

## NOTICE OF CLASS ACTION SETTLEMENT

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A proposed settlement has been reached in a class action involving the Thunder on the Mountain music festival to be held in Ozark, Arkansas in June of 2015. The festival was cancelled just before it was to begin, and many purchasers of various passes and vendors buying booths were never refunded. **This summary notice informs you of the proposed settlement so that you can decide what to do about it.**

**Who's included?** The Class is defined as all persons who purchased day passes, children passes, VIP passes, camping passes, RV passes, hotel passes or packages, reserved seating, shower passes, passes of any other kind, or vendor booths to Thunder on the Mountain to be held on Mulberry Mountain, near Ozark, Arkansas between June 26<sup>th</sup> and 28<sup>th</sup>, 2015 (the "Class")

**What is the settlement?** This is only a partial settlement of the case and only involves the organizers of the festival, which were Brett Mosiman, Pipeline Productions, and Backwood Entertainment ("Settling Defendants"). The Settling Defendants have sued the venture capital firms, Madison Companies and Horsepower Entertainment, which reneged on their deal to fund the festival. That action is pending in federal court in Kansas. The Settling Defendants have agreed to a 7% assignment of their interest in those claims, allowing up to a potential recovery of \$1 million for the Class, but no less than \$450,000. The Settlement provides that Class Counsel and other members of the Class will file a lien in the federal court action in Kansas and Class Counsel will enter an appearance in that case in order to protect that lien. Further, Class Counsel is permitted under the terms of the Settlement to continue prosecuting the claims against the venture capital firms in any other venue. Although there is no settlement fund presently, the Court in this case will also determine the amount of any fees and costs that could be awarded, which will not exceed 1/3 of the potential recovery with respect to the lien and costs of no more than \$50,000. Additionally, any incentive award to the Class Representative may not exceed the sum of \$2,500.

**Your options.** If you do not exclude yourself by November 30, 2018, you will release your rights except as provided by the settlement. If you do not exclude yourself, you may appear in the case through your own attorney at your expense. You may file an objection to the settlement by December 3, 2018. Your objection must set forth your full name, current address and telephone number, the reasons for your objection, and a statement as to whether you intend to appear at the Final Approval Hearing on December 13, 2018, at the Pulaski County Circuit Courthouse, Little Rock, Arkansas, 72201 at 1:30 p.m. If you do not properly and timely file and serve your objection by the required date, any objections you have to the settlement will be waived and you will be foreclosed from objecting to the settlement. If you file an objection, you may be asked to provide deposition testimony in support of it.

For more information, please visit [www.thundermountainlawsuit.com](http://www.thundermountainlawsuit.com), email Class Counsel at [scott@poynterlawgroup.com](mailto:scott@poynterlawgroup.com), or call 501-251-1587 and speak to Class Counsel, Scott Poynter.