rights and options are explained in this notice. To ask to be excluded, you must ask by **November 5, 2024**

BASIC INFORMATION

1. Why was this notice issued?

This notice was issued because a Court has “certified” this case to proceed to trial as a class action lawsuit, and your rights may be affected. If you are a person in the United States whose bank account was automatically debited by USA Fitness between March 14, 2020 and September 30, 2020, without USA Fitness first having obtained your written authorization to charge you \$9.99, you may have legal rights and options in this case before the Court decides whether the claims being made against USA Fitness on your behalf are correct. This notice explains all of these things.

The Honorable Judge Consuelo B. Marshall of the United States District Court for the Central District of California is overseeing this class action. The case is known as *Edwin Bazarganfard and Barak Golan v. Club 360 LLC, et al.*, Case No. 2:21-cv-02272-CBM-PLA. The defendants being sued are Club 360 LLC, Valley Gym Corp, North Hollywood Fitness LLC, Van Nuys Fitness Center LLC, ABC Financial Services, LLC, and Jehangir Meher (collectively, “USA Fitness”).

2. What is a class action?

In a class action lawsuit, a person, called a “Class Representative” (in this case, plaintiff Barak Golan), is suing on behalf of people who have substantially similar claims. Together, these people are called a Class or Class members. One court resolves the issues for all Class members, except for those who exclude themselves, i.e., opt out, from the Class.

3. Why is this lawsuit a class action?

The Court decided that this lawsuit could move toward trial as a class action because it meets the numerosity, commonality, typicality, and adequacy requirements of Federal Rule of Civil Procedure 23. That is, the Court ruled that the Class is so large or “numerous” that getting all Class members together is impracticable; there are questions of law and fact that are “common” to the Class; the claim of the Class Representative is “typical” to the claims of the Class; and the lawyers for the Class will fairly and “adequately” protect the interests of all Class members. More information about why this is a class action can be found in the Court’s Order Granting in Part Plaintiff’s Motion for Class Certification, which’s available at www.Club360Lawsuit.com.

THE CLAIMS IN THE LAWSUIT

4. What is the lawsuit about?

The lawsuit claims USA Fitness automatically charged the checking accounts and/or debit cards of their gym members a \$9.99 fee while their gyms were closed during the Covid-19 pandemic, without obtaining prior authorization to do so. The lawsuit seeks to recover for Class Members the money that was debited by USA Fitness without authorization, as well as statutory penalties for violations of the Electronic Funds Transfer Act.

More information can be found on www.Club360Lawsuit.com.

5. How does USA Fitness answer?

USA Fitness denies and is contesting all of the plaintiff's allegations and claims that it has not violated any law.

More information on USA Fitness's response to the plaintiff's allegations and claims is available at www.Club360Lawsuit.com.

6. Has the court decided who is right?

No. The Court has not ruled on the merits of the plaintiff's claims or USA Fitness's defenses. The lawyers for the Plaintiff will present their claims and the lawyers for USA Fitness will present their defenses at a trial to be scheduled by the Court.

7. What is the Plaintiff asking for on behalf of the Class?

The Plaintiffs are asking for money to be paid to consumers to compensate them for the amounts that were automatically debited from their checking accounts and/or debit cards without their permission, as well as statutory penalties for violations of the Electronic Funds Transfer Act. The lawsuit also asks for attorneys' fees and costs.

8. Is there any money available now?

No. There is no money available now because the Court has not ruled on the merits of the plaintiff's claims or USA Fitness's defenses. There is no guarantee that money will ever be awarded or obtained.

MEMBER OF THE CLASS

9. How do I know if I am part of the Class?

You are included in this lawsuit if you are a person in the United States whose bank account and/or debit card were debited \$9.99 by USA Fitness between March 14, 2020 and September 30, 2020, without USA Fitness first having obtained your written permission to charge you \$9.99. Individuals who were charged to a credit card (i.e., not a debit card or bank account) or who otherwise did not incur a \$9.99 debit charge are not part of the Class.

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Defendants, their affiliates, employees, agents, and attorneys, and the Court, members of its immediate family, and its judicial staff are not part of the Class.

YOUR RIGHTS AND OPTIONS

10. What happens if I do nothing at all?

If you do nothing, you are choosing to stay in the Class. If the plaintiff wins or loses at trial, you will be legally bound by all orders and judgments of the Court, and you will not be able to sue or continue to sue USA Fitness in a different case over the legal claims included in this lawsuit. If the Plaintiff is awarded money from USA Fitness at trial, you will be able to ask for a share.

11. What happens if I exclude myself?

If you exclude yourself from the Class, you: (1) will not be legally bound by the Court's judgments; (2) will keep any rights you may have to sue USA Fitness for the legal claims included in this lawsuit; and (3) will not be able to get any money from this lawsuit if any money is awarded as a result of the trial.

12. How do I ask to be excluded?

To exclude yourself from the Class, send a letter to the address below postmarked by **November 5, 2024** stating you want to be excluded from *Edwin Bazarganfard and Barak Golan v. Club 360 LLC, et al.*, Case No. 2:21-cv-02272-CBM-PLA. Include your name, address, telephone number, and signature.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

Yes. The Court has appointed the appointed Todd M. Friedman of the Law Offices of Todd M. Friedman, P.C. to represent you and other Class members as Class Counsel. These lawyers have experience handling similar cases. For information about the law firm representing you, please visit their website at www.toddflaw.com. Barak Golan is a Class member, and the Court has appointed him to serve as the "Class Representative."

14. Should I get my own lawyer?

You do not need to hire your own lawyer, nor do you have to pay Class counsel or anyone else to participate because Class Counsel is representing you and all other Class members. However, you may hire your own lawyer to represent you at your own expense.

15. How will the lawyers be paid?

If Class Counsel obtains money or other benefits for the Class, they will ask the Court for attorneys' fees and costs, which would be paid out of any money recovered for the Class. You will not be personally responsible for fees or expenses.

THE TRIAL

16. How and when will the Court decide the case?

The case will be decided at a trial currently scheduled by the Court to begin on January 21, 2025 at 10:00 a.m. The trial will take place at the United States District Court for the Central District of California, Courtroom 8B located at 350 W. 1st Street, Los Angeles, California 90012. The trial may be moved to a different date or time without additional notice. Check www.Club360Lawsuit.com for updates.

17. Do I have to come to court?

No. You do not have to come to Court, but you are free to do so. Class Counsel will present the case for the plaintiff, and the lawyers for USA Fitness will present USA Fitness's case and defenses. However, you or your own lawyer may appear in Court for this case at your own expense.

18. Will I get money after the trial?

If money is awarded as a result of the trial, a new notice will be issued about how to ask for a share and the requirements for doing so, and about any other options you may have at that time. Updated information about the case may be posted on www.Club360Lawsuit.com.

GETTING MORE INFORMATION

19. Is more information about the lawsuit available?

For a detailed notice and other documents about this lawsuit and your rights, go to www.Club360Lawsuit.com, call 1-844-722-4005, write to Club 360 Lawsuit Administrator, PO Box 4787, Baton Rouge, LA 70821, or call Class Counsel at 1-877-619-8966.