

9/18/2026 4:44:09 PM

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

Nicholas J. Ferraro (State Bar No. 306528)
Lauren N. Vega (State Bar No. 306525)
Conor J.D. Gómez (State Bar No. 337395)
Ferraro Vega Employment Lawyers, Inc.
3333 Camino del Rio South, Suite 300
San Diego, California 92108
(619) 693-7727 main / (619) 350-6855 facsimile
nick@ferrarovega.com / lauren@ferrarovega.com /
conor@ferrarovega.com

Attorneys for Plaintiff Kevin Murgas

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

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

Plaintiffs,

v.

WALASHEK INDUSTRIAL & MARINE,
INC., and DOES 1 through 50, inclusive,

Defendants.

Case No. 25CU011091C

*Hon. Gregory W. Pollack
Dept. 71*

CLASS ACTION

**NOTICE OF ENTRY OF ORDER AND
JUDGMENT GRANTING FINAL
APPROVAL OF CLASS ACTION,
COLLECTIVE ACTION, AND PAGA
ACTION SETTLEMENT AND ATTORNEYS'
FEES AND COSTS AND ENTERING
JUDGMENT**

Action Filed: March 3, 2025

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

- 3 1. On September 11, 2026, at 9:30 a.m. in this Department, the Court entered the Order and
4 Judgment Granting Final Approval of Class Action, Collective Action, and PAGA Action
5 Settlement and Attorneys' Fees and Costs and Entering Judgment attached hereto as Exhibit 1.
6 2. A conformed copy of this Notice will be submitted to the LWDA via its online electronic portal
7 in accordance with Labor Code § 2699(s)(3).
8 3. Notice of the Court's final ruling and entry of judgment is hereby provided.

9
10 Respectfully submitted,

11
12 Dated: September 18, 2026

Ferraro Vega Employment Lawyers, Inc.

13
14 

15 _____
16 Conor J.D. Gómez
17 Nicholas J. Ferraro
18 Lauren N. Vega
19 Attorneys for Plaintiff Kevin Murgas
20
21
22
23
24
25
26
27
28

EXHIBIT 1

FILED
Clerk of the Superior Court

SEP 11 2026

By: V. Contreras, Deputy

RECEIVED
8/28/2026 2:32:38 PM

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

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

Plaintiffs,

v.

WALASHEK INDUSTRIAL & MARINE,
INC., and DOES 1 through 50, inclusive,

Defendants.

Case No. 25CU011091C

Hon. Gregory W. Pollack
Dept. 71

CLASS ACTION

**[PROPOSED] ORDER AND JUDGMENT
GRANTING FINAL APPROVAL OF CLASS
ACTION, COLLECTIVE ACTION, AND
PAGA ACTION SETTLEMENT AND
ATTORNEYS' FEES AND COSTS AND
ENTERING JUDGMENT**

Motion for Final Approval/Attorneys' Fees:

Date: September 11, 2026

Time: 9:30 a.m.

[Filed concurrently with Plaintiff's Notice of
Unopposed Motion and Motion for Final
Approval of Class Action, Collective Action, and
PAGA Action Settlement, Plaintiff's
Memorandum of Points and Authorities,
Declaration of Conor J.D. Gómez, Declaration
of Kevin Lee, and Declaration of Plaintiff Kevin
Murgas]

Action Filed: March 3, 2025

1 This matter came on for hearing on September 11, 2026, at 9:30 a.m. in Department 71 of the
2 above-captioned Court, the Honorable Gregory W. Pollack presiding, on (1) Plaintiff's Motion for
3 Final Approval of Class Action, Collective Action, and PAGA Action Settlement and (2) Plaintiff's
4 Motion for Attorneys' Fees and Costs.

5 Having received and considered the motions and supporting papers, including the Class Action,
6 Collective Action and PAGA Settlement Agreement ("Settlement"), the evidence and documents
7 received by the Court in connection with the Motions for Final Approval and Attorneys' Fees and
8 Costs, and the previously decided Motion for Preliminary Approval, the Court GRANTS FINAL
9 APPROVAL of the Settlement and ORDERS AND MAKES THE FOLLOWING
10 DETERMINATIONS:

11 1. The Court, for purposes of this Order, adopts and uses all defined terms as set forth and
12 defined in the Settlement filed in this case (the "Action").

13 2. The Court confirms certification, for settlement purposes only, of the Class and
14 Collective as defined in the Settlement and approved at the preliminary approval stage.

15 3. PAGA Members are "all individuals currently or formerly employed by Walashek in
16 California as hourly, non-exempt employees during the PAGA Period".

17 4. The Class Period means December 19, 2020, through November 11, 2025.

18 5. The FLSA Period means December 19, 2021, through November 11, 2025.

19 6. The PAGA Period means December 11, 2023, through November 11, 2025.

20 7. Pursuant to the terms of the Settlement and the Order Granting Preliminary Approval,
21 and the Settlement, the Class Notice and FLSA Notice was sent to each Class Member and Collective
22 Member by first-class U.S. mail. The Class Notice informed the Class of the terms of the Settlement,
23 their right to receive an Individual Class Payment and Individual PAGA Payment without any required
24 action, their right to comment upon or object to the Settlement, and their right to appear in person or
25 by counsel at the Final Approval Hearing and to be heard regarding approval of the Settlement. The
26 FLSA Notice informed the Collective Members of the terms of the Settlement. Adequate periods of
27 time were provided for each of these procedures.
28

1 8. Zero Class Members returned a written objection to the proposed Settlement as part of
2 the notice process or stated an intention to appear at the Final Approval Hearing and there were no
3 dissenting appearances from any Class Members at the hearing. Three Class Members requested
4 exclusion from the Settlement: Manuel Guardado, David Orlando Dominguez Reyes, and Fidel
5 Chavez Cisneros.

6 9. The Court finds and determines the Class Notice and FLSA Notice procedure afforded
7 adequate protection to the Class and Collective and provides the basis for the Court's informed
8 decision regarding approval of the Settlement based on the response. The Court finds and determines
9 the Class Notice and FLSA Notice provided was the best notice practicable, satisfying the
10 requirements of law and due process.

11 10. For purposes of approving this Settlement only, this Court finds and concludes: (a) the
12 proposed Class is ascertainable and so numerous that joinder of all Class Members is impracticable;
13 (b) there are questions of law or fact common to the proposed Class, and there is a well-defined
14 community of interest among members of the Class with respect to the subject matter of the claims;
15 (c) the claims of the Class Representative are typical of the claims of the Class; (d) the Class
16 Representative has and will fairly and adequately protect the interests of the Class; (e) a class action
17 is superior to other available methods for an efficient adjudication of this controversy in the context of
18 settlement; and (f) the law firm of Ferraro Vega Employment Lawyers, Inc. is qualified and adequate
19 to serve as "Class Counsel" in this action.

20 11. The Court finds and determines the terms set forth in the Settlement are fair, reasonable,
21 and adequate and, having found the Settlement was reached as a result of informed and non-collusive
22 arms'-length negotiations facilitated by a neutral and experienced mediator, directs the Parties to
23 effectuate the Settlement according to its terms. The Court further finds the Parties conducted
24 extensive investigation, research, and informal discovery, and that their attorneys were able to
25 reasonably evaluate their respective positions. The Court also finds that Settlement will enable the
26 Parties to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
27 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery and
28 recognizes the significant value provided to the Class. Therefore, the Court approves the Settlement

1 and incorporates the terms of the Settlement in full into this Final Approval Order as though fully set
2 forth herein.

3 12. The Court finds and determines that the Collective Action Settlement was fair, just,
4 reasonable, and adequate, and that the notice process and opt in procedures were appropriate and
5 effective.

6 13. The Court finds and determines the Administration Expenses of \$12,000.00 incurred by
7 the Administrator in administering the Settlement are fair and reasonable. The Court orders these
8 Administration Expenses be paid in accordance with the terms of the Settlement.

9 14. The Court finds and determines the Service Payment of \$10,000 to Plaintiff Murgas is
10 fair and reasonable. The Court orders the Service Payment be paid in accordance with the terms of
11 the Settlement.

12 15. The Court finds and determines payment to the California Labor and Workforce
13 Development Agency of \$6,500, as its 65% share of the civil penalties under the Private Attorneys
14 General Act is fair, reasonable, and appropriate. The Court orders that amount be paid in accordance
15 with the terms of the Settlement and approves the settlement of claims under the Private Attorneys
16 General Act pursuant to Labor Code § 2699(s)(2).

17 16. Pursuant to the terms of the Settlement and the statutory provisions authorizing
18 attorneys' fees under the California Labor Code and Code of Civil Procedure, as set forth in the Motion
19 for Attorneys' Fees, the Court awards Plaintiff's Counsel payment of the Attorneys' Fees of \$216,645
20 and Litigation Costs of \$24,499.73. Class Counsel has sufficiently explained the basis for the fee
21 award based on a percentage of the fund. The Court finds such amounts to be fair and reasonable.
22 The Court orders the Settlement Administrator to make these payments in accordance with the
23 Settlement.

24 17. The Administrator is hereby directed to distribute the Gross Settlement Amount as
25 contemplated under the Settlement, including any unclaimed funds which shall be sent to the State of
26 California's Unclaimed Property Division, without the need to submit a separate amended Order.

27 18. Without affecting the finality of this Order or the entry of judgment in any way and
28 pursuant to C.C.P. Section 664.6, the Court retains jurisdiction of the Parties, their counsel, the

1 Administrator, and all matters relating to the interpretation, administration, implementation, and
2 enforcement of this Order and the Settlement.

3 19. Nothing in this Order shall preclude any action to enforce the Parties' obligations under
4 the Settlement or under this Order, including the requirement that Defendant make payments to Class
5 Members in accordance with the Settlement.

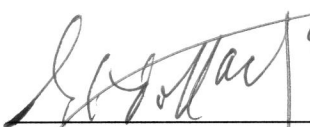
6 20. The Court hereby ENTERS FINAL JUDGMENT in accordance with the terms of the
7 Settlement, in accordance with this Final Approval Order and Judgment.

8 21. The Parties shall comply with Cal. Rules of Court Rule 3.771(b), by filing a Notice of
9 Entry of Judgment with the Court.

10 22. _____
11 _____
12 _____
13 _____
14 _____

15 **IT IS SO ORDERED.**

16
17 Date: _____

18  9/11/26
19 _____
20 The Honorable Gregory W. Pollack
21 Judge of the Superior Court
22
23
24
25
26
27
28