

FILED
San Diego Superior Court

SEP 18 2026

Clerk of the Superior Court
By: R. Cersosimo, Deputy

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6 Attorney for Plaintiff,
7 Mark Frey, on behalf of himself and all others similarly situated, and on behalf of the general
8 public

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SAN DIEGO**

11 MARK FREY, on behalf of himself and all
12 others similarly situated, and on behalf of the
13 general public,

14 Plaintiff,

15 vs.

16 BRIAN COX MECHANICAL, INC., a
17 California Corporation, and DOES 1 through
18 10, inclusive.

19 Defendants.

Case No.: 24CU020846C

**ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

ORDER GRANTING PRELIMINARY APPROVAL OF CLASS

ACTION AND PAGA SETTLEMENT

IT IS HEREBY ORDERED:

1. The Court grants preliminary approval and conditional certification of the Class;
2. The Court grants preliminary approval of Plaintiff Mark Frey as Class Representative;
3. The Court grants preliminary approval of Otkupman Law Firm, A Law Corporation, as Class Counsel;
4. The Court grants preliminary approval of Settlement of claims as set forth in the Settlement Agreement;
5. The Court approves the proposed Class Notice and Exclusion Form;
6. The Court grants preliminary approval of the Gross Settlement Amount of \$297,000.00;
7. The Court grants preliminary approval of ILYM Group, Inc. ("ILYM") as Settlement Administrator and payment of service in an amount up to \$5,550.00;
8. The Court grants preliminary approval of a Class Representative Service Payment to Plaintiff Mark Frey in an amount up to \$15,000.00;
9. The Court grants preliminary approval of the payment to Class Counsel of reasonable attorney's fees in an amount up to \$103,950.00, and reimbursement of reasonable costs incurred, subject to proof;
10. The Court grants preliminary approval of the PAGA Payment in the amount of \$25,000.00. 65% of this amount (\$16,250.00) will be paid to the LWDA and 35% of this amount (\$8,750.00) will be paid to the Aggrieved Employees on a pro rata basis.
11. The Court grants the schedule for implementation of the terms of the Settlement Agreement and the Court sets a hearing on final approval on ~~December 18, 2026~~ ^{2/19/27} at ~~10:30~~ ^{10 AM} a.m. in Department C-68. (TL)

DATED: 9/18/26


HON. JUDGE OF THE SUPERIOR COURT
TERRIE E. ROBERTS