

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

DAVAUGHN CLARKE, LATOYA ADAMS,
AND BRANDEN COOK,

Plaintiffs,

-against-

SLUTTY VEGAN, INC. AND SLUTTY VEGAN
ATL LLC,

Defendants.

Case No. 1:23-cv-02570-ENV-VMS

**DEFENDANTS' OFFER OF
JUDGMENT AND PLAINTIFFS'
NOTICE OF ACCEPTANCE
PURSUANT TO FEDERAL RULE
OF CIVIL PROCEDURE 68**

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant Slutty Vegan, Inc., formerly known as Slutty Vegan ATL LLC (together, "Defendants") hereby offer to allow judgment to be taken against Defendants by Plaintiffs Davaughn Clarke, Latoya Adams, and Branden Cook (collectively, "Plaintiffs") in the above-captioned action in the total sum of Ten Thousand Dollars and No Cents (\$10,000), inclusive of reasonable attorneys' fees, costs, and expenses to the date of this Offer of Judgment, in full and final settlement of all of Plaintiffs' claims and causes of action under the federal Fair Labor Standards Act ("FLSA") against Defendants arising out of, or related to, the facts and transactions alleged in the above-captioned action, including without limitation, Count I of the Complaint.

This judgment shall be in full satisfaction of all federal claims or rights that any Plaintiff may have to damages, or any other form or relief, arising out of the alleged acts or omissions of Defendants or any past or present owner, employee, representative, or agent of Defendants.

This Offer of Judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability or wrongdoing by any of Defendants, or any owner, employee, representative, or agent of any of Defendants; nor is it an admission that any of Plaintiffs has suffered any loss or damage.

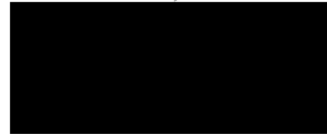
Acceptance of this Offer of Judgment will act to release and discharge Defendants, their respective successors or assigns, as well as all past and present owners, employees, representatives, and agents of Defendants, from any and all claims that were or could have been alleged by any of Plaintiffs in the above-referenced action under the FLSA. Acceptance of this Offer of Judgment also will operate to waive any right any Plaintiff may have to any claim for interest on the amount of the judgment or for any further attorneys' fees or costs incurred in connection with the above-referenced action.

In order for Plaintiffs to accept this Offer of Judgment, Plaintiffs must serve written notice of acceptance upon Defendants within fourteen (14) days after service of this Offer of Judgment. An offer not accepted within the specified period for acceptance will be deemed withdrawn.

Dated: New York, New York
August 21, 2023

FOLEY & LARDNER LLP

By: Jonathan L. Israel
Jonathan L. Israel
90 Park Avenue
New York, New York 10016



Attorneys for Defendants

PLAINTIFFS' NOTICE OF ACCEPTANCE

Having received the foregoing Offer of Judgment from Defendants, and pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiffs Davaughn Clarke, Latoya Adams, and Branden Cook, through their undersigned counsel, hereby timely accept and provide notice that they have timely accepted Defendants' Offer of Judgment in the above-captioned action.

Dated: New York, New York
August 21, 2023

LAW OFFICE OF MOHAMMED GANGAT

/s/ Mohammed Gangat

Mohammed Gangat, Esq.

675 3rd Avenue, Suite [REDACTED]

New York, New York 10017

[REDACTED]

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Davaughn Clarke, Latoya Adams, and Branden Cook,

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- against -

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Case No. 1:23-cv-02570-ENV-VMS

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

YALITZA GARCIA, being duly sworn, deposes and says:

1. I am not a party to this action and am over 18 years of age.
2. On August 24, 2023, I served a copy of Defendants' Offer of Judgment Pursuant to Rule 68 of the Federal Rules of Civil Procedure and Plaintiff's Notice of Acceptance; by email and regular mail upon counsel for Defendants Slutty Vegan, Inc. and Slutty Vegan ATL LLC listed below.

Jonathan L. Israel, Esq.
FOLEY & LARDNER LLP
90 Park Avenue
New York, NY 10016
[REDACTED]

Sworn to before me this
25 day of August 2023


NOTARY PUBLIC

Mohammed Ahmed Gangat
Notary Public, State of New York
Reg. No. 02GA6348633
Qualified in Nassau County
Commission Expires 10/09/2024


YALITZA GARCIA