

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Victoria Radaviciute,)	
)	
Plaintiff,)	
)	
v.)	Case No. 10-cv-8090
)	
Christian Audigier, Inc., Audigier)	Hon. Nan R. Nolan
Media, Inc., Audigier Brand)	
Management Group, LLC and)	
Nervous Tattoo, Inc.)	
)	
Defendants.)	

**NOTICE OF CERTIFIED
CLASS ACTION SETTLEMENT**

To: All persons who received an electronically printed receipt from any Ed Hardy or Christian Audigier store in the United States at the point of sale or transaction or via any internet purchase from an Ed Hardy or Christian Audigier website occurring after June 3, 2008, which receipt displays the person’s credit card or debit card expiration date -- **YOU ARE ELIGIBLE TO RECEIVE A 25% DISCOUNT OFF YOUR TOTAL PRE-TAX PURCHASE PRICE FROM ANY ED HARDY OR CHRISTIAN AUDIGIER STORE AND/OR THROUGH THE ED HARDY AND CHRISTIAN AUDIGIER WEBSITES ON “CUSTOMER APPRECIATION DAYS,” WHICH WILL BE HELD ON 24 (TWENTY-FOUR) SEPARATE DATES OVER THE COURSE OF 12 (TWELVE) WEEKS, WITH TWO “CUSTOMER APPRECIATION DAYS” TAKING PLACE EACH WEEK OVER THE 12 (TWELVE) WEEK PERIOD. THIS DISCOUNT CANNOT BE APPLIED TO ANY ITEM ALREADY ON SALE AND THE MAXIMUM DISCOUNT PER TRANSACTION IS \$100 (ONE HUNDRED DOLLARS). ALL PERSONS, REGARDLESS OF WHETHER OR NOT THEY ARE MEMBERS OF THE CLASS, SHALL BE ENTITLED TO RECEIVE THE AUTOMATIC DISCOUNT ON THESE CUSTOMER APPRECIATE DAYS,** as fully set forth below.

Your rights may be affected by a lawsuit pending in the United States District Court for the Northern District of Illinois (the “Court”). Victoria Radaviciute (“Plaintiff”), on behalf of all members of the class, has alleged that Christian Audigier, Inc., Audigier Media, Inc., Audigier Brand Management Group LLC and Nervous Tattoo, Inc (“Defendants”) violated certain requirements imposed by the Fair and Accurate Credit Transactions Act (“FACTA”). Specifically, Plaintiff claims that Defendants printed the expiration dates of its customers’ credit or debit cards on customer receipts presented to them at Ed Hardy and Christian Audigier stores in violation of FACTA, as specifically set forth in the Complaint on file and available at the

Court at the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois 60604. NEITHER PLAINTIFF NOR ANY CLASS MEMBER HAS SUSTAINED ANY ACTUAL MONETARY INJURY AS A RESULT OF THE ISSUES IN DISPUTE IN THIS LITIGATION. HOWEVER, THE SETTLING PARTIES AGREE THAT FACTA PROHIBITS THE DISPLAY OF CREDIT OR DEBIT CARD EXPIRATION DATES ON CREDIT AND DEBIT CARD RECEIPTS PRESENTED TO CUSTOMERS AT THE POINT OF SALE.

Under the terms of the settlement, class members and any other member of the public making a purchase transaction at or from any Ed Hardy and Christian Audigier store location or Ed Hardy or Christian Audigier websites shall receive an automatic discount of twenty-five percent (25%) off the total pre-tax purchase price during any or all of twelve (24) Customer Appreciation Days to be held over the course of 12 weeks. The Settlement also imposes certain other requirements and limitations, which are set forth in detail in the Settlement Agreement. The Court has appointed Thomas A. Zimmerman, Jr. as class counsel to represent the Plaintiff and the interests of the absent class members. The Court will hold a hearing in this case at **11:00 a.m. on October 19, 2011** to consider whether to approve the settlement, a request by class counsel for attorneys' fees and costs in the amount of \$270,000, and a \$5,000 incentive award to the Class Representative.

Class members and any other members of the public need only make a purchase (or multiple purchases) from any of the listed Ed Hardy or Christian Audigier stores or websites during any or all of the Customer Appreciation Days which will be advertised in the stores and websites themselves and you will automatically receive a 25% discount off your purchase price. A list of Ed Hardy and Christian Audigier store locations and websites is at the end of this notice.

If you elect to be excluded from the class, you will not be bound by the terms and releases of the settlement or judgment of dismissal and orders in the above-captioned action. Any class member who does not request to be excluded will automatically be included in this action as a member of the class represented by the Plaintiff, will be subject to and deemed to consent to the jurisdiction of the Court and its orders, and will be deemed to have released and thereafter be forever barred from asserting against the released parties any claims covered by the Settlement Agreement.

If you do not wish to participate in this settlement, you must notify Class Counsel in writing of your intention to be excluded. Your election to opt-out must be signed by the class member opting-out and must contain the following information: (1) the name of the class member, (2) the current address of the class member, (3) the date signed, and (4) a copy of the customer's receipt(s). The letter must be postmarked on or before **September 9, 2011**, and must be addressed to the following: Thomas A. Zimmerman, Jr., ZIMMERMAN LAW OFFICES, P.C., 77 West Washington Street, Suite 1220, Chicago, IL 60602.

Only class members may object to the settlement, and persons who opt-out of the class may not object to the Settlement Agreement. Any class member who wishes to be heard orally at the Fairness Hearing, or who wishes for any objection to be considered, must file a written notice of objection by **September 9, 2011**, and include the following information with the objection: (1) a statement of the desire to be heard at the Fairness Hearing and/or a statement of each objection asserted, (2) a detailed description of the facts underlying each objection (if any); and (3) a copy

of any documents which the objector may offer during the Fairness Hearing, including a copy of the receipt giving rise to your claims.

On or before **September 9, 2011**, the objector must file the above documents with the Clerk of the Court at the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois 60604, and serve notice of the objection to Thomas A. Zimmerman, Jr., ZIMMERMAN LAW OFFICES, P.C., 77 West Washington Street, Suite 1220, Chicago, IL 60602, as well as defense counsel, at the following address: James W. Davidson, O'HAGAN SPENCER LLC, 1 E. Wacker Dr., Suite 3400, Chicago, IL 60601.

This is only a summary of the circumstances surrounding the litigation, the claims asserted, the class, the Settlement, and related matters. For more detailed information, you may review a copy of the full Settlement Agreement, the pleadings, records, and other papers on file in this litigation, which may be inspected during regular business hours at the Court.

If you wish to communicate with Class Counsel, you may do so by writing to Thomas A. Zimmerman, Jr., ZIMMERMAN LAW OFFICES, P.C., 77 West Washington Street, Suite 1220, Chicago, IL 60602; alternatively, you may call the offices of the firm at (312) 440-0020.

This notice is not to be construed as an expression of any opinion by the District Court with respect to the merits of the respective claims or defenses of the parties.

/s/ The Honorable Nan R. Nolan
United States Magistrate Judge

IF YOU HAVE ANY QUESTIONS OR CONCERNS, ADDRESS ALL INQUIRIES IN THE MANNER SET FORTH ABOVE. THE COURT AND THE CLERK WILL NOT ANSWER LEGAL QUESTIONS FROM INDIVIDUAL CLAIMANTS. BY ISSUING THIS NOTICE, THE COURT EXPRESSES NO OPINION AS TO THE MERITS OF ANY CLAIMS OR DEFENSES ASSERTED IN THIS CIVIL ACTION. PLEASE DO NOT CONTACT THE COURT.

Arizona

Scottsdale Fashion Square
7014-590 East Camelback
Road. Space 1453
Scottsdale, AZ 85251

California

7829 Melrose Avenue.
Los Angeles, Ca 90046

8335 Melrose Avenue.
Los Angeles, Ca 90046

Florida

The Mall of Millenia
4200 Conroy Road. Space
M233
Orlando, FL 32839

Prime Outlets
4959 International Dr.
Suite 1F18
Orlando FL 32819

International Plaza

Maryland

Towson Town Center
825 Dulaney Valley Road.
Space 2110
Towson, MD 21204

Massachusetts

328 Newbury Street
Boston, MA 02115
Phone: (617) 236-1633

1 Premium Outlet Blvd
#690

49 Mercer Street
New York, NY 10012

425 West 13th Street
New York, NY 10014

286 Lafayette
New York, NY 10012

Texas

NorthPark Center
8687 N. Central
Expressway #2248

8500 Beverly Blvd. #675
Los Angeles, CA 90048

8680 Hayden Place
Culver City, CA 90232

100 Citadel Dr #537
Commerce, CA 90040

2855 Stevens Creek Blvd
Space 1051
Santa Clara, CA 95050

Americana at Brand
728 Americana Way
Glendale, CA 91210

690 E. Ventura Blvd.
#130
Camarillo, CA 93010

395 Santa Monica Place
#122
Santa Monica, CA 90401

60 Grant Avenue
San Francisco, CA 94108

Las Americas Premium
Outlet
4211 Camino De La Plaza
Suite 200
San Diego, CA 92173

Desert Hills Premium
Outlet
48400 Seminole Drive
#430
Cabazon, CA 92230

2223 N. West Shore Blvd
Space 227
Tampa, FL 33607

12801 W Sunrise Blvd
#1045
Sunrise, FL 33323

442 Lincoln Road
Miami Beach, FL 33139

Georgia
Lenox Square
3393 Peachtree Rd. Suite
2032
Atlanta, GA 30326

800 HIGHWAY 400
SOUTH Ste 380
Dawsonville, GA 30534

Nevada
Premium Outlets
755 Grand Central Way
Pwy. #1471
Las Vegas, NV 89106

Fashion Show Mall
3200 Las Vegas Blvd.
#1155
Las Vegas, NV 89109

The Forum Shops at
Caesars
3500 Las Vegas Blvd.
South
Las Vegas, NV 89109

Wrentham, MA 02093

Minnesota
Mall of America
60 East Broadway. Space
S108
Bloomington, MN 55425

New Jersey

Westfield Garden State
Plaza
1 Garden State Plaza.
Space 2134
Paramus, NJ 07652

Jersey Shore Premium
Outlet
One Premium Outlets
Blvd. Space 773
Tinton Falls, NJ 07753

New York
Roosevelt Field
630 Old Country Road.
Suite 2097
Garden City, NY 11530

328 Red Apple Court
Central Valley, NY 10917

Tanger Factory Outlets
1770 West Main Street.
Space #914
Riverhead, NY 11901

Dallas, TX 75225

Galleria Mall
5085 Westheimer Rd. Suite
B3587
Houston, TX 77056

Prime Outlets
3939 I-35 South Space 230
San Marcos, TX 78666

29300 Hempstead Rd
#1107
Cypress, TX 77429

5001 E Expy 83 #943
Mercedes, TX 78570

Virginia

Tysons Center
1961 Chain Bridge Road.
Space K1AL
McLean, VA 22102
Phone: (703) 442-4803

WEBSITES

<http://edhardyshop.com/>
<http://christianaudigier.com/>
<http://shopcrystalrock.com/>
<http://pacochicano.com/>
<http://thesameguy.net>

NOTE: The website for Ed
Hardy is in the process of
being separated and the
remaining websites will be
consolidated. However, if
the consolidation occurs
soon, a consumer will be
redirected by using the
current addresses.