

FILED
San Francisco County Superior Court

AUG 1 - 2025

CLERK OF THE COURT

BY: [Signature] Deputy Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

VICTOR SIERRA, an individual on behalf of
himself and all others similarly situated,

Plaintiffs,

v.

WELLS ELECTRICAL, INC., a California
corporation; and DOES 1-50,

Defendants.

Case No. CGC-23-607388

ORDER GRANTING MOTION FOR FINAL
APPROVAL AND FOR ATTORNEY'S
FEES, COSTS, AND SERVICE AWARDS

Before the court is an unopposed motion by plaintiff Victor Sierra (Sierra) for final approval of the global settlement reached with defendant Wells Electrical, Inc. (WEI) of the putative class claims and PAGA claim asserted in this proceeding. By this motion, Sierra also seeks awards and approval of attorney's fees, costs, and a service award. The unopposed motion came on for hearing on August 1, 2025, at 9:00 a.m. in Department 606, the Honorable Jeffrey S. Ross presiding. Megan Higday (Melmed Law Group P.C.) appeared for Sierra. Sarah N. Léger (Ragghianti Freitas LLP) appeared for Wells Electrical, Inc. No class members or aggrieved employees submitted advance written objections or otherwise appeared at the hearing. IT IS HEREBY ORDERED that the motion for final approval and for attorney's fees, costs, and service awards is **GRANTED** with an award of **\$43,333.33** in attorney's fees, **\$6,271.05** in costs, and a service award of **\$2,000**. A compliance hearing is **RESERVED** for **January 16, 2026, at 9:00 a.m.** with a compliance statement that includes an accounting of funds and disbursements due no later than **January 9, 2026**. IT IS FURTHER ORDERED:

- 1 1. Except as otherwise specified here, the court adopts and incorporates by reference the terms and
2 definitions of the settlement agreement.
- 3 2. The following Settlement Class is certified for settlement purposes: *All current and former non-*
4 *exempt employees of Wells Electrical, Inc. in California from June 30, 2019, through September 30,*
5 *2024.*
- 6 3. The court finds that the Settlement Class meets the requirements for certification under Code of Civil
7 Procedure section 382 because: (1) the proposed Settlement Class is numerous and ascertainable;
8 (2) there are predominant common questions of law or fact; (3) Sierra's claims are typical of the
9 claims of the members of the proposed Settlement Class; and (4) a class action is superior to other
10 methods to efficiently adjudicate this controversy.
- 11 4. Kirk Fetzer, who timely requested exclusion, is not a member of the Settlement Class and shall take
12 nothing from the class settlement.
- 13 5. The notice and plan of distribution approved by this court met the requirements of due process and
14 constituted the best notice practicable under the circumstances. As set forth in the declaration of Yami
15 Burns, Phoenix Settlement Administrators distributed notice in compliance with this court's
16 preliminary approval order and the Settlement Agreement. The court finds the administration process
17 to date was adequate and comported with due process, reaching all class members. No notices were
18 undeliverable.
- 19 6. The court hereby approves payment of administration expenses to Phoenix Settlement Administrators
20 in the amount of \$6,000. Phoenix shall continue to serve as settlement administrator and shall, inter
21 alia, disburse payments to class members, aggrieved employees, and the LWDA in accordance with
22 the terms of the Settlement Agreement and this final approval order.
- 23 7. The court has considered the *Dunk/Kullar* factors and the circumstances surrounding the settlement
24 and finally approves the settlement as a fair, adequate, and reasonable settlement.
- 25 8. For settlement purposes only, Victor Sierra is appointed as class representative.
- 26 9. Sierra requests a service award of \$7,500, but the court finds that the evidence is insufficient to justify
27 a service award in that amount, based on the limited evidence presented, consideration of the pertinent
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criteria (*Cellphone Termination Fee Cases* (2010) 186 Cal.App.4th 1380, 1394–95), and average settlement payment for class members. Sierra did not actually submit any evidence to support this requested award at final approval. The court, thus, refers back to his declaration in support of preliminary approval. Under the circumstances, the court approves a more reasonable service award in the amount of **\$2,000**.

10. For settlement purposes only, Melmed Law Group, P.C. is appointed as Class Counsel.

11. The court awards attorney's fees to Class Counsel in the amount of **\$43,333.33**, which is one-third of the gross settlement amount. In making this award, the court considered the following factors: (1) the results obtained by Class Counsel in this case; (2) the risks and legal issues involved in this case; (3) the fee's contingency upon success; (4) the range of awards made in similar cases; and (5) the time spent and work performed in litigating the case.

12. The court authorizes reimbursement of class counsels' litigation expenses in the amount of **\$6,271.05**, consisting of filing and service expenses, expenses for chambers copies, and the mediation fee. The court does not award the requested amount of \$6,455.05 because this amount appears to contain an arithmetic error and because counsel could have but did not confirm the filing fees actually incurred in connection with the final approval motion (in comparison to the \$176.00 in anticipated expenses).

13. The Court reserves a compliance hearing for **January 16, 2026, at 9:00 a.m.** No later than **January 9, 2026**, the parties shall submit a compliance statement setting forth disbursements made, a summary accounting, the number and value of any uncashed settlement checks, and any other matters the parties need to bring to the court's attention. The compliance statement must be accompanied by a declaration from a representative of Phoenix.

14. Class Counsel shall serve this order and the judgment upon the LWDA within **5 court days**.

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1 15. Pursuant to Code of Civil Procedure section 664.6, and Rule 3.769(h) of the California Rules of
2 Court—and without impacting the finality of this order—the court retains jurisdiction over plaintiffs,
3 all members of the Settlement Class, and defendants for the purpose of supervising the
4 implementation, enforcement, construction, administration, and interpretation of the Settlement
5 Agreement and this order.

6
7 Dated: August 1, 2025



8 JEFFREY S. ROSS
9 Judge of the Superior Court

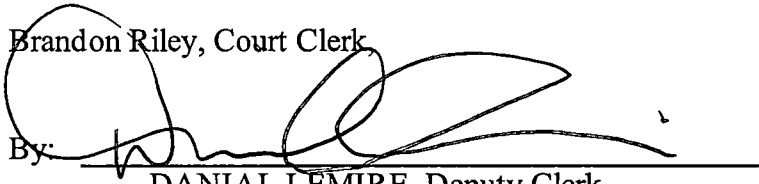
CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.260(g))

I, DANIAL LEMIRE, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On August 1, 2025, I electronically served THE ATTACHED DOCUMENT via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: August 1, 2025

Brandon Riley, Court Clerk

By: 

DANIAL LEMIRE, Deputy Clerk