

COMPLEX LAW GROUP, LLC

A LIMITED LIABILITY COMPANY INCLUDING CORPORATIONS
ATTORNEYS AT LAW

40 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064

July 16, 2012

Mr. Joe Rogers, Jr.
Waffle House, Inc.
5986 Financial Drive
Norcross, Georgia 30071

RE: Mye Brindle v. Joe Rogers, Jr., et al.

Dear Mr. Rogers:

This letter is written on behalf of my client Ms. Mye Brindle. The long history of unwelcome sexual demands and other sexual harassment and abuse toward Ms. Brindle as a condition of her employment is something for which you are well familiar. Thus, I do not intend to belabor those points. The fact that the actions were committed is undeniable and well documented by numerous audio and video recordings of the acts, as well as other evidence, including your seminal fluid and DNA. It is also clear that Ms. Brindle is not alone in having been subjected to your unlawful predatory sexual conduct during the years of her employment.

Ms. Brindle is prepared to proceed with a lawsuit, including filing a Charge of Discrimination on the basis of sex with the Atlanta Regional Office of the Equal Employment Opportunity Commission, due to the sexual abuse and emotional distress you have caused her to suffer over many years. Before going down that path we wanted to provide you with the opportunity to review the issues set forth herein and let us know if you would prefer to attempt to resolve the matter outside of litigation.

Additionally, the facts and circumstances here raise serious questions, at a minimum, as to your continued ability to serve in several public director positions. There is no light under which your actions, including years of adultery and sexual abuse of employees, could be considered appropriate for a public figure role model.

It is my experience that these sensitive type matters involving claims of a sexual nature are always best resolved early and outside of public litigation. I have been involved in numerous matters where defendants engaged in a scorched earth strategy of counteraccusations, denial, attempted delay, obfuscation and refusal to address the core issues promptly and properly. Never have I seen that strategy successful. Whether through their own arrogance or "filtered" information and poor advice of defense counsel who seemed more interested in billing and protracted litigation than the best interests of their clients and that of their clients' families, the results were ultimately the same.

In virtually all of those situations, the documents, facts, witnesses and other matters that came to light through protracted litigation and media attention drew other private litigation, shareholder derivative demands for the immediate removal of those individuals, intrusive governmental investigations, Department of Justice, Attorneys General or SEC involvement, as

well as civil and criminal charges that resulted in disgorgement, forfeiture, lengthy incarceration periods in several instances, divorce and the destruction of families.

Ironically, all of those same defendants also eventually settled the civil cases we filed. On the other hand, I have not been involved in any matters where the same problems resulted to any defendants that promptly and fully addressed the issues prior to the initiation of litigation and public focus on the issues.

My point here is simply to attempt to convey my belief that it is in the best interest of all involved to avoid this type of protracted litigation, injurious publicity to all parties, etc.

In summary, I am writing to explore the possibility of scheduling a meeting within the next two weeks with you and/or your counsel to engage in early and substantive discussions focused on resolution of this matter, including a release of all potential claims, past and future. We would of course agree that any meeting, including anything discussed thereat, be treated as confidential and inadmissible.

If you would like to discuss this matter before we proceed with litigation, please contact me by close of business on Monday July 23, 2012. If we do not hear from you or your counsel before then, we will move forward and assert all available claims for relief.

Very Truly Yours,


David M. Cohen

*This letter is sent pursuant to FRE 408 for purposes of settlement and compromise.