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11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 MATTHEW R. WALSH

15 Plaintiff,

16 vs.

17 ROKOKO ELECTRONICS, and
DOES 1 through 50, inclusive,

18 Defendant.
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Case No.: 2:25-cv-05340-ODW-RAO

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

**DEFENDANT ROKOKO
ELECTRONICS' SUPPLEMENTAL
MEMORANDUM IN SUPPORT OF
MOTION TO COMPEL RESPONSES
TO FIRST SET OF WRITTEN
DISCOVERY PROPOUNDED ON
PLAINTIFF AND FOR
PRODUCTION OF DOCUMENTS**

State Court Action Filed: May 12, 2025
Removal Date: June 12, 2025
Discovery Cutoff: August 10, 2026
Pre-Trial Conference: February 8, 2027
Trial Date: March 9, 2027

Hearing Date: February 4, 2026
Time: 10:00 a.m.
Department/Judge: Hon. Oliver,
Courtroom 590

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1 **I. INTRODUCTION**

2 Pursuant to Local Rules 37-2.3 and 37-2.4, Defendant Rokoko Electronics
3 (“Rokoko”) respectfully submits this Supplemental Memorandum in support of its
4 Motion to Compel Responses to First Set of Written Discovery Propounded on Plaintiff
5 and for Production of Documents (the “Motion”). Plaintiff Matthew R. Walsh’s
6 Opposition to Rokoko’s Motion to Compel (the “Opposition”) mischaracterizes the
7 record and confirms the very grounds for compelling discovery and awarding
8 appropriate relief. For example, Plaintiff confirms that, for more than two months, he
9 has had written responses to the discovery requests at issue prepared but has refused to
10 provide them, instead forcing Rokoko to move to compel. Furthermore, Plaintiff’s
11 opposition ignores the fact that the parties have substantively conferred over the
12 discovery requests at issue.

13 Accordingly, the Court should grant Rokoko’s Motion.

14 **II. ARGUMENT**

15 **A. Plaintiff Admits He Has Prepared Written Responses To The Discovery At**
16 **Issue But Has Refused To Serve Them.**

17 Plaintiff’s Opposition admits that he “has had his discovery responses completed
18 since November 9, 2025.” (ECF No. 122, ¶11; ECF No. 122-1 (“Walsh Decl.”), Ex. 5).
19 Yet Plaintiff has refused to serve *any* responses to the 60 RFPs and 10 Interrogatories
20 served on him because, in light of a typographical error in the numbering of the last two
21 RFPs, he considers them to be “unserved.” (See ECF No. 121-1 (“Ellena Decl.”), Ex.
22 F). As set forth in Rokoko’s Motion and in Rokoko’s multiple meet and confer attempts
23 with Plaintiff, a typographical error in the numbering of two RFPs should not be
24 grounds for completely stonewalling responses to discovery, particularly where
25 Plaintiff’s Opposition now makes clear that he has been capable of responding to the
26 discovery for more than two months.

27 Plaintiff has presented no justifiable grounds to withhold responses to the
28 discovery at issue, which were served on November 3, 2025. (See ECF No. 121-1,

1 Ellena Decl., ¶¶ 5-6, Exs. C & D). Plaintiff’s discovery responses have been completed
2 since November 9, 2025, but he purposefully refused to serve timely responses within
3 30 days of service (December 3, 2025) or by the further extension provided by Rokoko
4 in good faith (December 19, 2025). (See Ellena Decl., ¶¶ 7, 9, 11). *A fortiori*, even
5 accepting Plaintiff’s argument that RFP Nos. 59 & 60 should be renumbered for clarity,
6 Plaintiff has presented no grounds (and there are none) that support his refusal to RFP
7 Nos. 1-58 or any of the Interrogatories.

8 **B. Rokoko Has Satisfied All Local Rule 37 Meet and Confer Requirements.**

9 While Plaintiff does not disagree that the parties discussed the discovery requests
10 at issue in this Motion at length during a December 16, 2025 teleconference, he
11 contends that the parties have not met and conferred because that teleconference “was
12 wholly for Plaintiff’s Motion for Sanctions.” (ECF No. 122, ¶2). Plaintiff *himself*
13 raised the topic of Rokoko’s discovery requests during that December 16, 2025 meet
14 and confer call and the parties engaged in a lengthy and substantive discussion of their
15 positions. (See ECF No. 121-1, Ellena Decl., Exs. A & G; see also ECF No. 117-3).

16 Moreover, on December 10, 2025, Rokoko sent Plaintiff a meet and confer letter
17 pursuant to L.R. 37-1, inviting a call with Plaintiff to discuss the discovery at issue
18 within ten days. (See ECF No. 121-1, Ellena Decl., Ex. E). Following that letter and
19 the parties’ December 16, 2025 teleconference, Rokoko provided Plaintiff with a joint
20 stipulation pursuant to L.R. 37-2.2. (*Id.*, Exs. A & I). Because Plaintiff did not provide
21 his portion of the joint stipulation within the time permitted under L.R. 37-2.2, Rokoko
22 filed this Motion.

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1 **III. CONCLUSION**

2 For the foregoing reasons, Rokoko respectfully requests that this Court order
3 Plaintiff to (1) provide written responses to the RFPs and Interrogatories and (2)
4 produce all responsive documents.

5 Dated: January 21, 2026

REED SMITH LLP

6 */s/ Katherine J. Ellena*

7 _____
8 Katherine J. Ellena
9 Michael B. Galibois (*pro hac vice*)
10 Emily Graue (*pro hac vice*)

11 *Attorneys for Defendant*
12 Rokoko Electronics

13 **CERTIFICATE OF COMPLIANCE**

14 The undersigned, counsel of record for Defendant Rokoko Electronics, certifies
15 that this brief contains 625 words, which complies with the word limit of L.R. 11-6.2.

16 DATED: January 21, 2026

17 */s/ Katherine J. Ellena*
18 _____
19 Katherine J. Ellena

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