Electronically Filed by Superior Court of California, County of Orange, 11/12/2026 03:00:00 PM.
30-2022-01289657-CU-OE-CXC - ROA # 174 - DAVID H. YAMASAKI, Clerk of the Court By G. Ramirez, Deputy Clerk.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

DERRICK MCCOY, individually, and on behalf of aggrieved employees pursuant to the Private Attorneys General Act ("PAGA");

Plaintiff,

v.

AW INDUSTRIES, LLC D/B/A NEWAIR, a Nevada limited liability company; and DOES 1 through 100, inclusive;

Defendants.

Case No.: 30-2022-01289657-CU-OE-CXC

Assigned for All Purposes to:
Honorable Melissa R. McCormick
Department CX-105

CLASS ACTION

ORDER GRANTING PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT; AND ENTERING JUDGMENT

Complaint Filed: November 2, 2022

This matter came before Honorable Melissa R. McCormick in Department CX-105 on Plaintiff Derrick McCoy's ("Plaintiff") Motion for Final Approval of Class Action and PAGA Settlement.

On January 14, 2026, the Court entered an Order Preliminarily Approving Class Action Settlement ("Preliminary Approval Order") (ROA 124), preliminarily approving the settlement of the above-entitled case in accordance with the Joint Stipulation of Class Action and PAGA Settlement and Amendment to the Joint Stipulation of Class Action and PAGA Settlement (together, the "Settlement Agreement," the "Settlement," or the "Agreement") that was entered between Plaintiff and Defendant AW Industries, LLC d/b/a Newair ("Defendant").

Having read and considered the Settlement Agreement, and all papers filed in support of the motion for final approval, the court grants the motion as follows:

1. All terms used herein shall have the same meaning as in the Settlement Agreement and the Preliminary Approval Order. This Court has jurisdiction over the claims of the Class Members asserted in this proceeding and over all Parties to this case. The Court finds that the applicable requirements of Code of Civil Procedure section 382 and Rule of Court 3.769, *et seq.*, have been satisfied. The Court makes its earlier preliminary certification of the Class set forth in the Preliminary Approval Order final. The Class is defined as:

> All current and former hourly-paid or non-exempt employees employed by Defendant – whether employed directly by Defendant or supplied to Defendant by any temporary staffing agency – within the State of California at any time during the time period from November 2, 2018, through December 21, 2024 ("Class," "Class Members," and "Class Period").

Eligible Aggrieved Employees are defined as:

> The aggrieved employees eligible to recover settlement funds from the PAGA Payment that consist of all current and former hourly-paid or non-exempt employees employed by Defendant – whether employed directly by Defendant or supplied to Defendant by any temporary staffing agency – within the State of California at any time during the time period from November 2, 2021, through December 21, 2024 ("Eligible Aggrieved Employees" and "PAGA Period").

2. The Notice of Class Action and PAGA Settlement and attached forms ("Class Notice") mailed to the Class Members: (a) fully and accurately informed the Class Members of all material elements of the Settlement and of their opportunity to participate in,

object to or comment thereon, or to seek exclusion from the Settlement; (b) was the best notice practicable under the circumstances; (c) was valid, due, and sufficient notice to all the Class Members; and (d) complied with all applicable laws and due process.

3. The Court grants final approval of the Agreement and finds that the Agreement is fair, reasonable, adequate, and in the best interests of the Class.

4. The Gross Settlement Amount is $500,000. The court approves the following deductions from the Gross Settlement Amount: (i) attorneys' fees of $150,000 to Class Counsel; (ii) litigation costs of $23,924.54 to Class Counsel; (iii) an enhancement award of $5,000 to the Class Representative; (iv) settlement administration costs of $8,500; and (v) total PAGA penalties of $50,000, which shall be distributed seventy-five percent (75%) ($37,500) to the California Labor and Workforce Development Agency ("LWDA") and twenty-five percent (25%) ($12,500) to the Eligible Aggrieved Employees as set forth in the Settlement Agreement.

5. The settlement administrator advised the court that no disputes, no objections, and no requests for exclusion were submitted by the Class Members.

6. The Settlement Administrator shall provide notice of entry of this Order and Judgment to the Class Members by posting it on the case website for at least one hundred eighty (180) calendar days.

7. The court hereby enters judgment in accordance with the Settlement Agreement, the Order Granting Preliminary Approval dated January 14, 2026 (ROA 124), and this Order and Judgment.

8. The Parties, their counsel, and Settlement Administrator are ordered to carry out their duties and obligations in accordance with the terms of the Settlement Agreement.

9. Plaintiff shall submit a copy of this Order and Judgment to LWDA within ten (10) calendar days after entry of this Order and Judgment.

10. Pursuant to Civil Procedure Code section 664.6, the Court retains jurisdiction to construe, interpret, implement, and enforce the Settlement Agreement, to hear

and resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate any dispute arising from or in connection with the distribution of settlement benefits.

11. The final accounting hearing is scheduled for September 23, 2027 at 9:00 a.m. in Department CX105. No later than nine (9) court days before this hearing, Plaintiff shall file a final accounting report that must include all information necessary for the Court to determine the total amount actually paid to Class Members and any amounts tendered to the California State Controller's Unclaimed Property Division.

IT IS SO ORDERED, ADJUDGED AND DECREED.

DATED: November 12, 2026

MELISSA R. MCCORMICK
JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE
1013A(3) CCP

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 751 N. Fair Oaks Avenue, Suite 101, Pasadena, CA 91103 and my electronic service address is bitty@justicelawcorp.com

On November 16, 2026, I served the foregoing document described as

ORDER GRANTING PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT; AND ENTERING JUDGMENT

for the following case: **McCoy v. AW Industries LLC D/B/A Newair**
LWDA/Court Case No.: **LWDA Case No.: CM-892136-22**
Court Case No.: 30-2022-01289657-CU-OE-CXC
Orange County Superior Court

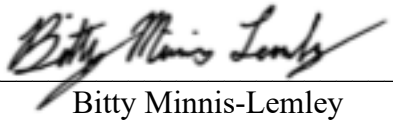
on interested parties in this action by electronically submitting as follows:

State of California
Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814

[X] BY ELECTRONIC SUBMISSION
Pursuant to California Senate Bill No. 836, I caused the documents described above to be electronically submitted by and through the procedure stated on the website of the State of California Labor and Workforce Development Agency.

[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 November 16, 2026, at Pasadena, California.



Bitty Minnis-Lemley