

**EXHIBIT “E” [SNUFFER’S LOCATION]**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

PATRICIA SAPP and	§	
JASON SWANSON,	§	CIVIL ACTION NO. 3:07-CV-0273-M
Plaintiffs,	§	
	§	
v.	§	CLASS ACTION COMPLAINT OF
	§	DISABILITY ACCOMMODATIONS
SNUFFER’S RESTAURANTS	§	DISCRIMINATION
INCORPORATED, et. al,	§	
	§	ECF
Defendants.	§	

**NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT**

TO: All persons who are considered disabled because they use wheelchairs, walkers, canes, crutches, or scooters who actually visited Snuffer’s Restaurant located at **[LOCATION ADDRESS]** or would have visited such Snuffer’s restaurant but for an architectural barrier of which they were aware existed at the location.

**YOU MAY BE ENTITLED TO MAKE A CLAIM**

**PLEASE READ THIS NOTICE CAREFULLY. THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU. YOU MAY BENEFIT FROM READING THIS NOTICE.**

**WHAT THIS LAWSUIT IS ABOUT**

Patricia Sapp (“Sapp”) and Jason Swanson (“Swanson”) filed a class action lawsuit (“Lawsuit”) against Snuffer’s Restaurants Incorporated, (“Snuffer’s”) Thomas J. Roppolo, Trustee, Rona Acquisitions, Christopher S. Carroll Number 1, LTD, CSC Investments, LLC, Preston Center West, JV, PTC Dunhill Holdings, LTD., Eagle Seiki Sales, LTD 1, Elizabeth Jane Burks and Gene A. Burks as general partners, Town Square Ventures, L.P. Western Town Square Ventures I GP, LLC, AMREIT SSPF Preston Towne Crossing LP, and AMREIT SSPF Preston Towne Crossing GP, LLC alleging violations of Americans with Disabilities Act and State Law for failure to remove architectural barriers at Snuffer’s restaurants in the United States District Court for the Northern District of Texas.

Judge Barbara Lynn determined that this Lawsuit should proceed as a class action with respect to the claims of the class described above against these Defendants for purposes of settlement only, with Sapp and Swanson as the representatives of the class and Kenneth Carden and Palmer Bailey as class counsel. After a fairness hearing, the Court has approved the settlement and

entered a Consent Decree.

This notice explains the nature of the Lawsuit and the terms of the settlement, and informs you of your legal rights and obligations.

### **NO ADMISSION OF LIABILITY**

By settling this Lawsuit, Snuffer's, Thomas J. Roppolo, Trustee, Rona Acquisitions, Christopher S. Carroll Number 1, LTD, CSC Investments, LLC, Preston Center West, JV, PTC Dunhill Holdings, LTD., Eagle Seiki Sales, LTD 1, Elizabeth Jane Burks and Gene A. Burks as general partners, Town Square Ventures, L.P. Western Town Square Ventures I GP, LLC, AMREIT SSPF Preston Towne Crossing LP, and AMREIT SSPF Preston Towne Crossing GP, LLC are not admitting any allegation or wrong in the Lawsuit and the Court has not made any decision concerning the merits of the Lawsuit.

### **THE SETTLEMENT**

**SNUFFER'S, THOMAS J. ROPPOLO, TRUSTEE, RONA ACQUISITIONS, CHRISTOPHER S. CARROLL NUMBER 1, LTD, CSC INVESTMENTS, LLC, PRESTON CENTER WEST, JV, EAGLE SEIKI SALES, LTD 1, ELIZABETH JANE BURKS AND GENE A. BURKS AS GENERAL PARTNERS, TOWN SQUARE VENTURES, L.P. WESTERN TOWN SQUARE VENTURES I GP, LLC, AMREIT SSPF PRESTON TOWNE CROSSING LP, AND AMREIT SSPF PRESTON TOWNE CROSSING GP, LLC HAVE AGREED TO THE SETTLEMENT DESCRIBED BELOW. IF YOU WISH TO RECEIVE PAYMENT UNDER THIS SETTLEMENT, YOU MUST PROVIDE THE INFORMATION DESCRIBED BELOW.**

1. Payment to each class member. Snuffer's has agreed that each class member filing a qualifying claim will be paid \$100. The Class Defendants, Thomas J. Roppolo, Trustee, Rona Acquisitions, Christopher S. Carroll Number 1, LTD, CSC Investments, LLC, Preston Center West, JV, Eagle Seiki Sales, LTD 1, Elizabeth Jane Burks and Gene A. Burks as general partners, Town Square Ventures, L.P. Western Town Square Ventures I GP, LLC, AMREIT SSPF Preston Towne Crossing LP, and AMREIT SSPF Preston Towne Crossing GP, LLC have agreed to participate as required in the payment of those claims which relate to the location for which they are the landlord. If your claim is accepted, payment shall be mailed to you after your claim is received and it is approved for payment.

2. If you wish to receive the payment of \$100 as a qualifying class member it will be necessary for you to provide a declaration like the one attached to this notice that (i) requires that you swear under the penalties of perjury that you (or your minor child or ward with a mobility impairment) have visited or would have visited the Snuffer's restaurant located at **[SNUFFER'S ADDRESS]** and that your or their use and enjoyment of the Snuffer's restaurant location was impeded by an architectural barrier of which you or they were aware; and (ii) document that you or your child or ward are a person with an ADA mobility impairment disability (and if

applicable, guardianship order) by suitable records, such as records from a court proceeding, the social security department, doctors' records, insurance disability application records, military records, state agency records, or Medicare records. The determination of any applicant's qualifications for membership in the class may be reviewed at a hearing attended by the parties held by a United States Magistrate Judge or a special master appointed by the Court prior to payment.

**WHAT YOU SHOULD DO NOW**

**IN ORDER TO RECEIVE THE BENEFITS TO WHICH YOU MAY BE ENTITLED UNDER THE SETTLEMENT AGREEMENT OUTLINED ABOVE, YOU WILL NEED TO SEND THE DECLARATION AND DOCUMENTATION OF YOUR DISABILITY AND GUARDIANSHIP TO LONE STAR CLASS ADMINISTRATION AT:**

**SNUFFER'S CLASS ADMINISTRATION**

**1205 Lake Street, Ft. Worth, TX 76102-4501**

**ON OR BEFORE \_\_\_\_\_.** If you are entitled to money, your payment will be mailed to you within 30 days of the last to occur of receipt of your claim or approval after of objection to your claim.

**IF YOU HAVE ANY QUESTIONS, CONTACT SNUFFER'S CLASS ADMINISTRATION AT THE ABOVE ADDRESS OR GO TO [www.snuffers.com](http://www.snuffers.com) OR CALL METRO 817-654-9614 . DO NOT ADDRESS QUESTIONS ABOUT THE SETTLEMENT OR LITIGATION TO THE CLERK OF THE COURT OR JUDGE.**