

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

Tani G. Cantil-Sakauye Courthouse, Department 8A

JUDICIAL OFFICER: HONORABLE JILL H. TALLEY

Courtroom Clerk: T. Shaddix

Court Attendant: M. Aria

CSR: None

25CV002553

July 17, 2026

9:00 AM

MCCARTNEY

vs

VASKO ELECTRIC, INC.

MINUTES

APPEARANCES:

No Appearances

NATURE OF PROCEEDINGS: Hearing on Motion for Preliminary Approval of Settlement

There being no request for oral argument, the Court affirmed the tentative ruling.

TENTATIVE AFFIRMED

Plaintiff Chase McCartney's ("Plaintiff") motion for preliminary approval of class and representative action settlement is UNOPPOSED and GRANTED as follows.

Overview

On January 30, 2025, Plaintiff filed this wage and hour class action against Defendant Vasko Electric, Inc. ("Defendant"), alleging causes of action for failure to pay minimum wages, failure to pay overtime wages, failure to provide rest periods, failure to provide meal periods, failure to reimburse necessary business expenses, failure to provide and maintain accurate records, failure to timely pay wages after termination of employment, and unfair competition.

On April 4, 2025, Plaintiff the operative First Amended Complaint adding a cause of action for civil penalties under the Private Attorneys General Act ("PAGA").

On January 14, 2026, the Parties attended an all-day mediation with the Hon. Peter Lichtman, and while the case did not settle at mediation, after several days of further

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negotiation, the parties agreed to resolve this action. (Siegel Decl., ¶ 16.)

Prior to mediation, the Parties engaged in informal discovery, exchanged information, and conducted independent investigation and evaluation. (*Id.* at ¶¶ 11, 19-20.)

The Parties entered into a written settlement agreement and now move for preliminary approval of the class and representative settlement. This ruling incorporates by reference the definitions in the Agreement and all capitalized terms defined therein shall have the same meaning in this ruling as set forth in the Agreement. (Siegel Decl., Exh. 1 (“Agreement”).)

Settlement Class Certification

Plaintiff moves to certify the following Settlement Class: all persons who worked at least one 3.5-hour shift as a non-exempt employee for Defendant in California during the Class Release Period. (Agreement, ¶ 18.) The Class Release Period is defined to mean January 30, 2021 through July 17, 2026.^[1] (*Id.* at ¶ 37.)

There are approximately 313 Class Members. (Siegel Decl., ¶ 5.) The Parties stipulated to certification for settlement purposes. (Agreement, ¶ 85.) The Court finds, based on the moving papers, that Plaintiff has established the requisites for class certification. Accordingly, the Court preliminarily certifies the proposed Class for settlement purposes only.

Aggrieved Employees

An Aggrieved Employee, is defined to mean, “Class Members who worked for Defendant within the PAGA Release Period.” (Agreement, ¶ 14.) The PAGA Release Period is defined to mean January 30, 2024 through July 17, 2026. (*Id.* at ¶ 39; see also Siegel Decl., ¶ 121.) PAGA Members will receive an Individual PAGA Payment regardless of whether they opt out of the settlement’s class component. (Agreement, Exh. A (“Class Notice,” p. 6.) Plaintiff’s counsel gave notice of the settlement to the Labor and Workforce Development Agency (“LWDA”). (Siegel Decl., ¶ 6, Exhs. 3A, 3B.)

Class Representative

Plaintiff is preliminarily appointed as Class Representative for settlement purposes only.

Class Counsel

The Court preliminarily appoints Elliot J. Siegel and Melissa Rinehart of King & Siegel LLP, as Class Counsel for settlement purposes only.

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Settlement Administrator

The Court approves Apex Class Action LLC as Settlement Administrator.

Fair, Adequate, and Reasonable Settlement

The Court must find a settlement is “fair, adequate, and reasonable” before approving a class action settlement. (*Wershba v. Apple Computer* (2001) 91 Cal.App.4th 224, 244-245.) The trial court has broad discretion to determine whether a proposed settlement in a class action is fair, adequate, and reasonable. (*Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th 1794, 1801.) In making its fairness determination, the Court considers the strength of the Plaintiff’s case, the risk, expenses, complexity and likely duration of further litigation, the risk of maintaining class action status through trial, the amount offered in settlement, the extent of discovery completed and the state of the proceedings, and the experience and views of counsel. (*Id.* at p. 1801.) In approving a class action settlement, the Court must “satisfy itself that the class settlement is within the ‘ballpark’ of reasonableness.” (*Kullar v. Foot Locker Retail, Inc.* (2008) 168 Cal.App.4th 116, 133.)

This is a non-reversionary, opt out settlement. Defendant will pay the Maximum Settlement Amount (“MSA”) of \$650,000. (Agreement, ¶¶ 28.) Defendant will separately pay the employer portion of payroll taxes owed on the wage portions of the Individual Class Payments. (*Id.* at ¶ 3.1) The following will be paid out of the MSA: (1) a service payment to Plaintiff of not more than \$10,000; (2) attorneys’ fees award equaling not more than 1/3 of the MSA (estimated to be \$216,666.67) and litigation expenses payment not to exceed \$30,000 to Class Counsel; (3) settlement administration costs not to exceed \$25,000, absent good cause; (4) Individual Class Member payments; and (5) a PAGA Penalty of \$65,000 – 65% of which (\$42,250) will be paid to the LWDA and 35% of which (\$22,750) will be paid to Aggrieved Employees). (Agreement, ¶¶ 20, 25-29, 50-53.)

For tax purposes, Class Member’s Individual Payments will be treated as 20% wages and 80% penalties and interest. (Agreement, ¶ 70.) PAGA payments will be treated as penalties. (*Ibid.*) Class Members have 60 days to respond to the Class Notice, plus an additional 15 calendar days for Class Members whose Class Notice was re-mailed. (*Id.* at ¶ 42.) For any Class Member whose Individual Class Payment check or Individual PAGA Payment check is uncashed and cancelled after the Void Date, the Administrator will transmit the funds to the California State Controller’s Unclaimed Property Fund in the name of the Class Member. (*Id.* at ¶ 68.)

Disposition

The Court preliminarily finds that all relevant factors support settlement approval. (*Dunk*,

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supra, 48 Cal.App.4th at p. 1802.) The papers demonstrate the settlement was reached after arms-length bargaining between the parties and was reached after sufficient discovery and negotiations, which allowed the Parties, and therefore, this Court, to act intelligently with respect to the settlement. Class Counsel conducted an investigation into the facts and law and issues in this case, including the exchange of informal discovery and the review of relevant information. The settlement appears to be within the “ballpark of reasonableness.” (Siegel Decl., ¶¶ 9-104.) Therefore, the motion is GRANTED.

The Court also approves the proposed Class Notice. The Notice shall be disseminated as provided in the Agreement.

The Final Approval Hearing will take place on December 4, 2026, at 9:00 a.m., in Department 8A.

The Court will sign the Proposed Order submitted with the moving papers. **The Court will fill in the information at Paragraph 15 regarding the Final Approval Hearing.**

Plaintiff must include any request for attorneys’ fees, costs, and the service award in the final approval motion, *not* a separately filed motion.

Counsel for Plaintiff is directed to notice all parties of this order.

[¹] The Agreement defines the “Class Release Period” to be through “the date of preliminary approval, unless a different date is selected by Defendant pursuant to the Escalator Provision in Paragraph 82.” Here, Plaintiff’s counsel proffers that: “Defendants have represented that the escalator provision was not triggered and that they were not making any election under Paragraph 82, such that the Class Period, Release Period, PAGA release Period, and all other operative dates terminate as of the date of preliminary approval.” (Siegel Decl., ¶ 121.)

Hearing on Motion for Final Approval of Settlement is scheduled for 12/04/2026 at 09:00 AM in Department 8A at Tani G. Cantil-Sakauye Courthouse.

/s/ T. Shaddix

T. Shaddix, Deputy Clerk

By:

Minutes of: 07/17/2026

Entered on: 07/17/2026