

5/20/2026 9:32:31 AM

Clerk of the Superior Court
By T. Automation ,Deputy Clerk

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Attorneys for Plaintiff Napoleon Wilson

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

NAPOLEON WILSON, on behalf of others
similarly situated and the State of California
under the Private Attorneys General Act,

Plaintiffs,

vs.

SULLIVAN PROPERTIES, INC., DBA
FAIRGROVE PROPERTY
MANAGEMENT and DOES 1 through 50,
inclusive,

Defendants.

Case No. 24CL013656C

*Hon. Michael T. Smyth
Dept. 67*

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

Action Filed: September 30, 2024

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

- 3 1. On May 1, 2026, at 9:00 a.m. in this Department, the Court entered the *Amended* Order Granting
4 Approval of PAGA Action Settlement and Attorneys' Fees and Costs and Entering Judgment
5 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: May 20, 2026

Ferraro Vega Employment Lawyers, Inc.

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14 Nicholas J. Ferraro
15 Lauren N. Vega
16 Andrew T. Katseanes
17 *Attorneys for Plaintiff Napoleon Wilson*
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EXHIBIT 1

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

5/13/2026 5:05:46 PM

Clerk of the Superior Court
By G. Lopez ,Deputy Clerk

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

NAPOLEON WILSON, on behalf of others
similarly situated and the State of California
under the Private Attorneys General Act,

Plaintiffs,

vs.

SULLIVAN PROPERTIES, INC., DBA
FAIRGROVE PROPERTY
MANAGEMENT and DOES 1 through 50,
inclusive,

Defendants.

Case No. 24CL013656C

Hon. Michael T. Smyth
Dept. 67

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

Motion for PAGA Approval Hearing:

Date: May 1, 2026
Time: 9:00 a.m.

[Filed concurrently with Plaintiff's Notice of
Unopposed Motion and Motion for Approval of
PAGA Action Settlement, Plaintiff's
Memorandum of Points and Authorities,
Declaration of Nicholas J. Ferraro, and
Declaration of Plaintiff Napoleon Wilson]

Action Filed: September 30, 2024

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

1 This matter came on for hearing on May 1, 2026, at 9:00 a.m. in Department 67 of the above-
2 captioned Court, the Honorable Michael T. Smyth presiding, on Plaintiff's Motion for Approval of
3 PAGA Action Settlement and Attorneys' Fees and Costs.

4 Having received and considered the Motion and supporting Memorandum of Points and
5 Authorities, Declaration of Nicholas J. Ferraro (and its exhibits), Declaration of Plaintiff Napoleon
6 Wilson, including the PAGA Settlement Agreement ("Settlement"), the Court makes the following
7 determinations and orders:

8 Plaintiff's PAGA notice, Plaintiff's Complaint, and the Parties fully executed long form PAGA
9 Settlement Agreement are incorporated by reference. Terms used in this Order are derived from the
10 PAGA Settlement Agreement. The PAGA Period is defined as July 23, 2023, through September 8,
11 2025. The PAGA Members means "all individuals currently or formerly employed by Defendant in
12 California as hourly, non-exempt employees during the PAGA Period [July 23, 2023, through
13 September 8, 2025]".

14 Plaintiff's Motion for Approval of PAGA Action Settlement and Attorneys' Fees and Costs is
15 **GRANTED** and approved pursuant to California Labor Code section 2699(s)(2). After the attorneys'
16 fees, individual representative service payment, costs, and administrator's expenses are deducted from
17 the Gross Settlement Amount, the total PAGA Penalties Amount is \$55,878.57, of which 65%
18 (\$36,321.07) shall be distributed to the LWDA and the remaining 35% (\$19,557.50) shall be distributed
19 to the aggrieved employees as their share of PAGA penalties.

20 Accordingly, the \$140,000.00 gross settlement shall be distributed as follows:

- 21 1. \$36,321.07 to the Labor and Workforce Development Agency for PAGA penalties;
- 22 2. \$19,557.50 to the PAGA Employees;
- 23 3. \$10,000.00 to Plaintiff Napoleon Wilson;
- 24 4. \$46,662.00 to Plaintiff's counsel for attorneys' fees;
- 25 5. \$22,959.43 to Plaintiff's counsel for costs; and
- 26 6. Up to \$4,500.00 to the Settlement Administrator (any remaining unused fees will be shared with
27 the PAGA members).

1 Plaintiff, Defendant, and the Settlement Administrator are ordered to carry out the terms of the
2 settlement in accordance with the Settlement Agreement. The Effective Date of this Order shall be the
3 date on which the Court enters judgment, or the date on which counsel for Defendant receives
4 confirmation of dismissal or withdrawal of the State of California Department of Industrial Relations
5 case number WC-CM-1030557, whichever occurs later.

6 Upon the Effective Date of this Order, Defendant and the Released Parties shall be entitled to a
7 full and complete release of the Released Claims from the PAGA Members and a full and complete
8 release from Plaintiff. The "Released Claims" for the PAGA Members are the PAGA claims alleged,
9 and/or could have been alleged, arising out of the facts alleged in Plaintiff's Complaint and PAGA
10 Notices during the PAGA Period, including, without limitation, penalties predicated on the underlying
11 alleged violations for civil penalties under PAGA (Labor Code §§ 2698 *et seq.*).

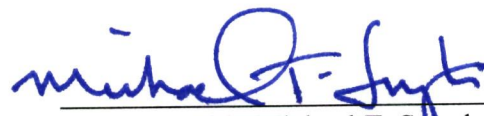
12 This Settlement (including this Order) cannot be used, directly or indirectly, to introduce, use,
13 or admit in this case or in any other judicial, arbitral, administrative, investigative or other forum or
14 proceeding, as purported evidence of any violation of any federal, state, or local law, statute, ordinance,
15 regulation, rule or executive order (i.e., evidence of a "first" or "initial" violation), or any liability,
16 obligation, or duty at law or in equity, or for any other purpose. This Settlement (including this Order)
17 shall not be construed to be an admission by Defendant of any liability or wrongdoing as to Plaintiff,
18 the PAGA Members, or any other person, and Defendant specifically disclaims any such liability or
19 wrongdoing.

20 Without affecting the finality of this Order or the entry of judgment in any way, the Court retains
21 jurisdiction on all matters relating to the interpretation, administration, implementation, and
22 enforcement of this Order and the Settlement.

23 The Court hereby ENTERS JUDGMENT in accordance with the terms of the Settlement, in
24 accordance with this Approval Order and Judgement.

25 **IT IS SO ORDERED.**

26
27 Date: May 13, 2026


The Honorable Michael T. Smyth
Judge of the Superior Court

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- 2 -

EXHIBIT 2

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

HEARING DATE: 5/1/2026

JUDICIAL OFFICER: MICHAEL T. SMYTH

CASE NO.: 24CL013656C

CASE TITLE: Wilson vs Sullivan Properties Inc

Plaintiff Napoleon Wilson's unopposed Motion for Approval of PAGA Settlement is **GRANTED**.

The court has reviewed the moving papers, supporting declarations, and settlement. The court finds the settlement terms to be fair and in compliance with the requirements of *Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th 1794, 1800-1801 and *Kullar v. Foot Locker Retail, Inc.* (2008) 168 Cal.App.4th 116, 133. The court is prepared to sign the order once the tentative is confirmed.