

BILAL A. MUHAMMAD, individually
and on behalf of all other persons similarly
situated,

Plaintiff,

v.

THE HACKENSACK GOLF CLUB,

Defendant.

SUPERIOR COURT OF NEW JERSEY
ESSEX COUNTY - LAW DIVISION

DOCKET NO.: ESX-L-2293-23

NOTICE OF PENDENCY OF CLASS
ACTION LAWSUIT REGARDING
WAGES

**If you are or were a golf caddy at
THE HACKENSACK GOLF CLUB
at any time from August 6, 2019 to the present, please read this
notice. A pending class action lawsuit may affect your rights.**

This is a Court-authorized notice. This is not a solicitation from a lawyer.

A former Hackensack Golf Club golf caddy has sued the club, claiming it violated the New Jersey Wage and Hour Law, as amended by the New Jersey Wage Theft Act, by failing to pay its golf caddies an hourly rate equal to New Jersey's minimum wage, and failing to pay its golf caddies overtime pay in violation of the New Jersey Wage and Hour Law.

The Court has allowed the lawsuit to be certified as a class action. The class consists of all individuals who have worked as a golf caddy at Hackensack Golf Club at any time from August 6, 2019 to the present (the "Class Members").

The Court has not decided whether Hackensack Golf Club did anything wrong. There has been no finding of liability by the Court and, therefore, there is no money available now. No guarantee exists that Hackensack Golf Club will be found liable for these claims, and no guarantee exists that you will receive any distribution in the class action. Hackensack Golf Club vigorously opposes these claims and maintains it acted at all times in compliance with the applicable laws. However, your legal rights are affected, and you have a choice to make now.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

<p style="text-align: center;">TO REMAIN A MEMBER OF THE CLASS ACTION</p>	<ul style="list-style-type: none"> • If you meet the Class Member definition, you are <u>automatically</u> a member of the class action. • If you do nothing in response to this Notice, you will remain a Class Member. Accordingly, if you would like to remain a Class Member, there is nothing further you need to do. • By remaining a Class Member, you retain the possibility of obtaining an award of unpaid wages and interest that may come from a trial or a settlement of this class action lawsuit. • If you decide to remain a Class Member, you give up the right to sue Hackensack Golf Club individually. • If you decide to remain a Class Member, you will be bound by any favorable or unfavorable decision of the Court.
<p style="text-align: center;">TO EXCLUDE YOURSELF FROM THE LAWSUIT</p>	<ul style="list-style-type: none"> • If you do not want to participate in the lawsuit, you must follow the exclusion procedure explained in Paragraph 10 below. • If you decide to exclude yourself from the litigation, you will not be entitled to a share in any money or other benefits, if any, that the Class Members may obtain from Hackensack Golf Club from either a trial or a settlement in this lawsuit. You will, however, retain the right to sue Hackensack Golf Club yourself and/or settle any claims you may have against the company.

BACKGROUND INFORMATION

1. Why did I get this notice?

Hackensack Golf Club's records reflect that you may have performed services as a golf caddy at the Club any time from August 6, 2019 to the present.

The Court has certified a class action lawsuit that may affect you. A trial may be necessary to decide whether the claims being made against Hackensack Golf Club on your behalf are correct or whether the defenses to the claims are correct. The Honorable Keith E. Lynott, a Superior Court Judge in the Superior Court of New Jersey, Essex County, is overseeing this lawsuit.

2. What is this lawsuit about?

On April 6, 2023, a lawsuit was filed against Hackensack Golf Club in the Superior Court of New Jersey, Essex County, on behalf of Named Plaintiff Bilal A. Muhammad and the Class Members. The lawsuit asserts two causes of action. First, it asserts Hackensack Golf Club failed to pay its golf caddies the minimum wage because when the total amount of bag fees received in a week is divided by the total number of hours worked per week, Hackensack Golf Club was paying its golf caddies below the minimum wage. Second, it asserts Hackensack Golf Club failed to pay its golf caddies overtime premium pay when they worked more than 40 hours in a week. Hackensack Golf Club denies these claims, including denying that the golf caddies are its employees.

3. What is a class action and who is involved?

In a class action lawsuit, one or more individuals called "Class Representative(s)" sue on behalf of a group of other people who have similar claims. In this case, Bilal A. Muhammad is the Class Representative and he has brought a class action under the New Jersey Wage and Hour Law against Hackensack Golf Club on behalf of all golf caddies.

If you work or worked as a golf caddy during the class period, you are automatically included in the class action. You do not have to file any documents to join the action. You can, however, exclude yourself from the class action, but you must do so by following the instructions in Paragraph 10, below.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can proceed as a class action because the requirements for bringing a class action in New Jersey Superior Court are met. The Court has not yet made any decisions about the merits of the Plaintiff's claims or Hackensack Golf Club's defenses.

5. What is the Plaintiff asking for?

Plaintiff is seeking under the New Jersey Wage and Hour Law to recover from Hackensack Golf Club all unpaid minimum wage and overtime, penalties equaling 200% of the owed wages and interest that are owed under the law since August 6, 2019. Plaintiff is also seeking to recover costs and attorneys' fees.

6. What is the Club's position?

Hackensack Golf Club opposes Plaintiff's claims and denies any wrongdoing. Hackensack Golf Club maintains that caddies are not employees hired by the Club and are not owed any unpaid wages, including overtime payments. It is the Club's position that the caddies are legally classified as independent contractors who perform their caddying services directly to the golfers and receive any compensation for their services from the golfers.

WHO IS IN THE CLASS ACTION?

7. How do I know if I am part of the class action?

You are a member of the class action if you were a golf caddy at Hackensack Golf Club at any time from August 6, 2019 to the present.

8. I am still not sure if I am included?

If you are not sure whether you are included, you can contact Class Counsel, Lipsky Lowe LLP, at the phone number or address listed below in Paragraph 13.

9. Can Hackensack Golf Club take any action against me because I am part of this case?

No. The law prohibits Hackensack Golf Club from retaliating against any Class Member for being part of this lawsuit. Hackensack Golf Club is therefore legally prohibited from retaliating against you in any manner because you choose to participate in this lawsuit. If this does occur, you should contact Class Counsel, Lipsky Lowe LLP, at the phone number or address listed below in Paragraph 13.

YOUR RIGHTS AND OPTIONS

10. What do I do if I do not want to participate in the class action?

If you wish to be excluded from the Class, you must either:

(1) send a signed letter indicating you want to be excluded to Class Counsel and Counsel for the Club at the following addresses:

Douglas B. Lipsky, Esq. LIPSKY LOWE LLP 420 Lexington Avenue, Suite 1830 New York, New York 10170-1830	Peter L. Frattarelli, Esq. ARCHER & GREINER, PC 1025 Laurel Oak Road Voorhees, New Jersey 08043
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OR

(2) send a signed email indicating you want to be excluded to Class Counsel and Counsel for the Club using the following email addresses: doug@lipskylowe.com and pfrattarelli@archerlaw.com;

Your letter or email must be postmarked or sent on or by **June 9, 2025**.

11. Why would I ask to be excluded from the class action?

If you already have your own lawsuit against Hackensack Golf Club for it failing to pay you your wages and want to continue to pursue it, or for whatever other reason you do not want to participate in this action, you should ask to be excluded from the class action as explained above in Paragraph 10. If you decide to exclude yourself as explained in Paragraph 10, you will not have the right to any money or benefits from this lawsuit even if the Plaintiff obtains them as a result of a trial or from a settlement. You will not be legally bound by the Court's orders and judgments in this action and will retain the right to sue Hackensack Golf Club individually.

If you file an individual lawsuit against Hackensack Golf Club after you exclude yourself, you may have to hire and pay for your own lawyer to represent you. If you wish to exclude yourself in order to file an individual lawsuit against Hackensack Golf Club, you should speak to a lawyer as soon as possible because your claims are subject to a statute of limitations.

If you do not exclude yourself from the class action as explained above in Paragraph 10, you will be a party to this lawsuit. As a party, you may have obligations during the discovery process as outlined in more detail in Paragraph 17. If you do not want to participate as a party to this litigation, you must exclude yourself as explained above in Paragraph 10.

12. What are the effects of staying in the class action?

By remaining a Class Member, you give up the right to separately bring a lawsuit against Hackensack Golf Club under the New Jersey Wage and Hour Law. As a Class Member you may recover the unpaid wages, penalties and interest from Hackensack Golf Club if the Class prevails at trial, or if a settlement is reached. You will be legally bound by all of the orders that the Court issues and judgments that the Court enters in this class action lawsuit. Regardless of whether the Plaintiff wins or loses this lawsuit, you will not be able to sue Hackensack Golf Club in a separate action under the New Jersey Wage and Hour Law for the claims alleged in this case.

If you remain in this lawsuit and the Plaintiff succeeds in proving the claims against Hackensack Golf Club, and if money or other benefits are obtained from Hackensack Golf Club, you will be notified about how to receive your share.

YOUR LEGAL REPRESENTATION IF YOU JOIN

13. Do I have a lawyer in this case?

Yes. The Court decided that the law firm of Lipsky Lowe LLP is qualified to represent you and all Class Members. These lawyers have been designated as “Class Counsel” in this lawsuit. They are experienced in handling similar cases against other employers. You can contact the firm to learn more information about them:

Douglas B. Lipsky
LIPSKY LOWE LLP
420 Lexington Avenue, Suite 1830
New York, New York 10170-1830
Phone: 212.444.1024. Fax: 212.444.1030
Website: www.lipskylowe.com

14. Am I required to get my own lawyer?

You are not required to hire your own lawyer because Class Counsel will be working on your behalf. It is your decision whether to hire your own lawyer. If you want to hire your own lawyer, you may have to pay that lawyer. You can ask your own lawyer to appear in Court for you if you want someone other than Class Counsel to speak for you.

15. How will the lawyers be paid?

The Class Representative has entered into a contingency fee agreement with Class Counsel. Under this agreement, you are not responsible for paying out of pocket any of the attorneys’ fees or costs expended in the lawsuit. Class Counsel will be paid as follows: (1) if there is a settlement, Class Counsel may ask the Court to award it up to one-third of any recovery obtained in addition to reasonable out of pocket costs; (2) if there is a trial and plaintiffs prevail, Class Counsel may ask the Court to award it one-third of the award and reasonable

out of pocket costs and/or may ask the Court to order Hackensack Golf Club to pay their attorneys' fees and costs separately, on top of the award to the plaintiffs. Unless the Court orders Hackensack Golf Club to pay attorneys' fees in addition to any settlement or judgment, the attorneys' fees will be deducted from the total settlement amount or judgment, if any, reducing the amounts available to the Class Members. Do not contact the Court.

OTHER QUESTIONS

16. How and when will the Court decide who is right?

If the lawsuit is not resolved by a settlement or by the Court before trial, the plaintiffs will have to prove their claims at a trial. During the trial, a jury will hear evidence, including the testimony of witnesses, to help them reach a decision about whether the plaintiffs are right about the claims in the lawsuit. No guarantee exists that the plaintiffs will prevail, or that they will be awarded any damages.

17. Do I have to come to trial? Do I have any other obligations?

You may be required to attend the trial if one of the parties asks you to be a witness at the trial. If Class Counsel or Hackensack Golf Club's counsel believes that your testimony may be helpful to establishing important facts in the litigation, Class Counsel will contact you before the trial to provide more information regarding your participation in the trial. You may also be asked to participate in the discovery process which may include being required to provide relevant documents or appear for depositions.

18. What attorney represents the Hackensack Golf Club?

The counsel for Hackensack Golf Club is:

Peter L. Frattarelli, Esq.
Archer & Greiner P.C.
1025 Laurel Oak Road
Voorhees, New Jersey 08043
856.354.3012

GETTING MORE INFORMATION

If you have any questions or would like additional information, please contact Class Counsel, whose contact information is provided above in Paragraph 13 or you can visit this page: www.lipskyloewe.com/results/hackensackgolfclub/ Do not contact the Court.