

1 MATTHEW R. WALSH
2 19197 golden valley rd #333
3 Santa Clarita, CA 91387
4 (661) 644-0012
5 Plaintiff In Pro Per,

6 **UNITED STATES DISTRICT COURT**
7 **CENTRAL DISTRICT OF CALIFORNIA**
8

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]

Hearing Date: February 18, 2026
Time: 10:00 AM
Department/Judge: Hon. Oliver,
Courtroom 590

**NOTICE OF MOTION AND
MOTION TO DEEM ADMISSIONS
AS ADMITTED**

Filed Concurrently with Walsh Decl. re:
Evidentiary Package ISO Mot.

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10 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF**
11 **RECORD: PLEASE TAKE NOTICE** that Plaintiff Matthew R. Walsh hereby
12 submits this Notice of Motion and Motion to Deem Admissions As Admitted. This
13 motion is submitted concurrently with the attached declarations. It may be heard as
14 soon as _____ and in Courtroom 590.

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CERTIFICATION OF MEET AND CONFER

Pursuant to Local Rule 7-3, the parties met and conferred on October 30, 2025, discussing at length the discovery issues described in this motion. Evidence of that conference is (Dkt #86). The parties again met and conferred on December 16, 2026 in which the RFA's were a significant topic prior to filing for sanctions (Dkt #117). Defendant's indicated in those meetings and on the record they would **not produce discovery**, there are no issues which can be narrowed farther.

INTRODUCTION

1. Defendants refuse to participate in discovery. They refused to participate in the 26(f) conference twice. They were ordered to participate twice and refused to appear in the time prescribed. They refused to collaborate and stipulate to the joint report until *after the deadline* and only unless Plaintiff agree to the facilities within it and strategic deadlines/dates Defendant installed.
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BACKGROUND

34 Defendant provided discovery responses on or about September 30, 2025.
35 The totality of their discovery responses was 90 pages of boilerplate objections
36 (Dkt #80-2). To date, zero substantive RFA's have been answered, zero documents
37 have been produced, zero interrogatories answered. Defendant has stated many
38 times on the record that they will not produce any discovery without a protective
39 order; one that they refuse to seek procurement of in any fashion.

40 Plaintiff filed a Motion to Compel which was stricken **because defendant**
41 **refuses to meet and confer;** even though that motion was filed in compliance of
42 L.R. 37-2.4(a). Plaintiff is continually and unfairly punished for their [in]actions.
43 Plaintiff then filed a Motion for Reconsideration which stands unopposed and
44 unrulled upon, freezing the case from moving forward.

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46 **MEMORANDUM OF POINTS AND AUTHORITIES**

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48 **LEGAL STANDARDS**

49 **2. *Stones v. Boys Republic (C.D. Cal. 2008)*** – Failure to produce discovery
50 and willful disregard of court orders constitutes sufficient prejudice to justify
51 terminating sanctions.

- 52 3. **Computer Task Group, Inc. v. Brotby (9th Cir. 2004)** – Noncompliance
53 with discovery obligations supports severe sanctions where prejudice results.
- 54 4. **Adriana Int’l Corp. v. Thoeren (9th Cir. 1990)** – Persistent discovery
55 violations and disobedience of court orders justify dispositive sanctions.
- 56 5. **St. Paul Reinsurance Co. v. Commercial Financial Corp. (N.D. Iowa**
57 **2000)** – Boilerplate discovery objections are textbook improper and
58 insufficient as a matter of law.
- 59 6. **A. Farber & Partners, Inc. v. Garber (C.D. Cal. 2006)** – Boilerplate and
60 generalized objections are tantamount to making no objection at all.
- 61 7. **Dominguez v. City of Rialto (C.D. Cal. 2025)** – Overly burdensome and
62 harassing objections are improper without evidentiary support.
- 63 8. **Moore v. Cox (E.D. Va. 2004)** – Failure to admit or deny a request for
64 admission is treated as an admission.
- 65 9. **Siser N. Am., Inc. v. Herika G. Inc. (E.D. Mich. 2018)** – Boilerplate
66 objections to RFAs are legally meaningless and constitute waiver.
- 67 10. **Asea, Inc. v. Southern Pacific Transportation Co. (9th Cir. 1981)** –
68 Evasive or incomplete RFA responses permit the court to deem matters
69 admitted under Rule 36.
- 70 11. **Auburn Sales, Inc. v. Cypros Trading & Shipping, Inc. (E.D. Mich.**
71 **2016)** – Boilerplate objections are equivalent to filing no objections at all.

72 12. **Oleson v. Kmart Corp. (D. Kan. 1997)** – The party resisting discovery
73 bears the burden of substantiating objections with specificity.

74 13. **Josephs v. Harris Corp. (3d Cir. 1982)** – Merely asserting that discovery is
75 overly broad or burdensome is insufficient to sustain an objection.

76 14. **Cipollone v. Liggett Group, Inc. (3d Cir. 1986)** – Discovery objections
77 must be supported by affidavits or evidence showing particularized burden
78 or harm.

79 15. **Burke v. New York City Police Department (S.D.N.Y. 1987)** – Discovery
80 should proceed unless marginal relevance is outweighed by demonstrated
81 harm.

82 16. **Marchand v. Mercy Medical Center (9th Cir. 1994)** – Failure to timely
83 serve proper RFA responses supports deeming matters admitted.

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ARGUMENT

86 17. *Defendant has violated Rule 26(g)(1), Rule 34(b)(2)(B)-(C), Rule 1, CACD*

87 *C&P.G. (B)(5) & (6) in issuing ~90 pages of boilerplate objections to*

88 *discovery requests while stating they did not understand about 250 words*

89 *including { “false”, “attorney”, “plaintiff”, “warranty”, “generally”,*

90 *“employee”, “California”, “default”, “exhibits”, “your”, “authority”,*

91 “counsel”, “declaration”, “expert”, “existence”, “laugh”, “giggle”,
92 “intended”, “evidence”, “conduct”, “speaking”}. (see Dkt #84)

93 18. Defendants have not produced a single document in this case (See Dkt. 80-2
94 at pp. 75–91) nor a single substantive admission in nearly five months.

95 19. (Stones v. Boys Republic, No. CV 06-8010 **ODW** (SHX), 2008 WL
96 11338535, at *2 (C.D. Cal. Mar. 11, 2008)) “*Failure to produce documents*
97 *as ordered ... is considered sufficient prejudice*” to justify the imposition of
98 terminating sanctions. (Computer Task Group, 364 F.3d at 1115 (quoting
99 *Adriana Int’l Corp. v. Thoeren*, 913 F.2d 1406, 1412 (9th Cir. 1990)))

100 20. **This very Court** has found Defendants’ refusals to be unacceptable and
101 warranting of termination from the action [“*[Defendant] has already shown*
102 *a willful disregard for court orders and the rules of discovery. Thus, by not*
103 *dismissing this action, [Defendant] will continue to waste both the Court’s*
104 *and [Plaintiff’s] time and resources.*”] (Stones v. Boys Republic, No. CV
105 06-8010 **ODW** (SHX), 2008 WL 11338535, at *3 (C.D. Cal. Mar. 11,
106 2008))

107 21. **INSUFFICIENT STANDARDIZED BOILERPLATE** – Nothing that
108 Defendant’s have written is unique to them. In fact, The precise wording
109 from Defendant’s objections have been expressly written in decisions which
110 state [“*In every respect these objections are text-book examples of what*

111 *federal courts have routinely deemed to be improper objections.”]* (St. Paul
112 Reinsurance Co. v. Com. Fin. Corp., 198 F.R.D. 508, 512 (N.D. Iowa 2000))
113 *(see also Walsh Decl. Ex. 1)*

114 **22. Further, this very Court** does not accept boilerplate objections; and
115 attributes them to waiver [*“Boilerplate, generalized objections are*
116 *inadequate and tantamount to not making any objection at all.”*]; *A. Farber*
117 *and Partners, Inc. v. Garber*, 234 F.R.D. 186, 188 (C.D. Cal. 2006)
118 (*“[G]eneral or boilerplate objections such as ‘overly burdensome and*
119 *harassing’ are improper – especially when a party fails to submit any*
120 *evidentiary declarations supporting such objections”*] quoting
121 (*Dominguez v. City of Rialto*, No. 5:23-CV-1790-**ODW**-SPX, 2025 WL
122 819064, at *5 (C.D. Cal. Jan. 17, 2025))

123 23. As this Court has found, the Defendant must submit an evidentiary
124 declaration supporting their objections. Defendant’s never did so.

125 **24. NO OTHER REMEDY WILL SUFFICE** – Plaintiff has already moved
126 this Court to Compel Defendant’s responses – the Court punished Plaintiff
127 because Defendant refused to meet and confer and struck his L.R. 37-2.4(a)
128 compliant motion. Plaintiff then filed a motion for reconsideration which is
129 unopposed and taken under submission months ago. **Too much time has**
130 **passed, too little time is left in discovery.** Plaintiff has been extremely

131 prejudiced, other methods have not been successful before this Court. It
132 must ensure fairness and hold Defendant's to the rule of law.

133 **25. REQUESTS MUST BE DEEMED ADMITTED** Courts have routinely
134 found that Defendant's boilerplate admissions result in a waiver and equal
135 an admission [*"A party's failure to admit or deny a matter is tantamount to*
136 *an admission."*] (Moore v. Cox, 341 F. Supp. 2d 570, 573 (E.D. Va. 2004));
137 [*"Boilerplate objections are legally meaningless and amount to a waiver of*
138 *an objection."*] (Siser N. Am., Inc. v. Herika G. Inc., 325 F.R.D. 200, 209–
139 10 (E.D. Mich. 2018)); even in events where the answer is simply not
140 complete, avoidance produces an admission [*"The Ninth Circuit affirmed*
141 *that when responses to RFAs are "evasive or incomplete," the trial court*
142 *may deem the matters admitted under Rule 36(a)."*] (Asea, Inc. v. S. Pac.
143 Transp. Co., 669 F.2d 1242, 1246 (9th Cir. 187 1981)) ; [*"The filing of*
144 *boilerplate objections is tantamount to filing no objections at all."*] (Auburn
145 Sales, Inc. v. Cypros Trading & Shipping, Inc., No. 14- 175 cv-10922, 2016
146 WL 3418554, at *3 (E.D. Mich. June 22, 2016)); [*"The litany of overly*
147 *burdensome, oppressive, and irrelevant does not alone constitute a*
148 *successful objection to a discovery request."*] (Oleson v. Kmart Corp., 175
149 F.R.D. 560, 565 (D. Kan. 1997)); Further, in (Marchand v. Mercy Med. Ctr.,
150 22 F.3d 933, 936–37 (9th Cir. 191 1994)) – The Ninth Circuit again upheld

151 deemed admissions where the responding party failed to timely serve proper
152 responses.

153 26.Fed.Rules Civ.Proc.Rule 26(b)(1), 28 U.S.C.A. provides that a mere
154 statement by a party in a federal civil action that an interrogatory or other
155 request for discovery is “overly broad, burdensome, oppressive and
156 irrelevant” is not adequate to voice a successful objection to discovery; the
157 party resisting discovery must show specifically how each request for
158 production is not relevant or how each question is overly broad, burdensome
159 or oppressive. **Defendant’s did not do that.**

160 27.The party resisting production bears the burden of establishing lack of
161 relevancy or undue burden. *Oleson v. Kmart Corp.*, 175 F.R.D. 560, 565
162 (D.Kan.1997) (“*The objecting party has the burden to substantiate its*
163 *objections.*”) (citing *Peat, Marwick, Mitchell & Co. v. West*, 748 F.2d 540
164 (10th Cir.1984), cert. dismissed, 469 U.S. 1199, 105 S.Ct. 983, 83 L.Ed.2d
165 984 (1985)); accord *G-69 v. Degnan*, 130 F.R.D. 326, 331 (D.N.J.1990);
166 *Flora v. Hamilton*, 81 F.R.D. 576, 578 (M.D.N.C.1978). The party must
167 demonstrate to the court [“*that the requested documents either do not come*
168 *within the broad scope of relevance defined pursuant to Fed.R.Civ.P.*
169 *26(b)(1) or else are of such marginal relevance that the potential harm*
170 *occasioned by discovery would outweigh the ordinary presumption in favor*

171 *of broad disclosure....”]* Burke v. New York City Police Department, 115
172 F.R.D. 220, 224 (S.D.N.Y.1987). Further, the [*“mere statement by a party*
173 *that the interrogatory [or request for production] was ‘overly broad,*
174 *burdensome, oppressive and irrelevant’ is not adequate to voice a successful*
175 *objection.”]* *512 Josephs v. Harris Corp., 677 F.2d 985, 992 (3d Cir.1982)
176 (quoting Roesberg v. Johns–Manville Corp., 85 F.R.D. 292, 296–97
177 (E.D.Pa.1980)); see also Oleson, 175 F.R.D. 560, 565 (*“The litany of overly*
178 *burdensome, oppressive, and irrelevant does not alone constitute a*
179 *successful objection to a discovery request.”*) (citation omitted). [*“On the*
180 *contrary, the party resisting discovery ‘must show specifically how... each*
181 *interrogatory [or request for production] is not relevant or how each*
182 *question is overly broad, burdensome or oppressive.’ ”]* Id. at 992 (quoting
183 Roesberg, 85 F.R.D. at 296–97); see also Oleson, 175 F.R.D. 560, 565;

184 **28.NO AFFIDAVITS OR EVIDENCE** - Most problematically for the
185 Defendants, while they declare they can’t determine the meaning of ~250
186 plain English words; they also refuse to submit any affidavits or evidence to
187 substantiate their objections, thereby waiving them (*“The objecting party*
188 *must show specifically how each discovery request is burdensome or*
189 *oppressive by submitting affidavits or offering evidence revealing the nature*
190 *of the burden.”*); Cipollone v. Liggett Group, Inc., 785 F.2d 1108, 1121 (3d

191 Cir.1986) (holding that it is not sufficient to merely state a generalized
192 objection, but, rather, objecting party must demonstrate that a particularized
193 harm is likely to occur if the discovery be had by the party seeking it);
194 Degnan, 130 F.R.D. at 331 (D.N.J.1990) (same). This very Court has agreed
195 in other casers [“[G]eneral or boilerplate objections such as ‘overly
196 burdensome and harassing’ **are improper – especially when a party fails to**
197 **submit any evidentiary declarations supporting such objections”]**
198 quoting (*Dominguez v. City of Rialto*, No. 5:23-CV-1790-**ODW**-SPX, 2025
199 *WL 819064*, at *5 (C.D. Cal. Jan. 17, 2025))

200 **29.NO PREJUDICE WILL OCCUR** – Most shockingly, and importantly --
201 Defendant’s will suffer no prejudice from a full set of admissions being
202 deemed admitted. They have already expressly admitted to all of the causes
203 of action multiple times. To avoid being caught in a perjury trap is precisely
204 why they did not answer.
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CONCLUSION

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For these reasons, and as a matter of law; Plaintiff is finally entitled to relief in this matter for some of Defendant’s misconduct and refusals. As a matter of law, Defendant’s requests for admission must be deemed admitted; as per law any right to objections are hereby waived.

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PRAYER FOR RELIEF

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The Plaintiff respectfully requests that the Court:

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- DEEM Defendant’s objected admissions as admitted without further delay to discovery.

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

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Executed this January 16, 2026, in Santa Clarita, California.

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Matthew R. Walsh
Plaintiff In Pro Per

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CERTIFICATE OF COMPLIANCE

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232 The undersigned, counsel of record for Plaintiff appearing in pro per, certifies that
233 this brief contains 1,809 words, which complies with the word limit of L.R. 11-6.2.

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