

## LEGAL NOTICE

**If you received a Hepatitis A vaccination, blood test, or immune globulin (“IG”) shot within 14 days of consuming food or drink products prepared at the bartaco restaurant located at 1 Willett Avenue, Port Chester, New York, you could be eligible to share in a Class Action Settlement valued at \$125,000.**

**Qualified Class Members must submit claims by APRIL 3, 2020.**

A Settlement has been reached in the lawsuit entitled *Lajqi, et al., v. Bar Taco Port Chester, LLC d/b/a “bartaco”*, (Index No. 68455/2017), pending in the Supreme Court of Westchester County. Visit [www.PortChesterHepA.com](http://www.PortChesterHepA.com) for complete information.

### **Who Is Included in the Settlement?**

The “Class” includes all persons (a) who were potentially exposed to Hepatitis A virus (“HAV”) as a result of the consumption of food or drink prepared at a restaurant owned by the Defendant Bar Taco Port Chester, LLC, known as “bartaco” restaurant, located at 1 Willett Avenue, Port Chester, New York 13165 (the “Restaurant”), between October 12, 2017, and October 23, 2017 (the “Class Period”), and (b) who obtained a blood test, HAV vaccine, or immune globulin (IG) shot within 14 days after such potential exposure.

Persons employed at the Restaurant during the Class Period are excluded from the Class.

### **What Is This Case About?**

Plaintiffs seek to recover damages for the economic loss arising from obtaining a blood test, IG shot, and/or HAV vaccinations (collectively referred to as “Treatment”) in response to alerts from the New York State Department of Health and Westchester County Health Department (collectively “DOH”) concerning potential exposure to HAV at the Restaurant between October 12, 2017, and October 23, 2017.

### **What Does the Settlement Provide?**

Class Members who submit qualified claims will receive as general damages a pro-rata share of the aggregate class fund of \$100,000.00 (“General Damages Fund”) not to exceed \$100.00 per person. Class Members who did not obtain free Treatment from a DOH facility may also seek reimbursement of documented, out-of-pocket expenses from a Special Damages Fund of \$25,000.00. The named Class Plaintiff, Kushtrim Lajqi will receive an incentive payment of \$1,000.00. Further details are available at [www.PortChesterHepA.com](http://www.PortChesterHepA.com).

### **Who Pays the Class Counsel Fees and Costs?**

Class Counsel has waived their fees and costs.

### **How Do I Receive Payment?**

To receive payment, you must be a member of the Class and submit a signed claim form by **APRIL 3, 2020**. If you do not submit a complete, valid, and timely claim form, you will not be entitled to payment. Claim forms and instructions are available at [www.PortChesterHepA.com](http://www.PortChesterHepA.com).

### **What Are Your Rights?**

If you do nothing, members of the Class will be bound by the Court’s decisions. If you do not want the benefits of the Settlements and, instead, you want to keep your right to sue the Defendant, you must exclude yourself from the Settlement by writing to the Settlement Administrator at the following address:

Exclusions – Bartaco Settlement  
c/o The Notice Company  
P.O. Box 455  
Hingham, MA 02043

The Court will exclude from the Settlement any Class Member who submits a timely, written request for exclusion which must (a) state your full name and mailing address, (b) be signed and dated, and (c) state that you “Request to

be excluded from the Port Chester Bartaco Hepatitis-A Class Action (Index No. 68455/2017) in the State of New York”. To be valid, exclusion requests must be postmarked on or before APRIL 3, 2020.

If you do not exclude yourself, you may object to the Settlement or enter an appearance through counsel by filing an objection or notice of appearance with the Court and sending copies to Class Counsel and Defendant’s Counsel. See the instructions at **www.PortChesterHepA.com**. The deadline to file objections or a notice of appearance is APRIL 3, 2020.

### **When Is the Final Hearing?**

The Court will hold a Final Approval Hearing on **APRIL 30, 2020** at **9:30 a.m.** The Court’s address is: Westchester County Supreme Court, 111 Dr. Martin Luther King, Jr. Blvd, White Plains, NY 10601. At the hearing, the Court will consider whether the proposed settlement should be granted final approval as fair, adequate, and reasonable, and in the best interests of the Class as a whole. This date may change so please check the website at **www.PortChesterHepA.com**. You or your own lawyer may appear and speak at the hearing at your own expense.

### **How Do I Get Additional Information?**

This is only a summary notice of the proposed settlement. You may obtain a detailed notice, the claim form, and other Settlement information by visiting **www.PortChesterHepA.com**, by calling toll free 1-800-641-6530, or by writing to Bartaco Settlement, c/o The Notice Company, P.O. Box 455, Hingham, MA 02043.

**PLEASE DO NOT CONTACT THE COURT  
WITH INQUIRIES ABOUT THE SETTLEMENT**