

To: <<John Smith>>  
From: noreply@hefflerclaims.com  
Subject Line: Important notice about Galleria Fitness Club Class Action Settlement

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**If You Received an Automated Text Message from or on behalf of Galleria Fitness Club, LLC, d/b/a Powerhouse Gym Fort Lauderdale, You May Be Entitled to a Payment from a Class Action Settlement**

*Si desea recibir esta notificación en español, llámenos o visite nuestra página web.*

A settlement has been reached in a class action lawsuit alleging that Galleria Fitness Club, LLC, d/b/a Powerhouse Gym Fort Lauderdale (“Galleria Fitness”), through Defendant Clayton G. Flotz (“Mr Flotz”) (together, with Galleria Fitness, “Defendants”) initiated automated text messages to wireless telephone numbers without prior express consent of the recipients in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227. Defendants deny the allegations and any wrongdoing. The Court has not decided who is right.

**Who’s Included?** The Settlement includes all persons who received a text message on their cell phone from Defendants. Specifically, the class is defined as “All individuals within the United States (i) who were sent and received a text message call (ii) on his or her cellular telephone (iii) by or on behalf of Defendants (iv) from June 16, 2017, the date of formation of Galleria Fitness, through March 12, 2019.” You received this email because records show that you may be a Settlement Class Member.

**What Are the Settlement Terms?** Defendants have agreed to pay class members who submit a valid Claim Form and to pay for notice and administration costs of the Settlement, attorneys’ fees and expenses incurred by counsel for the Settlement Class, and a service award for Plaintiff. A Settlement Class Member who submits a timely and valid Claim Form will receive a check for up to \$30.00 for each text message that he or she received from Defendants, less notice and administration costs, attorneys’ fees and expenses, and a service award. Only one Claim is allowed per Settlement Class Member.

**How Can I Get a Payment?** To get a payment, you must submit a Claim Form by the deadline stated below. You may download a Claim Form at the Settlement Website, [www.GymTCPASettlement.com](http://www.GymTCPASettlement.com), or request a Claim Form by calling the Settlement Administrator at the toll-free number below. To be valid, a Claim Form must be completed fully and accurately, signed under penalty of perjury, and submitted timely. You may submit a Claim Form by U.S. mail postmarked by **June 5, 2019** or through the Settlement Website on or before **June 5, 2019**.

**Your Other Options.** If you do not want to be legally bound by the Settlement, you must exclude yourself by **May 20, 2019**. If you do not exclude yourself, you will release any claims you may have, as more fully described in the Settlement Agreement, available at the Settlement Website. You may object to the Settlement by **May 20, 2019**. The Long Form Notice available on the Settlement Website explains how to exclude yourself or object. The Court will hold a Final Approval Hearing on **June 12 at 9:00 a.m.** at the Wilkie D. Ferguson, Jr. United States Courthouse, 400 North Miami Avenue, Room

12-2, Miami, Florida 33128 to consider whether to approve the Settlement, a request for attorneys' fees of up to \$140,000, and a service award of \$5,000 to the Class Representative. The motion for these fees will be posted on the website after they are filed. You may appear at the hearing, either yourself or through an attorney you hire, but you don't have to. For more information, call or visit the Settlement Website.

[www.GymTCPASettlement.com](http://www.GymTCPASettlement.com)

**1- 833-253-8060**