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5 Plaintiff In Pro Per,

6 **UNITED STATES DISTRICT COURT**
7 **CENTRAL DISTRICT OF CALIFORNIA**

MATTHEW R. WALSH

Plaintiff In Pro Per,

vs.

ROKOKO ELECTRONICS
(AND DOES 1 THROUGH 50,
INCLUSIVE)

Defendant

Case No.: 2:25-CV-05340-ODW-RAO

*[Assigned to Hon. Otis D. Wright, II,
Courtroom 5D; Hon. Rozella A. Oliver,
Courtroom 590]*

**PLAINTIFF’S OPPOSITION TO
DEFENDANTS MOTION TO
COMPEL**

Concurrently filed with: “Walsh Decl.
ISO Objection for Defendant’s Motion
to Compel”

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10 **INTRODUCTION**

11 Plaintiff wishes the Court take notice that Plaintiff files this opposition to
12 Defendants Motion to Compel just hours later. This motion did not come as a
13 surprise, and in fact, was largely written on December 3rd, the day responses were
14 due and Defendant’s continued to refuse to cure (Ex. 8). Defendant’s strategy was
15 clear from the beginning: create a problem; then use it to force waiver to
16 objections. In anticipation, Plaintiff filed (Dkt #109).

17 **DEFENDANT REFUSED MEET AND CONFER SEVERAL TIMES AFTER**
18 **PLAINTIFF’S REQUEST, THEIR MOTION MUST BE STRICKEN**

19 1. Defendant’s did **not** meet and confer pursuant to L.R. 37-1 regarding any
20 motion to compel prior to filing it, nor any discovery issues.

21 2. The last meet and confer was a L.R. 7-3 on December 16, 2025, for about
22 one hour and it was wholly for Plaintiff’s Motion for Sanctions (Dkt #117).

23 In fact, the motion for sanctions even states in the certification of meet and
24 confer: *“Pursuant to Local Rule 7-3, the parties met and conferred on*
25 *December 16, 2025, for approximately one hour regarding **only** this motion*
26 *for sanctions.”*

27 3. Additionally, Plaintiff mentioned to Defendant several times after, that if she
28 wished to hold a 37-1, Plaintiff would gladly meet and confer (Ex. 1).

29 Defendant never did so, as Defendant typically refuses (Ex. 6)

30 4. **DEFENDANT ADMITS NO DISCOVERY CONFERENCE** - Defendant
31 admitted the conference was only for Plaintiff’s sanctions motion (Ex. 2)

32 5. **DEFENDANT ATTEMPTED TO FORCE STIPULATION** – Defendant
33 attempted to force stipulation which contained numerous falsities (Ex. 3).

34 Plaintiff refused to stipulate as no 37-1 was held and again indicated that
35 Defendant should meet and confer. Again, she refused. (Ex. 1)

37 **DEFENDANT IS BARRED FROM SEEKING RELIEF UNDER A**
38 **MOTION TO COMPEL UNDER THE DOCTRINE OF UNCLEAN**
39 **HANDS**

40 6. Plaintiff informed Defendant about seven times that he cannot answer
41 discovery as the numbering overlapped (see L.R. 33-1, 34-1) – they refused
42 to so much as verify and flatly denied any possibility of error which
43 prompted Plaintiff to file a notice with the Court on day 30 (Dkt #109).

44 7. Defendant weeks later admitted they were defective but demanded
45 production while refusing to cure and claiming Plaintiff waived his right to
46 objections (see Dkt #117-3).

47 8. Plaintiff filed his Motion for Sanctions (Dkt #117) which contained exactly
48 this issue at large, Defendant ignored it outright and continued with this
49 motion anyways.

50 9. Plaintiff always was willing to provide responses (Dkt #4). However, instead
51 of simply curing number defects, Defendant caused about dozens of
52 communications refusing to cure, threatening sanctions and then instead
53 filed this unnecessary motion to compel – **which *still* requires the**
54 **Defendant to fix the numbering before he can answer.**

55 10. Defendant is barred by the doctrine of unclean hands as they created the
56 crisis, which occurred out of willful ignorance and then intentional actions

57 of refusal; not of excusable neglect. Defendant is definitively vexatious in
58 bringing this motion and it must be stricken or denied.

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60 **DEFENDANTS MOTION IS FRIVELIOUS, RELIEF SOUGHT IS MOOT**

61 11. Plaintiff has had his discovery responses completed since November 9, 2025
62 (Ex. 5).

63 12. As Plaintiff has indicated many times, Defendant is and has always been
64 welcome to the responses; however, as a matter of law, they are facially
65 defective and improper as served. Defendant simply needs to correct their
66 numbering so there can be no ambiguity in the answers or questions.

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68 **DEFENDANT MOVES TO COMPEL A WILLING LITIGANT WHILE**
69 **WHOLLY REFUSING TO PROVIDE ANY DISCOVERY RESPONSES**
70 **FOR DISCOVERY SERVED UPON THEM PRIOR.**

71 13. In September, 2025, Plaintiff served discovery responses on Defendant.

72 14. As of today, zero documents returned, zero interrogatories answered, zero
73 admissions answered without objection. Instead, Defendant provided 90-
74 pages of boilerplate objections (Dkt #80-2) claiming about 250 plain-English
75 words were not understood (Dkt #84).

76 a. This very Court disfavors and disavows such behaviors as Defendants
77 (*“Boilerplate, generalized objections are inadequate and tantamount*
78 *to not making any objection at all.”*); A. Farber and Partners, Inc. v.
79 Garber, 234 F.R.D. 186, 429 188 (C.D. Cal. 2006) (*“[G]eneral or*
80 *boilerplate objections such as ‘overly burdensome and harassing’ are*
81 *improper – especially when a party fails to submit any evidentiary*
82 *declarations supporting such objections”* quoting (Dominguez v.
83 City of Rialto, No. 5:23-CV-1790-**ODW**-SPX, 2025 WL 819064, at
84 *5 (C.D. Cal. Jan. 17, 2025)). Defendant never submitted such
85 evidentiary declarations.

86 **15. PLAINTIFF COMPELLED** - On November 10, 2025 - Plaintiff filed a
87 Motion to Compel (Dkt #80). Defendant claimed no meet and confer
88 occurred (as they refused to meet and confer then, just as they did prior to
89 filing this motion).

90 **16. MOTION STRUCK DESPITE L.R. ALLOWANCE** - The Court struck
91 that motion despite it containing a L.R. 37-2.4 declaration, which should
92 have allowed it to be filed as greater than 10 days elapsed since a meet and
93 confer was requested (L.R. 37-1, 37-2)

94 17. **UNOPPOSED RECONSIDERATION** - Plaintiff filed a Motion for
95 Reconsideration (Dkt #86), which stands unopposed and taken under
96 submission.

97 18. **UNEQUAL GROUNDS** - Defendant moves the Court to compel Plaintiff
98 who is willing to provide them exactly what they want, however, refuses to
99 participate in discovery themselves whatsoever. This is inequitable.

100 19. Further, Defendant has outright stated multiple times that they **will not**
101 **produce any discovery requests** unless Plaintiff caves to their unilateral
102 demands; of which they also refuse to guarantee production: (Ex. 6), see also
103 [*“Rokoko will not produce documents until a protective order governing*
104 *discovery is in place.”*] – Defendant Nov 3, 2025

105 a. **LEGAL STANDARD:** (Stones v. Boys Republic, No. CV 06-8010
106 413 ODW (SHX), 2008 WL 11338535, at *2 (C.D. Cal. Mar. 414 11,
107 2008)) *“Failure to produce documents as ordered ... is considered*
108 *sufficient prejudice”* to justify the imposition of terminating sanctions.
109 (Computer Task 417 Group, 364 F.3d at 1115 (quoting Adriana Int'l
110 Corp. v. 418 Thoeren, 913 F.2d 1406, 1412 (9th Cir. 1990)))
111 *“[Defendant] has already shown a willful disregard for court orders*
112 *and the rules of discovery. Thus, by not dismissing this action,*
113 *[Defendant] will continue to waste both the Court's and [Plaintiff's]*

114 *time and resources.*” (Stones v. Boys Republic, No. CV 06-8010-
115 **ODW**-(SHX), 2008 WL 11338535, at *3 (C.D. Cal. Mar. 11, 425
116 2008))

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118 **DEFENDANTS DISCOVERY REQUESTS AS SERVED ARE IMPROPER**

119 **AS A MATTER OF LAW**

120 20. Motion’s to compel are to be denied where there are overlapping discovery
121 responses [*“There are some non-sequential numbers in the Requests”*] and
122 the moving party refuses to cure [*“These types of discovery problems must*
123 *be resolved during the meet-and-confer process before asking the Court to*
124 *compel a further response.”*] (Haddix v. Burris, No. C-12-1674 EMC (PR),
125 2014 WL 6983287, at *6 (N.D. Cal. Dec. 9, 2014)). [*“Defendant's requests*
126 *for admission suffer from a number of defects”*] (Dassault Systemes, SA v.
127 Childress, No. 09-10534, 2013 WL 12181775, at *3 (E.D. Mich. Sept. 5,
128 2013)) [*“The numbers of these requests overlap the numbers in the first set*
129 *of requests for production, but are different requests”*] (granting a protective
130 order and denying Defendant’s motion to compel) [*“Based on these*
131 *defects...plaintiff need not answer any of the requests for admission.”*]

134 **CONCLUSION**

135 All Defendant had to do was fix the numbering defects. They refused endlessly.

136 This motion should not exist before the Court, this was a simple matter with
137 sufficient notice. It seems to be designed to force one of two binary paths (a) trap
138 Plaintiff in ambiguous answers under penalty of perjury or; (b) force Plaintiff's
139 waiver to object. Defendant admits to the latter (Dkt #117-3). This is the only
140 logical reasoning why a law firm of their size and resources utterly refused to cure
141 theses defects time and time again and disobeyed the local rules (again) in filing
142 this motion.

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144 **PRAYER FOR RELIEF**

145 Plaintiff respectfully requests that the Court:

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- 147 1. **STRIKE** Defendant's Motion to Compel for **(a)** Failure to meet and confer,
148 **(b)** as frivolous and moot.
- 149 2. **ORDER** that Plaintiff does not have to answer Defendant's discovery
150 responses, and Defendants have waives them, due to the crisis they
151 themselves have manufactured (Dassault Systemes, SA v. Childress).

152 a. **IN THE ALTERNATIVE** - Order Defendant to simply fix the
153 numbering in their discovery requests and re-serve them upon
154 Plaintiff.

155 3. **DEEM** Defendant's admissions as admitted (Dominguez v. City of Rialto)

156 4. **GRANT** Plaintiff's Motion for Reconsideration in FULL.

157 5. **GRANT** Plaintiff's Motion to Compel in FULL.

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159 I declare under penalty of perjury under the laws of the United States that the
160 foregoing is true and correct.

161 Respectfully submitted,

162 Dated this January 7, 2026, in Santa Clarita, California.

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Matthew R. Walsh
Plaintiff In Pro Per

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CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for Plaintiff appearing in pro per, certifies that this brief contains 1,371 words, which complies with the word limit of L.R. 11-6.2.

DATED: January 7, 2026



Matthew R. Walsh
Plaintiff in pro per