

**IN THE CIRCUIT COURT OF CLAY COUNTY  
LIBERTY, MISSOURI**

<b>GLADSTONE FLORIST, LLC, et al.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 06CY-CV05702</b>
	)	
<b>v.</b>	)	<b>Division 4</b>
	)	
<b>TTP, INC.</b>	)	
	)	
<b>Defendant.</b>	)	

**PROPOSED PUBLISHED NOTICE OF CLASS ACTION**

This notice may affect your rights.  
Please read carefully.

**TO:** All Missouri florists whose business name has been used by TTP, Inc. or its affiliates Flowers With Gifted Elegance, Lower Forty Gardens, Inc. or Preferred Florist Network, Inc. or since July 1, 2001 for the purpose of selling floral products in Missouri.

Your rights may be affected by a law suit pending in this court, Case No.06-CY-CV05702.

Plaintiff Gladstone Florist, LLC, on behalf of all other persons or entities similarly situated, alleges that since July 1, 2001 defendant TTP, Inc. a New Jersey corporation, has used deceptive business practices to unlawfully solicit and receive the floral business of Missouri consumers, to the economic detriment of the plaintiff class. Plaintiffs allege that defendant TTP, Inc. placed advertisements in Missouri falsely stating that it is a local florist. When consumers telephoned the local number to purchase floral products, they were unwittingly transferred to defendant's New Jersey telephone answering facilities, and the order was placed with defendant TTP, Inc. Defendant denies the allegations.

The Court has, however, conditionally ruled that this lawsuit may be maintained as a claim on behalf of a class consisting of all Missouri florists whose business name has been used by TTP, Inc., or its affiliates Flowers With Gifted Elegance, Lower Forty Gardens, Inc. or Preferred Florist Network, Inc., since July 1, 2001.

Persons and entities that have been identified as possible members of this class are being advised by publication of this notice of their rights with respect to the lawsuit (including the right to exclude themselves from the class if they desire). Any class member desiring receipt of any individually mailed notice is requested to notify:

Gregory Leyh  
Gregory Leyh, P.C.  
104 N.E. 72<sup>nd</sup> St., Suite I  
Gladstone, Missouri 64118  
(816) 283-3380  
(816) 283-0489 (facsimile)

giving your correct name and current address. You will then be mailed a more detailed explanation of your rights in this litigation and be placed on the mailing list for any future mailed notifications regarding the suit.

The Court has not ruled on the merits of the plaintiffs' charges or on the denials or other defenses made by the defendants. However, some matters have arisen during the preparation of this case for trial that may affect your rights. The purpose of this notice is to advise you of these events and their potential effect on your rights.

#### Class Action Ruling

This Court has conditionally ruled that this lawsuit may be maintained as a claim for damages, permanent injunction, attorneys' fees, and costs not only by Gladstone Florist but also on behalf of a class consisting of all Missouri florists whose business name was used by defendant TTP, Inc. The Court has named Gladstone Florist, LLC as representative of the class and has named Gregory Leyh of Gladstone, Missouri as Class Counsel. The class consists of all Missouri florists whose business name has been used by TTP, Inc. or its affiliates Flowers With Gifted Elegance, Lower Forty Gardens, Inc., or Preferred Florist Network, Inc., since July 1, 2001.

This ruling by the Court of a class action does not mean that any money or injunctive relief will be obtained for class members, because these are contested issues that have not been decided. Rather, the ruling means that the final outcome of this lawsuit - whether favorable to the plaintiffs or to the defendant - will apply in like manner to every class member; that is, to all Missouri florists whose business name has been used by defendant since July 1, 2001 who do not timely elect to be excluded from the class (see below).

The class is limited to those florists in the State of Missouri whose business name has been used by TTP, Inc. or its affiliates Flowers With Gifted Elegance, Lower Forty Gardens, Inc., or Preferred Florist Network, Inc., since July 1, 2001.

If you are not a Missouri florist whose business name has been used by TTP, Inc. or its affiliates Flowers With Gifted Elegance, Lower Forty Gardens, Inc., or Preferred Florist Network, Inc., since July 1, 2001, you are not a member of the class on whose behalf this suit will be maintained and any claims you desire to make against the defendant must be presented independently by you.

#### Election by Class Members

If you fit the above description of a class member, you have a choice whether or not to remain a member of the class on whose behalf this suit is being maintained. Either choice will have

its consequences, which you should understand before making your decision.

1. If you want to be excluded from the class, you must contact Class Counsel in writing (by letter, facsimile, or email) at the following address: Gregory Leyh, Class Counsel, 104 NE 72<sup>nd</sup> St., Suite I, Gladstone, Missouri 64118, (816) 283-0489 (facsimile), [gleyh@leyhlaw.com](mailto:gleyh@leyhlaw.com), by mail postmarked or facsimile or email dated and sent not later than April 15, 2008. By making this election to be excluded,

(A) you will not share in any recovery that might be paid to other Missouri florists as a result of trial or settlement of this lawsuit;

(B) you will not be bound by any decision in this lawsuit favorable to the defendant; and

(C) you may present any claims you have against the defendant by filing your own lawsuit, or you may seek to intervene in this lawsuit and may enter an appearance through counsel.

2. If you want to remain a member of the class, you should NOT send any request for exclusion and are not required to do anything at this time. By remaining a class member, any claims against the defendants for damages or injunctive relief under state laws arising from the defendant's conduct as alleged by the class representative will be determined in this case and cannot be presented in any other lawsuit.

Dated: March 5, 2008

Clerk of Court  
Circuit Court of Clay County  
11 S. Water St.  
Liberty, Missouri 64068

PERSONS WHO READ THIS NOTICE SHOULD NOT CONTACT THE COURT. ALL QUESTIONS OR INQUIRIES SHOULD BE DIRECTED TO CLASS COUNSEL, GREGORY LEYH, WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.