E-SERVICE
81223355
Oct 30 2026
05:30PM
File & ServeXpress™

FILED
San Francisco County Superior Court
OCT 30 2026
CLERK OF THE COURT
BY: Edward J. Lee
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

DEPARTMENT 304

STEVE MCKINNEY, MICHELLE LYNN BRUNETTI, ROGER JUSTIN CAFFIER, CHLOE AGAPE, AMBER ROGOWICZ, ALEXANDER OVADAL, individually, on behalf of all others similarly situated, and on behalf of California and other aggrieved persons,

Plaintiffs,

v.

SCALE AI, INC., a corporation; SMART ECOSYSTEM, INC., a corporation; HIREART, INC., a corporation; ALEXANDR WANG, DENNIS CINELLI, DANIEL BERRIOS, XIAOTE ZHU; and DOES 1-50, inclusive,

Defendants.

Case No. CGC-24-620481

ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Plaintiffs' motion for final approval of class action settlement came before this Court on October 30, 2026. Having considered the motion and accompanying memorandum, the Settlement Agreement,[1] and the file in this case, the Court hereby finds and orders as follows.

[1] "Settlement Agreement" or "Settlement" refers to the Class Action and PAGA Settlement Agreement attached as Exhibit 1 to the Declaration of Glenn A. Danas filed on February 6, 2026 as well as the Addendum to Class Action and PAGA Settlement Agreement attached as Exhibit A to the Second Supplemental Declaration of Glenn A. Danas filed on April 28, 2026.

1. Unless otherwise specified, terms in this Order Granting Final Approval of Class Action Settlement (the "Final Approval Order") shall have the same definition as used in the Settlement Agreement.

2. The Court granted preliminary approval of the class action settlement on May 7, 2026 ("Preliminary Approval Order"). In accordance with the Settlement Agreement and the Preliminary Approval Order, Simpluris, Inc. ("Simpluris") distributed notice to all members of the putative class by first-class mail and email. The Class Notice informed the putative class of the terms of the Settlement, of their right to receive their proportional Settlement Payment, of their right to request exclusion from the Class and the Settlement, of their right to comment upon or object to the Settlement, and to appear by themselves or by counsel at the Final Approval Hearing.

3. The Court finds that the Class Notice and notice procedure met the requirements of due process and constituted the best notice practicable under the circumstances.

4. No Settlement Class Member filed a written objection to the proposed Settlement as part of this notice process or stated an intention to appear at the Final Approval Hearing. No Settlement Class Member appeared and objected at the Final Approval Hearing.

5. Three Settlement Class Members, Charles Wallace (formerly Charles Atchison), Rita Kuria, and Irma Nanovska, requested to be excluded from the Settlement. The Court hereby excludes Charles Wallace (formerly Charles Atchison), Rita Kuria, and Irma Nanovska from the Settlement Class and the Settlement. This Order is binding on all remaining Settlement Class Members.

6. With respect to the Settlement Class and for purposes of approving this Settlement only, this Court finds and concludes that: (a) the members of the Class are ascertainable and so numerous that joinder of all members is impracticable; (b) there are questions of law or fact common to the Class, and there is a well-defined community of interest among members of the Class with respect to the subject matter of the Action; (c) the Class Representatives' claims are typical of the claims of the members of the Class; (d) the Class Representatives have fairly and adequately protected the interests of the members of the Class; (e) a class action is superior to other available methods for an efficient adjudication of this controversy; and (f) counsel of record for the Class Representatives, i.e., Class Counsel, are qualified to serve as counsel for Plaintiffs in their individual and representative capacities for the Class.

7. The Court hereby certifies the following Class for settlement purposes only: All individuals who, during the Class Period, December 10, 2020 to February 28, 2026: (i) provided services to Defendants as a Contributor while residing in the State of California; or (ii) were placed by Hire Art to perform services similar to a Contributor with Scale AI or Smart Ecosystem while residing in the State of California.

8. For settlement purposes only, the Court finally appoints Plaintiffs Steve McKinney, Michelle Lynn Brunetti, Roger Justin Caffier, Chloe Agape, Amber Rogowicz, and Alexander Ovadal as the Class Representatives.

9. For settlement purposes only, the Court finally appoints Glenn A. Danas, Ryan J. Clarkson, Maxim Gorbunov, and Zarrina Ozari of Clarkson Law Firm, P.C.; Bryan J. Schwartz and Sam Goity of Bryan Schwartz Law, P.C.; Laura L. Ho and Ginger Grimes of Dardarian Ho Kan & Lee; and James E. Goodley of Goodley McCarthy, LLC as Class Counsel.

10. The Court finds and determines that the terms of the Settlement Agreement are fair, reasonable, and adequate and directs the Parties to effectuate the Settlement according to its terms. The Court finds that the Settlement was reached as a result of informed and non-collusive arm's-length negotiations facilitated by a neutral mediator after sufficient investigation by the Parties allowing them to reasonably evaluate their respective positions. The Court has reviewed the monetary recovery provided as part of the Settlement and recognizes the significant value accorded to the Class.

11. The Court hereby approves the Gross Settlement Amount of $12,500,000. Defendants fully funded the settlement on July 1, 2026. (Suppl. Weisel Decl. filed Oct. 30, 2026 ¶ 17.) The Court hereby orders the Settlement Administrator to disburse the payments from the Gross Settlement Amount as set forth herein, and in accordance with the terms of the Settlement Agreement.

12. The Court awards reasonable attorneys' fees to Class Counsel in the amount of $4,166,666.67 to be divided amongst Class Counsel in accordance with the fee-splitting arrangement. (See Suppl. Danas Decl. filed Oct. 30, 2026 ¶ 2.)

13. The Court awards Class Counsel $36,898.04 for litigation costs incurred, broken down as follows: $13,606.38 to Clarkson Law Firm; $2,050 to Goodley McCarthy; $7,777.29 to Dardarian Ho Kan & Lee; and $13,464.37 to Bryan Schwartz Law, P.C.

14. The Court awards the following amounts to the Class Representatives in addition to their individual settlement payments in recognition of the time and effort spent litigating the case on behalf of the Class: $9,000 to Plaintiff Steve McKinney; $15,000 to Plaintiff Amber Rogowicz; $9,000 to Plaintiff Michelle Lynn Brunetti; $12,500 to Plaintiff Alexander Ovadal; $7,500 to Plaintiff Roger Justin Caffier; and $5,000 to Plaintiff Chloe Agape.

15. The Court awards $500,000 in Private Attorneys General Act ("PAGA") penalties, 65% or $325,000 allocated to the Labor and Workforce Development Agency ("LWDA") and 35% or $175,000 allocated to the PAGA Workers. The PAGA Workers covered by the Settlement consist of all individuals who, during the PAGA Period, October 29, 2023 to February 28, 2026: (i) provided services to Defendants as a Contributor while residing in the State of California; or (ii) were placed by Hire Art to perform services similar to a Contributor to Scale AI or Smart Ecosystem while residing in the State of California.

16. The Court awards $89,285 in settlement administration fees to Simpluris.

17. A status conference regarding settlement distribution is set for September 13, 2027 at 9:00 a.m. A status report, accompanied by an admissible evidentiary declaration, shall be filed no later than five court days prior to the status conference. The status report must state: (1) the date the Settlement Administrator distributed individual settlement payments; (2) the number of checks issued; (3) the number of checks cashed; (4) the number of uncashed checks; and (5) the total amount of residual funds available for a second distribution to class members who cashed their initial checks or tender to the *cy pres* beneficiary, Per Scholas, in accordance with the Settlement Agreement.

18. Class Counsel must submit a copy of this order to the LWDA within ten days of entry pursuant to Labor Code section 2699(s)(3).

19. This Order shall be posted on the Settlement Administrator's website for 180 days.

20. The Court reserves exclusive and continuing jurisdiction over the Action, the Class Representatives, Participating Class Members, and Defendants for the purposes of supervising the implementation, enforcement, construction, administration, and interpretation of the Settlement Agreement, pursuant to California Rules of Court, rule 3.769(h).

IT IS SO ORDERED.

Dated: October 30, 2026

Ethan P. Schulman
Judge of the Superior Court

CERTIFICATE OF ELECTRONIC SERVICE

(CCP 1010.6, and CRC 2.251)

I, Edward Santos, 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 October 30, 2026, I electronically served:

ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT

via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Date: OCT 30 2026

Brandon E. Riley, Court Executive Officer

By: Edward Y. SL

Edward Santos, Deputy Clerk