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VIA ONLINE FILING

Stewart Knox, Secretary
California Labor and Workforce Development Agency

**Re: *Barnickel v. Biotronik, Inc. et al* – LWDA Case No. LWDA-CM-1004178-24,
AAA Case No. 01-24-0000-5684**

Dear Labor and Workforce Development Agency:

On January 10, 2024, on behalf of my client John Barnickel, I notified the Labor and Workforce Development Agency (“LWDA”) that Mr. Barnickel intends to file a civil lawsuit against BIOTRONIK, Inc., Biotronik Corporate Services U.S., Inc., and all affiliated entities (collectively, the “Company”) based on claims, among others, arising under the Private Attorney General Act, California Labor Code §§ 2699 *et seq.*, (“PAGA”), for violations by the Company of Labor Code §§ 232(a)-(c), 232.5(a)-(c), 432.5, 1197.5(k)(1)&(k)(2), 98.6(a), 1102.5(a), and 2802 (“LWDA Notice”). LWDA’s 65-day review period ended on March 15, 2024 and LWDA has not provided a notice of its decision to date.

I write to provide notice to the LWDA that Mr. Barnickel brought his “individual” PAGA claims by adding the claims to his preexisting Arbitration Demand with the AAA against the Company on March 18, 2024, pursuant to a mandatory pre-suit arbitration agreement he was required to sign as a condition of his employment. For the avoidance of doubt, his “representative” PAGA claims—representing himself and former and current employees who were and are subjected to Labor Code violations by the Company, as described in his LWDA Notice—have not yet been filed.

Please do not hesitate to contact me if you have any questions about this matter.

Sincerely,

Danielle Fuschetti