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Attorneys for Plaintiff TALIA SHVEDOVA

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

TALIA SHVEDOVA, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

SIBLING RIVALRY FILMS, LLC, a foreign
company; THE SHIPYARD, LLC, a foreign
company; RED HYDRANT PRODUCTION
SERVICES, LLC, a foreign corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 21STCV40683
[Judge William F. Highberger, Dept. SS10]

**REQUEST FOR DISMISSAL OF CLASS
ACTION PURSUANT TO CALIFORNIA
RULE OF COURT 3.770; DECLARATION
OF FRANK H. KIM IN SUPPORT**

Complaint Filed:	November 4, 2021
FAC Filed:	February 4, 2022
SAC Filed:	February 6, 2023
Trial Date:	None Set

REQUEST FOR DIMISSAL

Pursuant to California Rules of Court, Rule 3.770, Plaintiff Talia Shvedova (“Plaintiff”) hereby requests dismissal the entire complaint with prejudice as to Plaintiff and without prejudice as to the Class.

On November 4, 2021, Plaintiff filed the instant class action lawsuit against Defendants Sibling Rivalry Films, LLC, Red Hydrant Production Services, LLC and The Shipyard, LLC (together, “Defendants”) for Labor Code violations arising from Defendants’ failure to send Plaintiff payment for Plaintiff’s work as an on-camera performer on August 6-9, 2021 and for the unauthorized use of her image or likeness. (Declaration of Frank H. Kim (“Kim Decl.”), ¶ 3.)

On February 4, 2022, Plaintiff filed a First Amended Complaint to correct the name of defendant Red Hydrant Production Services, LLC and to add a claim for civil penalties under the California Private Attorneys General Act (“PAGA”). (Kim Decl., ¶ 4.)

On or about June 5, 2023, the parties entered into a confidential settlement agreement for Plaintiff’s individual claims in which Plaintiff agreed to dismiss with prejudice her individual claims in the action, dismiss without prejudice her class claims, and dismiss without prejudice her PAGA representative claim. (Kim Decl., ¶ 5.)

No consideration, direct or indirect, was given for Plaintiff’s agreement to dismiss her class and PAGA representative claims without prejudice. (Kim Decl., ¶ 6.)

On August 4, 2023, Plaintiff served a copy of this Request For Dismissal by uploading it to the LWDA website. (Kim Decl., ¶ 7.)

Plaintiff submits that the instant settlement does not prejudice any putative class member, so there is no need for any sort of notice to be given under California Rules of Court, Rule 3.770(c). The following factors are persuasive in this regard: (a) no class was certified; and (b) no notice was ever provided to any potential class members about this action. (Kim Decl., ¶ 7.)

1 DATED: August 4, 2023

KIM LEGAL, APC
HELEN KIM LAW, APC

3 By: /s/ Frank H. Kim
4 FRANK H. KIM
5 Attorneys for Plaintiff

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1. I am an attorney admitted before all courts of the State of California. I am the
of Kim Legal, APC, counsel of record for Plaintiff Talia Shvedova (“Plaintiff”) in this
I make this declaration from my own personal knowledge, and, if called upon, I would
uld competently testify to the following matters.

3. On November 4, 2021, Plaintiff filed the instant class action lawsuit against Defendants Sibling Rivalry Films, LLC, Red Hydrant Production Services, LLC and The Shipyard, LLC (together, “Defendants”) for Labor Code violations arising from Defendants’ failure to send Plaintiff payment for Plaintiff’s work as an on-camera performer on August 6-9, 2021 and for the unauthorized use of her image or likeness.

5. On or about June 5, 2023, the parties entered into a confidential settlement agreement for Plaintiff's individual claims in which Plaintiff agreed to dismiss with prejudice her individual claims in the action, dismiss without prejudice her class claims, and dismiss without prejudice her PAGA representative claim.

7. On August 4, 2023, I submitted a copy of this Request For Dismissal by uploading it to the LWDA website. Attached as **Exhibit A** is a true and correct copy of an email from the LWDA confirming my submission.

8. The instant settlement does not prejudice any putative class member, so there is no need for any sort of notice to be given under California Rules of Court, Rule 3.770(c). The following factors are persuasive in this regard: (a) no class was certified; and (b) no notice was ever provided to any potential class members about this action.

9. A Proposed Order Granting Plaintiff's Request for Dismissal With Prejudice as to Plaintiff and Without Prejudice to the PAGA claim and the Class claims is being filed concurrently with this declaration.

Executed this 4th day of August 2023 in Los Angeles, California.

/s/ *Frank H. Kim*
FRANK H. KIM

PROOF OF SERVICE
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 3435 Wilshire Blvd., Suite 2700, Los Angeles, CA 90010.

On August 4, 2023, I served all interested parties in this action the following documents described as: **REQUEST FOR DISMISSAL WITH PREJUDICE; DECLARATION OF FRANK H. KIM IN SUPPORT** on the interested parties below as follows:

JULIE A. DUNNE (Bar No. CA-160544)	WESLEY KRUEGER (SBN 272860)
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Attorneys for Defendants
The Shipyard, LLC and
Red Hydrant Production Services, LLC

☒ (BY ELECTRONIC TRANSMISSION) I caused a copy of the document(s) to be uploaded via Case Anywhere per the Court's Order Authorizing Electronic Service and/or emailed to the parties listed above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 4, 2023, at Los Angeles, California.

/s/ Frank H. Kim
Frank H. Kim