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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

TEOFILO AGUILAR, on behalf of the State
of California and other aggrieved persons,

Plaintiff,

v.

MAD ENGINE GLOBAL, LLC, a Limited
Liability Company; MAD ENGINE, LLC, a
California Limited Liability Company; MAD
ENGINE, INC., a California corporation; and
DOES 1 through 10, inclusive,

Defendants.

Case No.: 37-2021-00049439-CU-OE-CTL

PAGA REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Joel R.
Wohlfeil, Dept. C-73]*

**NOTICE OF ORDER AND JUDGMENT
GRANTING PLAINTIFF'S MOTION TO
APPROVE PAGA SETTLEMENT**

Complaint Filed: November 22, 2021
FAC Filed: September 2, 2022

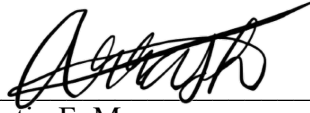
1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that the Court in the above-referenced matter has granted
3 Plaintiff's Motion to Approve PAGA Settlement. A true and correct copy of the Order and
4 Judgment Granting Plaintiff's Motion to Approve PAGA Settlement is attached hereto as
5 **Exhibit A.**

6 Respectfully submitted,

7 Dated: November 15, 2022

WILSHIRE LAW FIRM

8
9 By: 

Justin F. Marquez
Benjamin H. Haber
Arrash T. Fattahi

10 Attorneys for Plaintiff
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Exhibit A

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Case No.: 37-2021-00049439-CU-OE-CTL

PAGA REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Joel R.
Wohlfeil, Dept. C-73]*

**AMENDED [PROPOSED] ORDER AND
JUDGMENT GRANTING PLAINTIFF'S
MOTION TO APPROVE PAGA
SETTLEMENT**

Date: October 7, 2022
Time: 9:00 a.m.
Dept.: C-73

Complaint Filed: November 22, 2021
FAC Filed: September 2, 2022

1 **AMENDED [PROPOSED] ORDER AND JUDGEMENT**

2 This matter came on for hearing on October 7, 2022 at 9:00 a.m. in Department C-73 of
3 the above-entitled Court, the Honorable Joel R. Wohlfeil presiding. Based on the pleadings on
4 record, all papers submitted in connection with Plaintiff's Notice of Motion and Motion to
5 Approve PAGA Settlement (the "Motion"), and for good cause appearing, Plaintiff's Motion is
6 GRANTED.

7 The Court approves the PAGA Settlement Agreement ("Settlement") entered into by
8 Plaintiff Teofilo Aguilar ("Plaintiff") and Defendants Mad Engine Global, LLC, Mad Engine,
9 LLC, and Mad Engine, Inc. ("Defendants," and together with Plaintiff, the "Parties"), and
10 hereby ORDERS as follows:

11 1. Defendants shall pay the Gross Settlement Amount of \$300,000.00 according to the
12 terms of the Settlement.

13 2. The Net Settlement Amount means the Gross Settlement Amount minus the
14 following: (a) \$100,000.00 allocated to Attorneys' Fees; (b) \$22,103.10 allocated to litigation
15 costs; (c) \$7,750.00 allocated to Settlement Administrator Costs; and (d) \$12,500.00 allocated to
16 Plaintiff as a Service Award.

17 (a) The Court approves payment to Plaintiff's counsel, Wilshire Law Firm, of
18 Attorneys' Fees in the amount of One-Hundred Thousand Dollars and Zero
19 Cents (\$100,000.00), to be paid from the Gross Settlement Amount.

20 (b) The Court approves payment to Plaintiff's counsel, Wilshire Law Firm, of
21 litigation costs in the amount of Twenty-Two Thousand One-Hundred-Three
22 Dollars and Ten Cents (\$22,103.10), to be paid from the Gross Settlement
23 Amount.

24 (c) The Court approves payment to the Settlement Administrator, CPT Group,
25 Inc., for its reasonable costs and fees to administer the Settlement, not to
26 exceed Seven-Thousand Seven-Hundred-Fifty Dollars and Zero Cents
27 (\$7,750.00), to be paid from the Gross Settlement Amount.

28 (d) The Court approves Twelve-Thousand Five-Hundred Dollars and Zero

Cents (\$12,500.00) to be paid to Plaintiff as a Service Payment for his efforts as a named plaintiff and representative for other PAGA Employees and the State of California, to be paid from the Gross Settlement Amount.

3. Of the Net Settlement Amount, 75% is allocated to the California Labor and Workforce Development Agency (“LWDA”); and 25% is allocated to the Individual PAGA Payments.

4. The “PAGA Period” is defined as the period from March 23, 2020 to July 22, 2022.

5. The “PAGA Employees” or “Aggrieved Employees” are defined as all persons who were engaged by Defendants as hourly-paid employees in California at any time from March 23, 2020 through July 22, 2022. The PAGA Employees are bound by the release outlined in Paragraph 5.2 of the Settlement Agreement.

6. “Effective Date” means the date by when both of the following have occurred: (a) the Court enters a Judgment on its Order Approving the PAGA Settlement; and (b) the Judgment is final. The Judgment is final on the day the Court enters Judgment.

7. The Court directs Defendants to fully fund the Gross Settlement Amount by transmitting the funds to the Settlement Administrator within 14 days of the Effective Date.

8. The amount of each Aggrieved Employee’s Individual PAGA Payment will be calculated as follows: (a) the Settlement Administrator will divide the amount of the Aggrieved Employees’ share of PAGA Penalties by the total number of PAGA Period Pay Periods worked by all Aggrieved Employees during the PAGA Period; and (b) the Settlement Administrator will multiply the result in Part A by each Aggrieved Employee’s PAGA Period Pay Periods.

9. The Court directs the Parties and the Settlement Administrator to carry out the terms of the Settlement.

10. Under California Code of Civil Procedure section 664.6, the Court retains jurisdiction over the Parties to enforce the Settlement until performance in full of the Settlement’s terms.

11. Plaintiff’s counsel shall submit a copy of this Order to the LWDA within seven (7) days of the entry of the Order.

1 12. The above-referenced action and all claims asserted by Plaintiff individually and in
2 a representative capacity are hereby dismissed with prejudice.

3 13. Plaintiff shall give notice.

4 DATE: 10/24/2022



Honorable Hon. Joel R. Wohlfeil,
San Diego County Superior Court Judge

Aguilar v. Mad Engine Global, LLC, et al.
37-2021-00049439-CU-OE-CTL

I, Min Jee Kim, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is minjee@wilshirelawfirm.com.

On November 15, 2022, I served the foregoing **NOTICE OF ORDER AND JUDGMENT GRANTING PLAINTIFF'S MOTION TO APPROVE PAGA SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

FORD & HARRISON LLP
350 South Grand Ave., Suite 2300
Los Angeles, California 90071
Telephone: (213) 237-2400
Facsimile: (213) 237-2401

Attorneys for Defendants
Mad Engine Global, LLC; Mad Engine, LLC; and Mad Engine, Inc.

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

I declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed on November 15, 2022, at Los Angeles, California.


Min Jee Kim