

Clerk of the Superior Court
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[Additional Counsels on Following Page]

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

ADRIAN MORALES, KEVIN ALVARADO,
and MANUEL SALVADOR SANCHEZ, on
behalf of others similarly situated and the State of
California under the Private Attorneys General
Act,

Plaintiffs,

vs.

TOM MALLOY CORPORATION and DOES 1
through 50, inclusive,

Defendants.

Case No. 25CU042653C

*Hon. Michael D. Washington
Dept. 73*

**PLAINTIFFS' NOTICE OF ENTRY OF
AMENDED ORDER GRANTING
APPROVAL OF PAGA ACTION
SETTLEMENT AND ATTORNEYS' FEES
AND COSTS AND ENTERING
JUDGMENT**

Action Filed: August 13, 2025

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1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

- 3 1. On June 18, 2026, at 9:00 a.m. in this Department, the Court entered the *Amended Order*
4 Granting Approval of PAGA Action Settlement and Attorneys' Fees and Costs and Entering
5 Judgment attached hereto as Exhibit 1.
6 2. The Judge confirmed the Court's Tentative Ruling attached hereto as Exhibit 2.
7 3. A conformed copy of this Notice will be submitted to the LWDA via its online electronic portal
8 in accordance with Labor Code § 2699(s)(3).
9 4. Notice of the Court's final ruling and entry of judgment is hereby provided.

10
11 Dated: June 25, 2026

Ferraro Vega Employment Lawyers, Inc.

12
13 

Nicholas J. Ferraro

Lauren N. Vega

Nicolas P. Ahadzadeh

*Attorneys for Plaintiffs Adrian Morales, Kevin Alvarado, and
Manuel Salvador Sanchez*

EXHIBIT 1

FILED
San Diego Superior Court

JUN 18 2026

Clerk of the Superior Court
By: Y. Mapula, Deputy

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

ADRIAN MORALES, KEVIN ALVARADO,
and MANUEL SALVADOR SANCHEZ, on
behalf of others similarly situated and the State
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TOM MALLOY CORPORATION and DOES 1
through 50, inclusive,

Defendants.

Case No. 25CU042653C

Hon. Michael D. Washington
Dept. 73

**AMENDED [~~PROPOSED~~] ORDER
GRANTING APPROVAL OF PAGA
ACTION SETTLEMENT AND
ATTORNEYS'
FEES AND COSTS AND ENTERING
JUDGMENT**

Motion for PAGA Approval Hearing:

Date: June 18, 2026

Time: 9:00 a.m.

[Filed concurrently with Plaintiffs' Notice of
Unopposed Motion and Motion for
Approval of PAGA Action Settlement,
Plaintiffs' Memorandum of Points and
Authorities, Declarations, and [Proposed]
Order]

Action Filed: August 13, 2025

**AMENDED [~~PROPOSED~~] ORDER GRANTING FINAL APPROVAL OF PAGA ACTION SETTLEMENT
AND ATTORNEYS' FEES AND COSTS AND ENTERING JUDGMENT**

1 Plaintiffs Adrian Morales, Kevin Alvarado, and Manuel Salvador Sanchez ("Plaintiffs")
2 unopposed Motion for Approval of PAGA Action Settlement ("Motion") came on for hearing on June
3 18, 2026, at 9:00 a.m. in Department 73 of the above-captioned Court, the Honorable Michael D.
4 Washington presiding.

5 The Court, having considered the Motion, the PAGA Settlement Agreement ("Settlement
6 Agreement") and Notice of PAGA Settlement and Release of Claims attached to the Declaration of
7 Nicholas J. Ferraro, Declaration of Bardia Akhavan, Declaration of Dalia Khalili, Declarations of
8 Plaintiffs, and all other papers submitted in support of the Motion, and for good cause appearing, now
9 FINDS and ORDERS as follows:

10 Plaintiffs' Motion for Approval of PAGA Action Settlement is **GRANTED** and approved
11 pursuant to California Labor Code section 2699(s)(2). Pursuant to the PAGA Settlement Agreement
12 and Notice to Aggrieved Employees, the Aggrieved Employees and the PAGA Period is hereby defined
13 as: "all current or former hourly non-exempt employees of Defendant in the State of California at any
14 time during the PAGA Period [June 3, 2024, through March 22, 2026¹]. After the attorneys' fees,
15 individual representative service payment, costs, and administrator's expenses are deducted from the
16 Gross Settlement Amount, the Net Settlement Amount is \$248,083.98, of which 65% (\$161,254.59)
17 shall be distributed to the LWDA and the remaining 35% (\$86,829.39) shall be distributed to the
18 aggrieved employees as their share of PAGA penalties.

19 Accordingly, the \$500,000 gross settlement shall be distributed as follows:

- 20 1. \$161,254.59 to the Labor and Workforce Development Agency for PAGA penalties;
- 21 2. \$86,829.39 to the PAGA Employees;
- 22 3. \$30,000.00 (\$10,000.00 each) to Plaintiffs as enhancement payments;
- 23 4. ~~\$161,254.59~~ ^{\$166,666.67} to Plaintiffs' counsel for attorneys' fees;
- 24 5. \$39,749.35 to Plaintiff's counsel for costs; and
- 25 6. Up to \$15,500 to the Settlement Administrator.

26
27
28 ¹ On June 5, 2026, Defendant decided to shorten the PAGA Period to end on March 22, 2026,
rather than increase the Gross Settlement Amount. ¹ -

1 Plaintiffs, Defendant, and the Settlement Administrator are ordered to carry out the terms of the
2 settlement in accordance with the Settlement Agreement.

3 **JUDGMENT**

4 Judgment shall be entered through the filing of this order and judgment. Cal. Code Civ. Proc.
5 § 668.5. Plaintiffs shall take from the Complaint only the relief set forth in the Settlement Agreement
6 and this Order and judgment. The Court retains jurisdiction over the parties to enforce the terms of the
7 Settlement Agreement and the final order and judgment.

8
9 **IT IS SO ORDERED.**

10
11 Date: June 18, 2026

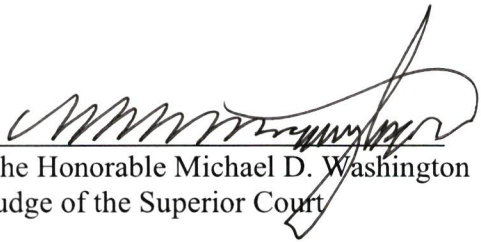
12 
The Honorable Michael D. Washington
Judge of the Superior Court

EXHIBIT 2

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE
TENTATIVE RULING**

HEARING DATE: 6/18/2026

JUDICIAL OFFICER: MICHAEL D. WASHINGTON

CASE NO.: 25CU042653C

CASE TITLE: Morales vs Tom Malloy Corporation

TENTATIVE RULING

Plaintiffs Adrian Morales, Kevin Alvarado, and Manuel Salvador Sanchez’ Motion for Approval of PAGA Action Settlement is **GRANTED**.

According to the moving papers, Plaintiffs and Defendant Tom Malloy Corporation (“Defendant”) have reached a resolution and agreement after extensive formal and informal discovery and after engaging in mediation with experienced mediator, Paul Grossman, Esq. (Declaration of Nicholas J. Ferraro (“Ferraro Decl.”) ¶ 15.) Plaintiffs now seek approval of the PAGA settlement.

Only civil penalties can be recovered under the PAGA. (*ZB, N.A. v. Superior Court* (2019) 8 Cal.5th 175, 194.) Once recovered, for cases brought forth after June 19, 2024, 65% of the civil penalties must be distributed to the LWDA and the remaining 35% must be provided to the aggrieved employees. (*See former* Lab. Code, § 2699(i); *See also current* Lab. Code, § 2699(v)(2).) PAGA settlements require court approval. (Lab. Code, § 2699(s)(2).) To be approved, the settlement must be fair, reasonable, and adequate. (*Moniz v. Adecco USA, Inc.* (2021) 72 Cal.App.5th 56, 77.) “[A] trial court should evaluate a PAGA settlement to determine whether it is fair, reasonable, and adequate in view of PAGA’s purposes to remediate present labor law violations, deter future ones, and to maximize enforcement of state labor laws.” (*Id.*)

Plaintiff has presented a proposed settlement which the Parties have agreed to have a Gross Settlement Amount (“GSA”) of \$500,000. (Ferraro Decl. ¶ 22.) The proposed civil penalties are \$248,083.98 of which 65% (or \$86,829.39) will be paid to the LWDA and the remaining 35% (or \$86,829.39) will be allocated to approximately 511 Aggrieved employees. (*Id.*) Of the remaining balance, \$39,749.35 will be allocated towards litigation costs incurred in this case, \$15,500.00 will be allocated towards the Settlement Administrator’s costs, and \$161,254.59 will be allocated towards attorneys’ fees. (*Id.*) Additionally, Plaintiffs request service awards in the amount of \$10,000 for each of the three named Plaintiffs. (*Id.*) The proposed settlement is limited to a release of PAGA civil penalty claims only and does not release the Aggrieved Employees’ individual claims for unpaid wages or other legal remedies. (*Id.*) The parties reached this agreement after substantial investigation and discovery as well as a formal mediation conducted by Paul Grossman, Esq. (*Id.* ¶ 15.)

After a review of the moving papers, the Court finds that the agreement at hand is fair, reasonable, and adequate and not the product of fraud, overreaching, or collusion by the parties. The parties have engaged in sufficient discovery and negotiation with a neutral mediator. Furthermore, no evidence has been presented in opposition to rebut the presumption of fairness. Thus, Plaintiffs' Motion for Approval of PAGA Settlement is **GRANTED**.

The Court will adopt and sign the Amended Proposed Order filed by the Plaintiffs on June 10, 2026 (ROA 35), and it shall be the order of the Court.