

Exhibit 1: Order Granting Final Approval of Class and PAGA Settlement

(TYPE OR PRINT NAME OF	☒	ATTORNEY	☐	PARTY WITHOUT ATTORNEY)
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Ryan Glinger
(SIGNATURE)

PLAINTIFF/PETITIONER: Plaintiff Darin Miller
 DEFENDANT/RESPONDENT: MP Nexlevel, LLC; MP Technologies LLC; MP Nexlevel of California, Inc.

CASE NUMBER:
 34-2022-00324598-CU-OE-GDS

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):
 SEE ATTACHED PROOF OF SERVICE

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):

- a. ☐ deposited the sealed envelope with the United States Postal Service.
 b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on (*date*):
 b. from (*city and state*):

4. The envelope was addressed and mailed as follows:

a. Name of person served:

Street address:

City:

State and zip code:

b. Name of person served:

Street address:

City:

State and zip code:

c. Name of person served:

Street address:

City:

State and zip code:

d. Name of person served:

Street address:

City:

State and zip code:

☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached:

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

Date: 09/25/2025

Andy Hernandez

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

EXHIBIT 1

Electronically Received 07/29/2025 05:50 PM

FILED
Superior Court of California
County of Sacramento
09/23/2025
T. Shaddix, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

DARIN MILLER and ELIZABETH
ALBERTA PRICE, individually, and on
behalf of other members of the general
public similarly situated,
Plaintiff,

vs.

MP NEXLEVEL, LLC, a Minnesota limited
liability company; MP TECHNOLOGIES,
LLC, an unknown business entity; MP
NEXLEVEL OF CALIFORNIA, INC., a
Minnesota corporation; and DOES 1
through 100, inclusive,
Defendant.

Case No. 34-2022-00324598

*Assigned for all purposes to
Hon. Jill Talley
Dept. 23*

**~~[PROPOSED]~~ ORDER GRANTING FINAL
APPROVAL OF CLASS AND PAGA
SETTLEMENT**

Date: August 22, 2025
Time: 9:00 a.m.
Dept: 23

1 This matter came on for hearing on August 22, 2025, at 9:00 a.m., in Department 23 of
2 the above-captioned Court on the Motion for Final Approval of Class Action Settlement pursuant
3 to California Rule of Court 3.769, this Court's Order Granting Preliminary Approval filed on
4 April 14, 2025, and the CLASS ACTION AND PAGA SETTLEMENT AGREEMENT
5 ("Settlement Agreement"), a copy of which was filed as Exhibit 1 to the Declaration of Kristy R.
6 Connolly In Support of Plaintiffs' Motion for Final Approval of Class Action Settlement.

7 Having received and considered the Settlement Agreement, the supporting papers filed by
8 the Parties, and the evidence and argument received by the Court in conjunction with the
9 unopposed Motion for Preliminary Approval of Class Action Settlement and the instant Motion
10 for Final Approval, the Court grants final approval of the Settlement and HEREBY ORDERS
11 AND MAKES THE FOLLOWING DETERMINATIONS:

12 1. Pursuant to the Order Granting Preliminary Approval, a Notice Packet was sent to
13 each Class Member by first-class mail. These papers informed the Class of the terms of the
14 Settlement, their right to receive an Individual Settlement Payment, their right (a) to comment on
15 or object to the Settlement, (b) to request exclusion from the Settlement and pursue their own
16 remedies, and (c) of their right to appear in person or by counsel at the final approval hearing and
17 to be heard regarding approval of the Settlement. Adequate periods of time were provided by
18 each of these procedures. No member of the Class filed written objection to the proposed
19 Settlement as part of this notice process or stated an intention to appear at the final approval
20 hearing.

21 2. The Court finds and determines that this notice procedure afforded adequate
22 protections to Class Members and provides the basis for the Court to make an informed decision
23 regarding approval of the Settlement based on the responses of the Class. The Court finds and
24 determines that the notice provided in this case was the best notice practicable, which satisfied
25 the requirements of law and due process.

26 3. With respect to the Class and for purposes of approving this Settlement only, this
27 Court finds and concludes that: (a) the members of the Class are ascertainable and so numerous
28 that joinder of all members is impracticable; (b) there are questions of law or fact common to the

1 Class, and there is a well-defined community of interest among members of the Class with respect
2 to the subject matter of the Action; (c) the claims of Class Representative are typical of the claims
3 of the members of the Class; (d) the Class Representative has fairly and adequately protected the
4 interests of the members of the Class; (e) a class action is superior to other available methods for
5 an efficient adjudication of this controversy; and (f) the counsel of record for the Class
6 Representative, i.e., Class Counsel, are qualified to serve as counsel for Plaintiff in their
7 individual and representative capacities for the Class.

8 4. The Court has certified a Class, as that term is defined in and by the terms of the
9 Settlement Agreement as all persons currently or formerly employed by MP Nexlevel of
10 California, Inc. as a non-exempt employee in the State of California at any time during the Class
11 Period. The Class Period is August 2, 2018, through May 15, 2024. The Court deems this
12 definition sufficient for purposes of California Rule of Court 3.765(a).

13 5. The Court hereby confirms Aegis Law Firm, PC and Lawyers for Justice, PC as
14 Class Counsel.

15 6. The Court hereby confirms Plaintiffs Elizabeth Alberta Price and Darin Miller as
16 the Class Representatives in this Action.

17 7. The Court finds and determines that the terms set forth in the Settlement
18 Agreement are fair, reasonable, and adequate and directs the Parties to effectuate the Settlement
19 according to its terms, having found that the Settlement was reached as a result of informed and
20 non-collusive arm's-length negotiations facilitated by a neutral mediator. The Court further finds
21 that the Parties conducted extensive investigation and that their attorneys were able to reasonably
22 evaluate their respective positions. The Court also finds that the Settlement will enable the Parties
23 to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
24 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery
25 provided as part of the Settlement and recognizes the significant value accorded to the Class.

26 8. The Court further finds and determines that the terms of the Settlement are fair,
27 reasonable and adequate to the Class and to each Participating Class Member and that the
28

1 Settlement is ordered finally approved, and that all terms and provisions of the Settlement should
2 be and hereby are ordered to be consummated.

3 9. The Court hereby approves the Gross Settlement Amount of \$1,085,000.00.

4 10. The Court finds and determines that the Individual Settlement Payments to be paid
5 to Participating Class Members as provided for by the Settlement are fair and reasonable. The
6 Court hereby gives final approval to and orders the payment of those amounts be made to the
7 Participating Class Members in accordance with the Settlement Agreement.

8 11. The Court finds and determines that payment to the California Labor and
9 Workforce Development Agency of \$75,000.00 as its share of the \$100,000.00 allocated to civil
10 penalties in this case is fair, reasonable, and appropriate. The Court hereby gives final approval
11 to and orders that the payment of that amount be paid in accordance with the Settlement
12 Agreement.

13 12. The Court finds and determines that the fees and expenses in administrating the
14 Settlement incurred by Phoenix Settlement Administrators in the amount of \$9,250.00, are fair
15 and reasonable. The Court hereby gives final approval to and orders that the payment of that
16 amount in accordance with the Settlement.

17 13. The Court finds and determines the Class Representative Service Payment of
18 \$7,500.00 for Plaintiff Elizabeth Alberta Price and \$15,000.00 for Plaintiff Darin Miller is fair
19 and reasonable. The Court hereby orders the Administrator to make this payment to the
20 Plaintiffs/Class Representatives in accordance with the terms of the Settlement Agreement.

21 14. Pursuant to the terms of the Settlement, and the authorities, evidence and argument
22 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees in the sum of
23 \$361,666.67 and litigation costs of \$35,634.18 apportioned as follows: \$19,732.65 for Aegis Law
24 Firm, PC and \$15,901.53 for Lawyers for Justice, PC. The Court finds such amounts to be fair
25 and reasonable. The Court hereby orders the Settlement Administrator to make these payments
26 in accordance with the terms of the Settlement Agreement.

1 15. Nothing in this order shall preclude any action to enforce the Parties' obligations
2 under the Settlement or under this order, including the requirement that Defendants make payment
3 to the Participating Class Members in accordance with the Settlement.

4 16. The Parties will bear their own costs and attorneys' fees except as otherwise
5 provided by this Court's Order awarding Class Counsels' Award for attorneys' fees and litigation
6 costs.

7 17. The Court sets a Settlement Compliance hearing for **June 26, 2026 at 10:30 a.m.**
8 At least 15 days prior to the hearing, Counsel shall file a declaration regarding the status of the
9 distribution of the settlement funds. If the Court is satisfied that the settlement funds have been
10 fully distributed, no appearance will be required at the settlement compliance hearing.

11
12 DATED: 09/23/2025



13 *Jill Talley*
14 _____
15 Honorable Jill Talley
16 JUDGE OF THE SUPERIOR COURT
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 450 North Brand Blvd, Suite 900, Glendale, California 91203.

On September 25, 2025, I served the foregoing document(s) described as:

• **NOTICE OF ENTRY OF JUDGMENT OR ORDER**

on interested parties in this action by Electronic Service as follows:

AEGIS LAW FIRM, PC

Kristy R. Connolly (kconnolly@aegislawfirm.com)

9811 Irvine Center Drive, Suite 100

Irvine, California 92618

Tel: (949) 379-6250 / Fax: (949) 379-6251

Attorneys for Plaintiff Elizabeth Alberta Price

Alis M. Moon (Alis.Moon@jacksonlewis.com)

Joseph F. Desiderio (Joseph.Desiderio@jacksonlewis.com)

JACKSON LEWIS P.C.

200 Spectrum Center Drive, Suite 500

Irvine, CA 92618

*Attorneys for Defendant, MP Nexlevel LLC, MP Technologies LLC, and
MPNEXLEVEL of California, and MB2 RACEWAY, INC.*

[X] BY E-MAIL

The above-referenced document was transmitted to the person(s) at the e-mail addresses listed herein at their most recent known e-mail address or e-mail of record in this action. I did not receive, within reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

State of California, Labor & Workforce Development Agency Web URL:

<http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

[X] BY ONLINE SUBMISSION

The foregoing documents were transmitted to the California Labor and Workforce Development Agency through the online system established for the submission of notices and documents, in conformity with California Labor Code section 2699(l). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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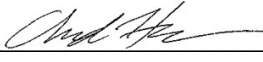
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[X] STATE

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

Executed on September 25, 2025, at Glendale, California.



Andy Hernandez