

**In Re: Bally Total Fitness Holding Corporation**

**Case No. 08-14821**

Attachment 4a

Suits, executions, garnishments, and attachments

Caption of suit	Case number	Court and Location	Nature of proceeding	Status or disposition
24 Hour Fitness USA Inc. (III) v. Bally Total Fitness Holding Corporation and Michael Sheehan	Case No. 08 CV 6096	U.S. District Court, Northern District of Illinois, Eastern Division	Miscellaneous (Computer Fraud and Abuse Act and Trade Secrets)	Motion to Dismiss Pending
AGT Crunch Acquisition LLC v. Bally Total Fitness Corp., Bally Total Fitness Holding Corp., Crunch Fitness International, Inc., Health & Tennis Corp. of New York, Inc., Jack La Lanne Fitness Centers, Inc., Soho Ho, LLC, Crunch LS, LLC, 708 Gym , LLC, West	Index No. 601684/07	Supreme Court of New York, County of New York	Miscellaneous (Breach of Contract)	Pending
Alfred R. Fabricant v. Bally Total Fitness Corporation & Bally Total Fitness Holding Corporation	Index No. 04/100368	Supreme Court of the State of New York	Membership	Pending
Anna Theodoropoulos v. Bally Total Fitness Holding Corporation	08-10751-Ci - 21	Pinellas County Circuit Court, Florida	Premises Liability	In Discovery
Bally Total Fitness Corporation and Bally Total Fitness Holding Corporation and Holiday Universal, Inc. n/k/a Bally Total Fitness of the Mid-Atlantic, Inc. v. CNA Casualty of California and Transcontinental Insurance	Case No. 275376-V	Circuit Court for Montgomery County, Maryland	Miscellaneous (Bally is Plaintiff Claim Against CNA for Defense Costs)	Pending
Beth R. Haberer v. Bally Total Fitness Holding Corporation d/b/a Bally Total Fitness	Cause No. 97-L-403A	Circuit Court, 20th Judicial Circuit, St. Clair County	Membership	Pending
Dan Wilson v. Bally Total Fitness Holding Corporation, et al	06L007690	Circuit Court of Cook County Illinois, Law Division	Product Liability	In Discovery
Dawn Schulz v. Bally Total Fitness Holding Corporation et al.	502005CA 008658 MB AH	Circuit Court State of Florida County of Palm Beach	Premises Liability	Pending
Dennis Wengel vs. Bally Total Fitness Holding Corporation	2007L014395	Circuit Court of Cook County, Illinois Law Division	Premises Liability	Settled
Estelle Robinson & Gene J. Swindell v. Holiday Universal, Inc., Scandinavian Health Spa, Inc. and Bally Total Fitness Holding Corporation	Case No. CA-05-5726	U.S. District Court, Eastern District of Pennsylvania	Membership	Pending
Estie Muranyi v Bally Total Fitness Holding Corporation	06 AS 04305	Superior Court, State of CA, County of Sacramento	Premises Liability	In Discovery
Great American Insurance Co., an Ohio Corporation, v. Bally Total Fitness Holding Corporation v. RLI Insurance Company; Travelers Indemnity Company (as successor-in-interest by merger to Gulf Insurance Company); Fireman's Fund Insurance Company, and ACE A	Case No. 06-C-4554	U.S. District Court for the Northern District of Illinois, Eastern Division	Miscellaneous (D&O Rescission Case; Bally Third Party Claim for Reimbursement of Defense Costs and Settlements)	In Discovery
J.W. Rogers v. Bally Total Fitness Corporation	08 L 129	Circuit Court of Cook County Illinois, Law Division	Premises Liability	In Discovery
Joyce Franklin v Bally Total Fitness Corporation, Bally Total Fitness of California, Inc, and Bally Total Fitness Holding Corporation, and Does 1 to 10	CGC 06454129	Superior Court, State of CA, County of San Francisco	Tort Claim	In Discovery

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Julia Arnon v. AGT Crunch Acquisition, LLC, Gorilla Sports, Inc., Bally Total Fitness Corporation	CGC-06-454524	Superior Court of the State of California, County of San Francisco	Premises Liability	Dismissed
Jung Soon Lee v Bally Total Fitness Corporation, Bally Total Fitness of Greater NY, Inc, Bally Total Fitness Holding Corporation and Life Fitness, Inc.	305875/08	Supreme Court, State of NY, County of Bronx	Tort Claim	In Discovery
Linda Scher v. Marshalls, Sports & Leisure Technology et.al.	MID-L-169-08	Superior Court of New Jersey Law Division Middlesex County	Product Liability	In Discovery
Linda Scher v. Marshalls, Sports & Leisure Technology, Bally Total Fitness Holding Corporation, Fictitious Corporation ABC, and Fictitious Defendants John Does	Docket No. MID-L-169-08	Superior Court of New Jersey, Law Division, Middlesex County	Miscellaneous (Patent)	Pending
Michael La Sala v. Bally Total Fitness Holding Corporation, Bally Total Fitness dba Bally Total Fitness Corporation, Bally-Crunch Total Fitness, Bally-Crunch Fitness, Crunch Fitness International, Andrew Remlinger and Stella Roberts and Does 1-50	Case No. CGC-06-454953		Discrimination	Pending
Richard Gordon v. Don R. Kornstein, Interim Chairman & Chief Restructuring Officer, Bally Total Fitness Holding Corporation	Cause No. 49K07-0808-SC-03826	State of Indiana, Washington Township, Marion County Small Claims Court	Employment	Pending
Robert Porco and Christina Porco, his wife v Bally Total Fitness Holding Corporation DBA Bally Total Fitness Corporation	08055583	Circuit Court, 17th Judicial Circuit, Broward County, FL	Negligence Claim	New Lawsuit