

NOTICE OF CLASS ACTION SETTLEMENT

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 canceled just before it was to begin, and many purchasers of various passes and vendor booths, were never refunded. **This summary notice informs you of the proposed settlement so that you can decide what to do about it.**

Who is 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 26th and 28th, 2015 (the “Class”), and failed to receive a refund or charge back on their debit or credit card.

What is the settlement? There was a previous partial settlement of the case (the “Williams Settlement”) involving the organizers of the festival, which were Brett Mosiman, Pipeline Productions, and Backwood Entertainment (“Pipeline Defendants”). The Pipeline Defendants had sued two other firms, HorsePower Entertainment, LLC, and The Madison Companies, LLC (“HorsePower Defendants”), in federal court in Kansas for allegedly reneging on their alleged agreement to fund the festival. That action has recently been settled after a judgment (the “Kansas Judgment”) was entered in favor of the Pipeline Defendants (the “Kansas Settlement”). In the Williams Settlement, the Pipeline Defendants agreed to a 7% assignment to the Class of their interest in the Kansas claims, allowing up to a potential recovery of \$1 million for the Class, but no less than \$450,000.00. HorsePower Defendants have now reached an agreement with the Pipeline Defendants to settle the Kansas Judgment (the “Global Settlement”), and based on the Williams Settlement, the value of the Class’s lien on the Kansas Judgment and the Global Settlement is \$450,000.00.

In this settlement between the Class and HorsePower Defendants, the Horsepower Defendants agree not to further contest the Kansas Judgment by post-trial motion, appeal, or otherwise, and to instead take all steps necessary to proceed and effectuate the Global Settlement, whereby a fund will be created from which \$450,000.00 will be paid to the Class pursuant to the terms of the Williams Settlement. In the Williams Settlement, Class Counsel was awarded attorneys’ fees of up to 1/3 of any amount recovered and no more than \$50,000.00 in costs, which will be deducted from the amount paid pursuant to this settlement and the Williams Settlement. In addition, the Class Representative in the Williams Settlement was previously awarded an incentive award in an amount not to exceed \$2,500.00. The Court in this case will also determine the amount of any fees and costs that could be awarded to Class Counsel. Those fees and costs, which will not exceed a total of \$15,000.00, are being paid in addition to the \$450,000. Those fees and costs therefore will not reduce the amount payable to you as a Class member.

Additionally, any incentive award to the Class Representative in this case may not exceed the sum of \$2,500.00 and likewise is being paid separately and will not in any way reduce the amount payable to you under this Settlement.

Your options. If you do not exclude yourself by **August 10, 2020**, 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 and object to the terms of this settlement. You must file an objection to the settlement by **August 10, 2020**. 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 **August 18, 2020** at the Lonoke County Circuit Courthouse Annex Courtroom, located at 210 N. Center Street, Lonoke, Arkansas, 72086 at **9:00 am**. If you do not properly and timely file and serve your objection by **August 10, 2020**, 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. If you decide to exclude yourself from the Settlement or object to it, you must file your exclusion or objection by **August 10, 2020**, by mailing it to the Court's Clerk for filing and postmarked by **August 10, 2020** at Lonoke County Circuit Clerk, Case No. 43CV-18-843, 301 N. Center St. #301, Lonoke, AR 72086. You should also mail your exclusion or objection to Class Counsel Scott Poynter at 407 President Clinton Ave., Suite 201, Little Rock, AR 72201, or email it to him at scott@poynterlawgroup.com.

Filing a Claim: You may file a claim electronically at www.ThunderMountainSettlement.com or contact Settlement's Administrator at (833) 553-0365 or info@ThunderMountainSettlement.com for a claim form to mail to the administrator. All claims must be filed or postmarked by **December 22, 2020**.

For more information, please visit www.ThunderMountainSettlement.com, or www.ThunderMountainLawsuit.com for additional information about the settlement and for filing a claim against the settlement fund, call the Settlement's Administrator at (833) 553-0365 or email at info@ThunderMountainSettlement.com. You may also email Class Counsel at scott@poynterlawgroup.com, or call 501-812-3943 and speak to Class Counsel, Scott Poynter.