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From: **Kerri Walters** <Kerri.Walters@daveandbusters.com>

Date: Tue, Sep 8, 2020 at 6:17 PM

Subject: Dave & Buster's WARN Notice for November 8, 2020 Permanent Lay Off

To: warnnotice@detma.org <warnnotice@detma.org>, jfreedman@natickma.org <jfreedman@natickma.org>



September 8, 2020

Ken Messina
Charles F. Hurley Building
19 Staniford Street,
Boston, MA 02114
VIA MAIL AND EMAIL TO
warnnotice@detma.org

Chair Jonathan Freedman
60 Park Avenue
Natick, MA 1760
VIA MAIL AND EMAIL TO
jfreedman@natickma.org

Re: Dave & Buster's WARN Notice for November 8, 2020 Permanent Lay Off

Dear Sir/Madam:

This letter is notice that Dave & Buster's (the "Company") is taking job actions in relation to employees who work at the Dave & Buster's location at 1235 Worcester Street Suite 200, Natick, MA 1760.

There are 110 employees being permanently laid off at this employment site. These employees were temporarily furloughed beginning on March 16-18, 2020. However, as discussed below, due to unforeseeable business circumstances, these temporary furloughs will become permanent layoffs. The first permanent layoff at this site will occur on November 8, 2020. The expected date of the first separation at this worksite is November 8, 2020. This worksite is not being permanently closed. The Company intends to rehire for impacted positions when COVID-19 pandemic and economic conditions permit.

As permitted by 20 C.F.R. § 639.7(f), and any applicable state law, the following additional information is available to you upon request (it is maintained on site and is readily accessible): The anticipated schedule for the permanent layoffs; the job titles of positions to be affected, and the number of affected employees in each job classification; an indication as to whether or not bumping rights exist; the name of each union representing affected employees, if any; and the name and address of the chief elected officer of each union, if any. This information is available broken down by location if multiple locations are involved.

The information provided in this notice is based on the best information available to us at this time. We are providing this notice because the Worker Adjustment and Retraining Notification Act ("WARN") encourages employers to provide information even when a notice requirement does not exist. To the extent that the Company's actions in response to COVID-19 constitute a covered action for purposes of the federal WARN Act, and/or any applicable state law, this letter is intended to fulfill any notice requirements.

We are taking this action because of COVID-19-related business circumstances that were not reasonably foreseeable. We did not foresee how significantly and for how long a time the pandemic and related governmental lockdown orders would impact our business. We also did not foresee that lockdown orders, initially issued for short durations in only a few cities, would spread throughout the country and be repeatedly extended. We are notifying you of this decision as soon as it was practicable to do so, taking into account the great difficulties we face in projecting staffing needs under these unprecedented circumstances. We would have liked to have given you more advance notice of this action, but were unable to do so due to these circumstances caused by the novel coronavirus epidemic national disaster and national emergency.

Should you wish further information, please contact me at 214-904-2535.

Sincerely,

Kathryn Rainey
Sr. Director, Human Resources

Kerri Walters | Manager, Compensation & HRIS | Dave & Buster's, Inc.
P: 214.904.2323 | C: 817.845.1128 | 2481 Manana Dr. | Dallas, TX 75220



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