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Attorneys for Plaintiff MARINA BARRIGA,
on behalf of herself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF TULARE

MARINA BARRIGA, on behalf of herself
and others similarly situated,

Plaintiff,

vs.

MINERAL KING RADIOLOGICAL
MEDICAL GROUP, INC., dba VIP
SPECIALISTS, INC. and dba VISALIA
IMAGING AND OPEN MRI, a California
Corporation; MINERAL KING IMAGING
ASSOCIATES, LLC, a limited liability
California Corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No.: VCU305834

CLASS ACTION

Assigned for All Purposes To:

Hon. David C. Mathias

Dept.: 01

**NOTICE OF MOTION AND PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

*[filed concurrently with Plaintiff's Notice of
Motion and Motion; Declaration of Enoch J. Kim;
Declaration of Marina Barriga; and [Proposed]
Order]*

Date: April 30, 2026

Time: 8:30 a.m.

Dept.: 01

Original Complaint Filed: February 5, 2024

First Amended Complaint Filed: August 1, 2025

Trial Date: None Set

1 **TO THE COURT AND DEFENDANT AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on April 30, 2026 at 8:30 a.m. in Department 1 of the Tulare
3 Superior Court located at 221 S Mooney Blvd # 201, Visalia, CA 93291, Plaintiff Marina Barriga
4 (“Plaintiff”), on behalf of herself and other similarly situated employees of Defendants Mineral
5 King Radiological Medical Group, Inc., dba VIP Specialists, Inc. and dba Visalia Imaging and
6 Open MRI; and Mineral King Imaging Associates, LLC (“Defendants”) (collectively, “the
7 Parties”), will and hereby does move this Court pursuant to California Code of Civil Procedure
8 § 382 and California Rule of Court 3.769 for an order as proposed:

9 1. Preliminarily approving the proposed class-wide settlement of this action as set
10 forth in the Parties’ Class Action and PAGA Settlement Agreement and Class Notice (“Settlement
11 Agreement”), which is attached as Exhibit 1 to the Declaration of Enoch J. Kim (“Kim Decl.”),
12 filed herewith;

13 2. Approving the form and method for providing notice to the Class Members and
14 approving the form and content of the Parties’ proposed Notice of Class Action Settlement and
15 Hearing Date for Final Court Approval (“Class Notice”) for sending to the Class Members
16 (provided at Exhibit A to the Settlement Agreement);

17 3. Approving for mailing the Class Notice packet, consisting of the Court approved
18 Class Notice and directing that it be sent to the Class Members;

19 4. Appointing Plaintiff Marina Barriga as Class Representative for settlement
20 purposes only;

21 5. Appointing David Yeremian, Roman Shkodnik, Enoch J. Kim, Amanda Fazio, and
22 Antonia McKee of D.Law, Inc. as Class Counsel for settlement purposes only.

23 6. Scheduling a Final Approval hearing date to consider the Parties’ request for Final
24 Approval of the proposed Settlement and Plaintiff’s application for Class Counsel Fees Payment
25 and Class Counsel Litigation Expenses Payment to Class Counsel for attorneys’ fees and
26 reasonable expenses incurred in connection with this Action, and Class Representative Service
27 Payment to Plaintiff for her services in this Action.

28 7. Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the

1 proposed settlement's allocation of funds to claims made under Labor Code §§ 2698, *et seq.*, the
2 Private Attorneys General Act of 2004 ("PAGA").

3 This Motion is made on the grounds that after good-faith, arm's length negotiations, the
4 Parties have agreed upon a Settlement which is fair, reasonable, and adequate and in the best
5 interests of the Class and all Parties. Defendant does not oppose the Motion. This Notice of
6 Motion and Motion is also based on the fact that this Settlement was the product of informed, non-
7 collusive negotiations by the Parties, who were represented by experienced and able counsel. *See*
8 *Dunk v. Ford Motor Co.* (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation
9 (Second) (1985) § 30.44. The proposed settlement meets the legal standard for preliminary
10 approval and is in the best interests of the Class; the proposed form of Class Notice explains the
11 Settlement terms in a clear and straightforward manner; the proposed procedures for notice
12 provide the best practical notice to the Class; and Class Members will have an opportunity to
13 participate in and/or object to the settlement and/or opt-out of the settlement.

14 This Motion is based upon this Notice of Motion, the accompanying Memorandum of
15 Points and Authorities, the Declarations of Enoch J. Kim, Marina Barriga, and Kimberly
16 Sutherland, the [Proposed] Order, the Parties' Settlement Agreement and Class Notice, the Court's
17 record of this action, all matters of which the Court may take notice, and upon such oral or
18 documentary evidence as the Court may receive at or before the hearing on this unopposed
19 Motion.

20
21 DATED: March 11, 2026

D.LAW, INC.

22 By



Roman Shkodnik

Enoch J. Kim

Antonia McKee

Attorneys for Plaintiff and Settlement Class