

SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF SUFFOLK

Homer v. HY Attractions Manager LLC, Index No. 631543/2024

If You Purchased Electronic Tickets to The Edge NYC from the Defendant’s Website from February 16, 2024, Through July 6, 2024, You May Be Entitled to a Payment from a Class Action Settlement.

A court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

- A settlement has been reached in a class action lawsuit claiming that the Defendant, HY Attractions Manager LLC, failed to properly disclose a ticket processing fee for electronic tickets to The Edge NYC in alleged violation of New York Arts and Cultural Affairs Law (“ACAL”) § 25.07(4). Defendant denies that it violated any law but has agreed to the Settlement to avoid the uncertainties and expenses associated with continuing the case.
- You are included if you purchased electronic tickets to The Edge NYC from Defendant’s Website, EdgeNYC.com, from February 16, 2024, through July 6, 2024.
- Read this Notice carefully. Your legal rights will be affected whether you act or not.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM BY JUNE 23, 2025	This is the only way to receive a payment.
EXCLUDE YOURSELF BY JUNE 23, 2025	You will receive no benefits, but you will retain any rights you currently have to sue the Defendant about the claims in this case. If you want to sue the Defendant on your own, you will have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims.
OBJECT BY JUNE 23, 2025	If you do not want the Settlement to be approved, you may write to the Court explaining why you do not like the Settlement.
GO TO THE HEARING ON JULY 2, 2025	If you object to the Settlement, you may ask to speak in Court about your opinion of the Settlement.
DO NOTHING	You will not get a share of the Settlement benefits and will give up your rights to sue the Defendant about the claims in the case.

These rights and options—and the deadlines to exercise them—are explained in this Notice.

BASIC INFORMATION

1. Why was this Notice issued?

A court authorized this Notice because you have a right to know about a proposed settlement of this class action lawsuit and about all of your options before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The case is called *Homer v. HY Attractions Manager LLC*, Index No. 631543/2024. The person who sued is called “Plaintiff.” The Defendant is HY Attractions Manager LLC.

2. What is a class action?

In a class action, one or more people called class representatives (in this case, Joshua Homer) sue on behalf of a group, or a “class,” of people who have similar claims. In a class action, a court resolves the issues for all Class Members, except for those who exclude themselves from the Settlement class.

QUESTIONS? VISIT HYATTRACTIONSETTLEMENT.COM
OR CALL 1 (888) 840-5013 TOLL-FREE.

3. What is this lawsuit about?

This lawsuit claims that the Defendant failed to properly disclose a ticket processing fee for electronic tickets to The Edge NYC in alleged violation of ACAL § 25.07(4). The Defendant denies that it violated any law but has agreed to the Settlement to avoid the uncertainties and expenses associated with continuing the case.

4. Why is there a settlement?

The Court has not decided whether Plaintiff or the Defendant should win this case. Instead, both sides agreed to a settlement. This way, they avoid the uncertainties and expenses associated with ongoing litigation, and Settlement Class Members will get compensation sooner rather than, if at all, after the completion of a trial.

WHO IS INCLUDED IN THE SETTLEMENT

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

The Court decided that everyone who fits the following description is a member of the Settlement Class:

All individuals who purchased electronic tickets to The Edge NYC from Defendant's Website from February 16, 2024, through July 6, 2024

"Defendant's Website" means EdgeNYC.com.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

Monetary Relief. A Settlement Fund has been created totaling \$250,000. Payments to Settlement Class Members, the cost to administer the Settlement, the cost to inform people about the Settlement, attorneys' fees (inclusive of litigation costs), and an award to the Class Representative will also come out of this fund (*see* Question 12).

Prospective Relief. Additionally, as part of the Settlement, the Defendant has represented that it is no longer charging processing fees for electronic tickets to The Edge NYC and has agreed not to reinstate those processing fees unless (i) it clearly and conspicuously discloses the total cost of the tickets, inclusive of all processing fees, prior to the ticket being selected for purchase or (ii) ACAL § 25.07(4) is amended, repealed, or otherwise invalidated.

A detailed description of the Settlement benefits can be found in the Settlement Agreement, a copy of which is accessible on the Settlement Website at HYAttractionsSettlement.com.

7. How much will my payment be?

To receive a pro rata share of the Settlement Fund, which will be based on the total amount of processing fees you paid, you **must** submit a timely and complete Claim Form **no later than June 23, 2025**. You can file a claim on the Settlement Website, HYAttractionsSettlement.com. Your payment will be made by PayPal, Venmo, Zelle, or check, at your election. Claim Forms must be submitted online by 11:59 p.m. ET on **June 23, 2025**, or mailed and postmarked by **June 23, 2025**. You can contact Class Counsel at 1 (646) 837-7150 to inquire as to the number of claims and/or requests for exclusion that have been received to date.

8. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for **July 2, 2025**. If the Court approves the Settlement, eligible Settlement Class Members whose claims are approved by the Settlement Administrator will receive their payment within 90 calendar days after entry of Final Judgment. The payment will be made in the form of a check, unless you elect to receive payment by PayPal, Zelle, or Venmo, and all checks will expire and become void 180 days after they are issued.

HOW TO GET BENEFITS

9. How do I get a payment?

If you are a Settlement Class Member and you want to receive a payment, you **must** complete and submit a Claim Form by **June 23, 2025**. Claim Forms can be submitted on the Settlement Website, HYAttractionsSettlement.com, or by printing a copy of a Claim Form from the Settlement Website and mailing it to the Settlement Administrator. Failure to submit a timely claim by the Claims Deadline will disqualify you from receiving a payment from the Settlement Fund.

You are encouraged to submit your claim online. Filing online is easier, faster, and more secure.

REMAINING IN THE SETTLEMENT

10. What am I giving up if I stay in the Settlement Class?

If the Settlement becomes final, you will give up your right to sue the Defendant and other Released Parties for the claims being resolved by this Settlement. The specific claims you are giving up against the Defendant are described in the Settlement Agreement. You will be “releasing” the Defendant and its affiliates, employees, and representatives as described in Section 1.32 of the Settlement Agreement unless you exclude yourself (*see* Question 13), regardless of whether you claim your electronic payment or not. The Settlement Agreement is available through the “Documents” page on the Settlement Website.

The Settlement Agreement describes the Released Claims with specific descriptions, so read it carefully. If you have any questions, you can talk to the lawyers listed in Question 11 for free, or you can, of course, talk to your own lawyer.

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in the case?

The Court has appointed Philip L. Fraietta and Stefan Bogdanovich of Bursor & Fisher, P.A., to be the attorneys representing the Settlement Class. They are called “Class Counsel.” They believe, after conducting an extensive investigation, that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your own expense.

12. How will the lawyers be paid?

The Defendant has agreed that Class Counsel’s attorneys’ fees and costs may be paid out of the Settlement Fund in an amount to be determined by the Court. The fee petition will seek no more than one-third of the Settlement Fund, inclusive of reimbursement of their costs and expenses, though the Court may award less than this amount. Under the Settlement Agreement, any amount awarded to Class Counsel will be paid out of the Settlement Fund. Class Counsel will file with the Court and post on the Settlement Website its request for attorneys’ fees by **June 30, 2025**.

Subject to approval by the Court, Defendant has agreed that the Class Representative may be paid a service award of \$5,000 from the Settlement Fund for his services in helping to bring and resolve this case.

EXCLUDING YOURSELF FROM THE SETTLEMENT

13. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must submit a request for exclusion by 11:59 p.m. ET on **June 23, 2025**. Requests for exclusion may be submitted either on the Settlement Website (via the online form) or by mailing or otherwise delivering a letter, or request for exclusion, stating that you want to be excluded from the Settlement in *Homer v. HY Attractions Manager LLC*, Index No. 631543/2024. Your request for exclusion must also include your name, your address, a statement that you purchased electronic tickets to The Edge NYC from Defendant’s Website, EdgeNYC.com, from February 16, 2024, through July 6, 2024, and paid a processing fee in connection with such

purchase, your signature, the name and number of this case, and a statement that you wish to be excluded. If you choose to submit a request for exclusion by mail, you must mail or otherwise send your exclusion request so that it is postmarked or delivered no later than **June 23, 2025**. Requests for exclusion may be delivered to the following address:

The Edge NYC Ticket Fee
Settlement Administrator
P.O. Box 2180
Portland, OR 97208-2180

14. If I don't exclude myself, can I sue the Defendant for the same thing later?

No, unless you exclude yourself, you give up any right to sue the Defendant for the claims being resolved by this Settlement.

15. If I exclude myself, can I get anything from this Settlement?

No, if you exclude yourself, you will not receive any payment from the Settlement Fund.

OBJECTING TO THE SETTLEMENT

16. How do I object to the Settlement?

If you are a member of the Settlement Class and you do not like any part of the Settlement, you can object to the Settlement. You can give reasons why you think the Court should not approve it, and the Court will consider your views.

To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Homer v. HY Attractions Manager LLC*, Index No. 631543/2024. In your objection, you must identify all of your reasons for objecting (including citations and supporting evidence) and attach any materials you rely on for your objections. Your letter or brief must also include your name; your address; the basis upon which you claim to be a member of the Settlement Class; the name and contact information of any and all attorneys representing, advising, or in any way assisting you in connection with your objection; and your signature. If you or an attorney assisting you with your objection have ever objected to any class action settlement where you or the objecting attorney has asked for or received payment in exchange for dismissal of the objection (or any related appeal) without modification to the Settlement, you must include a statement in your objection identifying each such case by full case caption. You must also mail or deliver a copy of your letter or brief to Class Counsel and Defendant's Counsel listed below.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in answer to Question 20), you must say so in your letter or brief. File the objection with the Court (or mail the objection to the Court) and mail a copy of the objection to Class Counsel and Defendant's Counsel at the addresses below, postmarked no later than **June 23, 2025**.

Court	Class Counsel	Defendant's Counsel
Supreme Court of the State of New York, County of Suffolk 1 Court Street Courtroom 203 Riverhead, NY 11901	Philip L. Fraietta Bursor & Fisher P.A. 1330 Avenue of the Americas, 32nd Floor New York, NY 10019	Sean Haran Walden Macht Haran & Williams LLP 250 Vesey Street, 27th Floor New York, NY 10281

17. What's the difference between objecting to and excluding myself from the Settlement?

Objecting means telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself from the Settlement Class is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

18. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Final Approval Hearing at **11 a.m. on July 2, 2025**, in Courtroom 203 at the Supreme Court of the State of New York, County of Suffolk, 1 Court Street, Riverhead, NY 11901. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider Class Counsel's request for attorneys' fees and expenses; and to consider the request for an incentive award for the Class Representative. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check for updates by visiting the Settlement Website at HYAttractionsSettlement.com or calling 1 (888) 840-5013. If, however, you timely object to the Settlement and advise the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of the Final Approval Hearing.

19. Do I have to come to the hearing?

No, Class Counsel will answer any questions the Court may have. However, you are welcome to come at your own expense. If you send an objection or comment, you do not have to come to Court to talk about it. As long as you file and mail your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it is not required.

20. May I speak at the hearing?

Yes, you may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must include in your letter or brief objecting to the Settlement a statement saying that it is your "Notice of Intent to Appear in *Homer v. HY Attractions Manager LLC*, Index No. 631543/2024." Your letter must include your name, address, telephone number, and signature, as well as the name and address of your lawyer, if one is appearing for you. Your objection and notice of intent to appear must be filed with the Court by **June 23, 2025**, and sent to the addresses for Class Counsel and Defendant's Counsel listed in Question 16, postmarked by **June 23, 2025**.

GETTING MORE INFORMATION

21. How can I get more information?

This Notice summarizes the Settlement. More details can be found in the Settlement Agreement. You can download a copy of the Settlement Agreement at HYAttractionsSettlement.com. You can call the Settlement Administrator at 1 (888) 840-5013 or Class Counsel at 1 (646) 837-7150, if you have any questions. You may also write with questions to The Edge NYC Ticket Fee Settlement Administrator, P.O. Box 2180, Portland, OR 97208-2180 or via email to info@HYAttractionsSettlement.com. Before doing so, however, please read this Notice carefully.