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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SANTA CLARA**

ANTHONE REINKE and JARRETT CHOW,  
individually, and on behalf of all others similarly  
situated,

*Plaintiffs,*

v.

MGE UNDERGROUND, INC., a California  
Corporation; and DOES 1 through 10, inclusive,

*Defendants.*

Filed  
August 10, 2026  
Clerk of the Court  
Superior Court of CA  
County of Santa Clara  
22CV403855  
By: afloresca

8/10/2026 2:36:23 PM

Case No.: 22CV403855

*[Assigned for All Purposes to the Honorable  
Theodore C. Zayner, Dept. 19]*

**~~[PROPOSED]~~ JUDGMENT AND ORDER  
GRANTING PLAINTIFFS' MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION AND PAGA SETTLEMENT**

Final Approval Hearing:

Date: July 29, 2026

Time: 1:30 p.m.

Dept.: 19

Action Filed: September 29, 2022

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DANIEL ENRIQUEZ ULLOA

1           Plaintiffs Jarrett Chow and Daniel Enriquez Ulloa’s (collectively “Plaintiffs”) Motion  
2 for Final Approval of Class Action and PAGA Settlement came before this Court on July 29,  
3 2026, at 1:30 p.m., in Department 19 of the Superior Court of California, County of Santa Clara  
4 located at 191 North First Street, San Jose, California 95113. Plaintiffs now seek an order  
5 granting final approval of the Settlement Agreement (“Settlement” or “Settlement Agreement”)  
6 between Plaintiffs and Defendant MGE Underground, Inc. (“Defendant”) (Plaintiffs and  
7 Defendant collectively, the “Parties”), a copy of which is attached to the Declaration of John G.  
8 Yslas in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action and PAGA  
9 Settlement as **Exhibit 1**. On October 8, 2025, this Court issued an Order Granting Plaintiffs’  
10 Motion for Preliminary Approval of Class Action and PAGA Settlement (“Preliminary  
11 Approval Order”). In accordance with the Preliminary Approval Order, Class Members have  
12 been given notice of the terms of the Settlement and the opportunity to comment on or object to  
13 it or to exclude themselves from its provisions.

14           Having received and considered the Settlement Agreement, the supporting papers filed  
15 by the Parties, and the evidence and argument in conjunction with the Motion for Preliminary  
16 Approval of Class Action and PAGA Settlement granted on October 8, 2025, and the instant  
17 Motion for Final Approval of Class Action and PAGA Settlement and supporting papers, as  
18 well as oral argument presented to the Court, the Court grants final approval of the Settlement  
19 and HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

20           1.       This Court has jurisdiction over the subject matter of the action and over the Parties,  
21 including all Settlement Class Members.

22           2.       The Court finds that the Class, as defined below, is properly certified as a class for  
23 settlement purposes only:

24                   all current and former non-exempt, hourly individuals that worked for  
25                   Defendant MGE Underground, Inc. in the State of California during the  
26                   Class Period.

26           3.       “Class Period” means the period from April 4, 2018, through January 22, 2025.

27           4.       The Court appoints Plaintiffs Jarrett Chow and Daniel Enriquez Ulloa as Class  
28 Representatives for settlement purposes only.

1           5.       The Court appoints John G. Yslas, Jeffrey C. Bills, Emily K. Borman, and Courtney  
2 M. Miller of Wilshire Law Firm, PLC; Emil Davtyan, Natalie Haritounian, Enoch Kim, Matthew  
3 J. Carraher of D.Law, Inc.; David Yeremian of David Yeremian & Associates, Inc.; and Walter  
4 Haines of United Employees Law Group, P.C. as Class Counsel for settlement purposes only.

5           6.       Pursuant to the Preliminary Approval Order, Class Notice was sent to each Class  
6 Member by first-class mail. These papers informed Class Members of the terms of the Settlement,  
7 their right to receive a settlement share, their right to comment on or object to the Settlement or to  
8 opt out of the Settlement and pursue their own remedies, and their right to appear in person or by  
9 counsel at the Final Approval Hearing and be heard regarding approval of the Settlement. Adequate  
10 periods of time were provided by each of these procedures.

11          7.       No Class Members objected to the Settlement.

12          8.       No Class Members requested exclusion from the Settlement.

13          9.       The Court finds and determines that this notice procedure afforded adequate  
14 protections to Class Members and provides the basis for the Court to make an informed decision  
15 regarding approval of the Settlement based on the responses of Class Members. The Court finds  
16 and determines that the notice provided in this case was the best notice practicable, which satisfied  
17 the requirements of law and due process.

18          10.      The Court finds the Settlement was entered into in good faith, that the Settlement is  
19 fair, reasonable and adequate, and that the Settlement satisfies the standards and applicable  
20 requirements for final approval of this class action settlement under California law, including the  
21 provisions of California Code of Civil Procedure section 382 and California Rules of Court, Rule  
22 3.769.

23          11.      Class Members who have not opted out will be bound by the Settlement, except  
24 Aggrieved Employees will release the PAGA claims released in the Settlement and will receive a  
25 portion of the amount set aside for their share of the settlement of civil penalties, regardless of  
26 whether they opt out of the Settlement.

27          12.      The Court finds that Plaintiffs notified the Labor and Workforce Development  
28 Agency (“LWDA”) of the Settlement in accordance with the notice requirements of California

1 Labor Code § 2699(s).

2 13. No later than fourteen (14) days after the Effective Date, Defendant shall fully fund  
3 the Gross Settlement Amount of \$2,000,000.00 and the amounts necessary to fully pay Defendant's  
4 share of payroll taxes by transmitting the funds to the Settlement Administrator.

5 14. Within seven (7) days after Defendant fully funds the GSA, the Administrator will  
6 mail checks for all Individual Class Payments, all Individual PAGA Payments, the LWDA PAGA  
7 Payment, the Administration Costs Payment, the Class Counsel Fees Payment, the Class Counsel  
8 Litigation Expenses Payment, and the Class Representative Service Payments. Disbursement of  
9 the Class Counsel Fees Payment, the Class Counsel Litigation Expenses Payment, and the Class  
10 Representative Service Payments shall not precede disbursement of Individual Class Payments and  
11 Individual PAGA Payments.

12 15. The "Effective Date" means the date by which both of the following have occurred:  
13 (a) the Court enters a Judgment on its Order Granting Final Approval of the Settlement; and (b)  
14 the Judgment is final. The Judgment is final as of the latest of the following occurrences: (a) if no  
15 Participating Class Member objects to the Settlement, the day the Court enters Judgment; (b) if  
16 one or more Participating Class Members objects to the Settlement, the day after the deadline for  
17 filing a notice of appeal from the Judgment; or (c) if a timely appeal from the Judgment is filed,  
18 the day after the appellate court affirms the Judgment and issues a remittitur.

19 16. In addition to any recovery Plaintiffs may receive under the Settlement, and in  
20 recognition of Plaintiffs' efforts on behalf of the Settlement Class, the Court hereby approves  
21 payment from the Gross Settlement Amount of a Class Representative Service Payment to Plaintiff  
22 Jarrett Chow and Plaintiff Daniel Enriquez Ulloa in the amount of \$10,000.00 each (\$20,000.00  
23 total).

24 17. The Court approves payment from the Gross Settlement Amount for civil penalties  
25 under PAGA in the amount of \$100,000.00 with the LWDA to receive 75% (\$75,000.00), and the  
26 remaining 25% (\$25,000.00) to be distributed to Aggrieved Employees, defined as current and  
27 former non-exempt, hourly individuals that worked for Defendant MGE Underground, Inc. in the  
28 State of California during the period from May 9, 2022, through January 22, 2025. The Court finds

1 and determines that such payment is fair, reasonable, and appropriate.

2 18. The Court approves payment from the Gross Settlement Amount for attorneys' fees  
3 to Class Counsel in the amount of \$700,000.00, and the reimbursement of litigation costs in the  
4 amount \$20,612.56. Both are reasonable amounts. The reasonableness of the fee award is  
5 determined based on a reasonable percentage of the common fund obtained for the Class. The  
6 Court also has considered the "lodestar amount." Awarding fees on a percentage basis encourages  
7 efficient litigation practices and reflects the actual benefit obtained for the Class.

8 19. The Court approves payment from the Gross Settlement Amount for settlement  
9 administration services in the amount of \$14,790.00 to the Settlement Administrator, Apex Class  
10 Action LLC.

11 20. Individual Settlement Payments checks will be valid for 180 days after mailing by  
12 the Settlement Administrator. For any Class Member whose Individual Class Payment check or  
13 Individual PAGA Payment check is uncashed and canceled after the void date, the Administrator  
14 shall transmit the funds represented by such checks to the Legal Aid At Work.

15 21. Effective on the date when Defendant fully fund the Gross Settlement Amount and  
16 all employer payroll taxes owed on the Wage Portion of the Individual Class Payments, Plaintiffs,  
17 Class Members, and Class Counsel will release claims against all Released Parties as follows:

18 (a) Released Class Claims: "Upon the effective date of the Settlement, all  
19 Participating Class Members who do not opt out of the Settlement release Defendant, its  
20 respective agents, officers, employees, directors, owners, subsidiaries, DBA's, affiliates and  
21 predecessor, successor, and parent companies, ("Released Parties") of all claims that were  
22 asserted in the Actions, or that arise from or could have been asserted based on any of the facts,  
23 circumstances, transactions, events, occurrences, acts, disclosures, statements, omissions or  
24 failures to act alleged in Plaintiffs' Complaints, regardless of whether such claims arise under  
25 federal, state and/or local law, statute, ordinance, regulation, common law, or other source of  
26 law (the "Released Class Claims"). The Released Claims specifically include, but are not limited  
27 to Labor Code §§ 201, 202, 203, 204, 210, 226, 226.7, 510, 512, 558, 558.1, 1174, 1182.12,  
28 1185, 1194, 1194.2, 1197, 1198, 1199, and 2802, and the related IWC Wage Order No. 16-2001

1 and Business & Professions Code §§ 17200, et seq., and include claims based on alleged  
2 violations of these Labor Code and Wage Order provisions, and all other claims, such as those  
3 under the California Labor Code, Wage Orders, regulations, and/or other provisions of law, that  
4 could have been pleaded based on the facts asserted in the Actions, including: (1) failure to  
5 timely pay employees upon separation or discharge; (2) failure to pay all wages due and owing  
6 for time worked; (3) failure to pay overtime wages, (4) failure to provide meal or rest periods  
7 of compensation in lieu thereof, (5) failure to reimburse for reasonable expenses, (6) failure to  
8 provide accurate itemized wage statements, (7) all related violations of the applicable Wage  
9 Orders; (8) all related violations of California's unfair competition law; and (9) interest, fees,  
10 and costs. The enumeration of these specific statutes shall neither enlarge nor narrow the scope  
11 of res judicata based on the claims that were asserted in the Actions or could have been asserted  
12 in the Actions based on the facts and circumstances alleged in any Complaint on file in the  
13 Actions. The Released Class Claims are those that accrued during the Settlement Class Period.”

14 (b) Released PAGA Claims: “Plaintiffs, or such other designee who has  
15 properly exhausted administrative requirements, and is acting in the capacity of a representative  
16 of the State of California, and on behalf of the group of Aggrieved Employees, shall agree to  
17 release any and all claims for PAGA civil penalties that are alleged or reasonably could have  
18 been alleged based on the facts alleged against Defendant in the operative Complaint in the  
19 Actions and Plaintiffs’ PAGA Letters, including Labor Code sections §§ 201, 202, 203, 204,  
20 210, 226, 226.7, 510, 512, 558, 558.1, 1174, 1182.12, 1185, 1194, 1194.2, 1197, 1198, 1199,  
21 and 2802 and the related IWC Wage Order No. 16-2001 (the “Released PAGA Claims”). The  
22 Released PAGA Claims are those that accrued during the PAGA Period.”

23 22. “Released Parties” means Defendant and all of Defendant’s respective agents,  
24 officers, employees, directors, owners, subsidiaries, DBA’s, affiliates and predecessor, successor,  
25 and parent companies.

26 23. The Parties and Administrator are hereby ordered to comply with the terms of the  
27 Settlement.

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24. The Parties shall bear his, her, its, or their own respective attorneys' fees and costs except as otherwise provided in the Settlement and this Judgment and Order Granting Final Approval of Class Action and PAGA Settlement.

25. Without affecting the finality of this order in any way, pursuant to California Code of Civil Procedure section 664.6 the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of this order and the Settlement.

26. The Court hereby enters final judgment in accordance with the terms of the Settlement, the Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement, and this Order Granting Plaintiffs' Motion for Final Approval of Class Action and PAGA Settlement, subject to the Court's retention of continuing jurisdiction over the Action and the Settlement, including jurisdiction pursuant to California Rule of Court 3.769(h), solely for purposes of (a) enforcing the Agreement, (b) addressing settlement administration matters, and (c) addressing such post-Judgment matters as may be appropriate under court rules or applicable law.

27. A Settlement Compliance Hearing is set for March 24, 2027, at 2:30 p.m. in Department 19 of the above-captioned Court.

28. A final report from the Settlement Administrator indicating that disbursements were made pursuant to the Settlement shall be filed no later than 15 days prior to the Settlement Compliance Hearing. If the Court is satisfied that the settlement funds have been fully distributed, no appearance will be required at the Settlement Compliance Hearing.

**IT IS SO ORDERED.**

Dated: August 10, 2026

  
HONORABLE THEODORE C. ZAYNER  
JUDGE OF THE SUPERIOR COURT