



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Boston Area Office

John F. Kennedy Federal Building
Government Center, Room 475
Boston, MA 02203-0506
Toll Free Number: 855-556-1129

IMPORTANT LEGAL NOTICE OF CLASS LAWSUIT SETTLEMENT

Re: *EEOC v. Texas Roadhouse, Inc., Texas Roadhouse Holdings LLC and Texas Roadhouse Management Corp. d/b/a Texas Roadhouse, Case No. 1:11-cv-11732-DJC*

Date: [insert date]

Dear Potential Claimant,

On March 31, 2017, the U.S. District Court for the District of Massachusetts preliminarily approved a settlement of an age discrimination lawsuit brought by the U.S. Equal Employment Opportunity Commission (“EEOC”) against Texas Roadhouse, Inc., Texas Roadhouse Holdings LLC, and Texas Roadhouse Management Corp. (“Texas Roadhouse”). In that lawsuit, EEOC alleged that Texas Roadhouse violated the Age Discrimination in Employment Act (“ADEA”) by refusing to hire applicants 40 years of age and older for front-of-house positions at its restaurants nationwide because of their age. EEOC is the agency of the United States Government responsible for enforcing the ADEA. Texas Roadhouse denies these allegations and disputes the claims that EEOC has brought. No court or jury has resolved this dispute. Rather, the parties agreed to a settlement.

The settlement, called a “Consent Decree,” provides for a total of \$12 million dollars in monetary payments to a class of eligible job applicants who applied for front-of-house positions at company-owned Texas Roadhouse restaurants and were denied employment. Only applicants who were 40 or older at the time of their application for front-of-house positions and applied at some point during the Claims Period from January 1, 2007 through December 31, 2014, are eligible to receive a monetary award under the Consent Decree.

You have been identified by EEOC as an individual who applied for a front-of-house position (server, host/hostess, bartender, or busser/server assistant) at a company-owned Texas Roadhouse restaurant during the Claims Period. Accordingly, you may be eligible to participate in the claims process and may be entitled to receive a monetary award under the Consent Decree.

YOU MAY BE ELIGIBLE FOR A MONETARY AWARD ONLY IF YOU APPLIED FOR A FRONT-OF-HOUSE POSITION AT A COMPANY-OWNED TEXAS ROADHOUSE RESTAURANT DURING THE CLAIMS PERIOD, WERE 40 OR OLDER AT THE TIME YOU APPLIED, AND WERE DENIED EMPLOYMENT.

If you wish to participate in the claims process, you must complete and submit a claim form by visiting www.EEOCADEASettlement.com OR by mailing the enclosed claim form no later than [insert date]. Submit a claim form online or complete the enclosed claims form and mail it, along with any supporting documentation, in the enclosed postage-paid return envelope. The information you provide will be used to determine your eligibility to receive a settlement award and the amount of the award. Completion of the claims form is the first step in the claims process.

We do not yet know how many claimants there will be, so we do not know exactly how the money will be distributed (but EEOC keeps none of it). In order to facilitate the settlement process, EEOC is working with a Claims Administrator, KCC, to collect information and distribute settlement funds. If EEOC determines that you are eligible for a monetary award, you will be sent a notification letter, which will include a release of claims that you must sign and return to receive a monetary award. No monetary awards will be paid until the Court enters final approval of the settlement, and that will occur after July 31, 2018.

EEOC is not responsible for lost or delayed mail, so we urge you to use a delivery method that verifies date of delivery (i.e. certified or registered mail). If you fail to respond to any question, or fail to provide the required supporting documents, your request to participate may be denied. EEOC has the sole authority to determine whether you are entitled to a monetary award and the amount to be awarded. If EEOC denies your claim, you will have an opportunity to challenge EEOC's determination with the Court.

ANY QUESTIONS CONCERNING THIS CLAIMS PROCESS SHOULD BE DIRECTED TO THE EEOC AT 855-556-1129. PLEASE DO NOT CONTACT THE FEDERAL COURT OR TEXAS ROADHOUSE CONCERNING THE CLAIMS PROCESS. THEY HAVE NO ROLE IN THIS PROCESS.

Thank you for your participation in this matter.

Sincerely,

Sara Smolik
Senior Trial Attorney
U.S. Equal Employment Opportunity Commission