

Source: Fitapelli & Schaffer, LLP

**1 Oak Sued for Alleged Labor Law Violations,
According to Fitapelli & Schaffer, LLP**

NEW YORK, March 22 /PRNewswire/ -- The owners of the prestigious 1 Oak club in New York violated state and federal labor laws by failing to pay workers minimum wages and confiscating portions of service charges and tips, a lawsuit filed today in New York federal court alleges.

Tarale Wulff, who worked as a 1 Oak waitress from July 2008 to February 2010, alleges club management misappropriated portions of mandatory service charges and tips that service workers had earned under the federal Fair Labor Standards Act (FLSA) and New York Labor Law (NYLL).

The lawsuit alleges 1 Oak charges its customers a mandatory 20 percent service charge for all bottle service, private parties, and special events and have led customers to reasonably believe that the service charges are gratuities to be paid to service workers.

Wulff is represented by attorneys Brian S. Schaffer and Joseph A. Fitapelli, of Fitapelli & Schaffer, LLP, of New York.

Fitapelli & Schaffer will seek to have the lawsuit certified as a class action to recover minimum wages, misappropriated mandatory service charges, gratuities and other wages for waitresses, bussers, runners, bartenders, and other hourly service workers.

According to the Complaint, "1 Oak is known as the mecca of New York City nightlife and is frequently mentioned on Page Six in the New York Post for celebrity sightings, such as Kanye West and Leonardo DiCaprio. The club also hosted the after-party for the New York Yankees recent World Series victory, with Derek Jeter and Alex Rodriguez among those in attendance."

Brian S. Schaffer stated, "1 Oak claims to offer 'the ultimate experience for those seeking the best that New York has to offer.' The club's spectacular success has been achieved at the expense of its dedicated service workers, who did not receive all wages due to them."

Joseph A. Fitapelli stated, "The owners of 1 Oak are experienced businesspeople who have been involved with other prominent restaurants and clubs, such as Butter Restaurant and G Spa Lounge. They have been in the business long enough to know when their establishments are violating labor laws."

The case is "Tarale Wulff, et al., v. 17th Street Entertainment II LLC, Scott Sartiano, and Richie Akiva," in the U.S. District Court, Southern District of New York, Case No. 10 CV 2559.

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