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*Attorneys for Defendant,*  
Rokoko Electronics

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

MATTHEW R. WALSH

Plaintiff,

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]

**SUPPLEMENTAL DECLARATION  
OF GERARDO V. GOROSPE IN  
SUPPORT OF ROKOKO'S MOTION  
TO COMPEL DISCOVERY**

**DATE: TBD  
TIME: TBD  
Courtroom: 590**

**State Court Action Filed: May 12, 2025  
Removal Date: June 12, 2025  
Discovery Cutoff: August 10, 2026  
Trial Date: March 9, 2027**

**SUPPLEMENTAL DECLARATION OF GERARDO V. GOROSPE**

I, Gerardo Valentino Gorospe IV, declare:

1. I am an attorney with Reed Smith LLP and counsel for Defendant Rokoko Electronics (“Rokoko”). I have personal knowledge of the following facts and, if called as a witness, I could and would testify competently thereto.

2. I submit this supplemental declaration in support of Rokoko’s Motion to Compel Discovery Responses (“Motion”) from Plaintiff Matthew R. Walsh’s (“Plaintiff,” and together with Rokoko, “Parties”) (ECF No. 186).

3. On July 2, 2026, this Court issued a Minute Order (ECF No. 209) directing both parties to “review their joint tables filed in support of their motions to compel and to remove any requests or disputes that are no longer at issue” in light of the Court’s June 23, 2026 Order (ECF No. 197) dismissing Plaintiff’s first cause of action (tortious interference) and third cause of action (RICO) with prejudice and without leave to amend.

4. Pursuant to the Court’s July 2, 2026 Order, Rokoko has revised the joint tables initially filed in support of Defendant’s Motion to Compel (ECF No. 186). The revisions consist of solely removal of discovery requests no longer at issue because they pertain exclusively to the dismissed causes of action and have no relevance to the surviving copyright infringement claim.

5. Attached hereto as **Exhibit A** is a revised joint table concerning Rokoko’s First Set of Requests for Production and First Set of Interrogatories. This exhibit is identical to the joint table originally filed as “Exhibit A” to my prior declaration in support of Rokoko’s Motion to Compel (ECF No. 187), except that irrelevant requests have been removed as no longer at issue.

6. Attached hereto as **Exhibit B** is a revised joint table concerning Rokoko’s Second Set of Requests for Production and First Set of Requests for Admission. This exhibit is identical to the joint table originally filed as “Exhibit B” to my prior

1 declaration in support of Rokoko's Motion to Compel (ECF No. 187), except that  
2 irrelevant requests have been removed as no longer at issue.

3 7. For ease of reference, true and correct copies of Rokoko's propounded  
4 discovery and Plaintiff's responses and objections are attached to my prior declaration.  
5 (ECF No. 187, Exs. C-E, G-J).

6  
7 I declare under penalty of perjury under the laws of the United States of America  
8 that the foregoing is true and correct. Executed this 13th day of July, 2026, in Los  
9 Angeles, California

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# EXHIBIT A

| Discovery Request No.               | Text of Request                                                                                                                        | Responding Party's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Requesting Party's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Responding Party's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <b>Rokoko's Interrogatory No. 2</b> | "State all facts that support Your calculations as to the amounts of each type of damage identified in response to Interrogatory No.1" | <p>"Subject to and without waiving any further objection, Plaintiff responds as: Already detailed in No. 1</p> <p><i>ROG No. 1 Answer:</i></p> <p>Tortious Interference:</p> <p>\$55,000,000.00 - \$75,000,000.00 market value based on detailed market comp studies.</p> <p>Misappropriation</p> <p>(853 animations × 5 segments minimum (per Rokoko admissions)) = <b>(4,265 individually valuable works)</b> × [min stat. \$750   max stat. \$150,000]) = [min total \$3,198,750   max total \$639,750,000]</p> <p>Infringement</p> <p>(853 animations × 5 segments minimum (per Rokoko admissions)) = <b>(4,265 individually valuable works)</b> × [min stat. \$750   max stat. \$150,000]) = [min total \$3,198,750   max total \$639,750,000]</p> | <p>Rokoko simply seeks facts in support of Plaintiff's claimed damages. Plaintiff has the burden of proving damages and must identify those damages with particularity in discovery. Rokoko cannot adequately prepare its defense without knowing what damages Plaintiff claims and the factual basis for those claims. Interrogatories seek facts within Plaintiff's knowledge, which are independent of expert opinions. Plaintiff must supplement his response with specific identification of all facts underlying the damages claimed, the amount of each, and the facts supporting each category.</p> | <p>Rokoko wants me to rush my expert and create an expert report for them – right now. In fact, they said precisely that in our last meet and confer. They claimed even my in process drafts are discoverable.</p> <p>I told them expert reports are not due. They argued persistently that they are entitled now anyways, and if I don't provide them, they will immediately move for summary judgment. I told them to please do so. I said: "clearly, I want that to happen as I have invoked Rule 12(d) on your pending MTD".</p> <p>Not only am I only not moving myself for summary judgment because it is premature as to discovery, but Rule 56(d) would prevent them from doing so as they have refused to <b>provide anything</b></p> |

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|  |  | <p>DMCA 1202 / CMI stripping</p> <p>(853 animations × 5 segments minimum (per Rokoko admissions)) = <b>(4,265 individually valuable works)</b> × [min stat. \$2,500   max stat. \$25,000] = [min total \$10,662,500   max total \$106,625,000]</p> <p>RICO</p> <p>Treble damages on <b><u>recoverable</u></b> racketeering injury pursuant to 18 U.S.C. §1964(c).”</p> |  | <p><b>whatsoever of substance in 6 months of discovery.</b></p> <p>I told them they will get expert reports when they are ready, Katherine Ellena exclaimed “We are not waiting until they are due in August!”</p> <p>I disagree. The amounts in question are almost entirely statutory in nature, and further, have nothing to do with Rokoko’s defense. The dollar amount should not impart their ability to form a defense on whether or not they interfered with my contracts by destroying my equipment, whether they misappropriated my intellectual property, whether they infringed upon it, whether they stripped my CMI from my work or whether they operate a RICO organization while doing it. Nothing about the defense of any of those claims relies on the dollar</p> |
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|  |  |  |  | <p>amount of damages.</p> <p>Expert reports are not due for months. I have a legal right to prepare for litigation pursuant to the FRCP.</p> |
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# EXHIBIT B

| Discovery Request No.                           | Text of Request                                                                                                                                                                                                                                                              | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <b>Rokoko's Second Set of RFPs to Plaintiff</b> |                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| RFP NO. 70:                                     | Documents sufficient to show the measures You took to maintain the secrecy or confidentiality of each item of intellectual property You contend was misappropriated, including any non-disclosure agreements, password protections, encryption, or confidentiality markings. | Objection. This request is overbroad in scope and not proportional to the needs of the case under Rule 26(b)(1), as it seeks documents concerning "each item" of alleged intellectual property without limitation and therefore constitutes an impermissible fishing expedition; Plaintiff further objects that the request is vague and ambiguous as to the terms "each item of intellectual property," "measures," and "sufficient to show," in that it fails to define the scope of responsive materials and instead imposes an undefined and unbounded obligation on Plaintiff to identify, categorize, and produce documents across potentially every asset, system, and workflow associated with Plaintiff's intellectual | <p>Plaintiff's objection that producing security measures would "compromise the very confidentiality and security measures that the request purports to examine" is not a valid basis to refuse production. The protective order in this action addresses confidentiality concerns.</p> <p>Plaintiff is the one alleging that his intellectual property was "misappropriated" through "CFAA violations." A party asserting misappropriation or trade-secret-like claims must demonstrate that he took reasonable measures to maintain the secrecy of his intellectual property. The request does not ask Plaintiff to reveal current live security configurations; it asks for documentation of the measures taken during the relevant period to maintain confidentiality, such as NDAs, password</p> | <p>Rokoko is barred by the doctrine of unclean hands. They accessed my computer and stole my intellectual property and installed equipment destroying firmware to force me to update to their latest terms which grants them rights over my IP so they can sublicense it... Which they admit in deposition that they did. (<i>"I can say that we have... made one single motion licensing deal."</i>).</p> <p>Rokoko cannot seek equitable relief or favorable court orders if they acted unethically or illegally regarding the subject matter of the litigation.</p> <p>Plainly put:</p> <p><i>"I'm not giving you my passwords or anything involving them."</i></p> |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                             | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                       |                 | <p>property; Plaintiff further objects that the request improperly seeks to compel disclosure of Plaintiff's internal security architecture, including but not limited to network configurations, system topology, access control mechanisms, authentication protocols, password protections, encryption methodologies, storage practices, and other technical safeguards, the disclosure of which would itself compromise the very confidentiality and security measures the request purports to examine and would expose sensitive systems to risk; Plaintiff further objects that the request, as drafted, would require Plaintiff to either (a) disclose highly sensitive security information that is itself confidential and protected, or (b) create new</p> | <p>protections, and confidentiality markings.</p> <p>These documents are highly relevant insofar as Plaintiff must prove he maintained his works as confidential and proprietary in order to support his infringement claims.</p> <p>Plaintiff admits withholding relevant and potentially responsive documents.</p> | <p>Further plainly put:</p> <p><i>"Rokoko stole my animations off my computer, through their software. It's the equivalent of hiding under the table in a bank safety deposit area and walking out with the contents after the bank closes."</i> What Rokoko did, and how they did it would defeat 99% of all security measures as their software was installed as a full-trust application and required Firewall exemptions to function.</p> <p><b>Plaintiff's Objections Must be Sustained or Rokoko must show good cause:</b></p> <p>This is a disturbing request made by a party with (1) no expert (2) no expert basis (3) attorneys who admit they do not understand any of the technology in this matter (<i>"it might as well be</i></p> |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Rokoko's Moving Argument | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                       |                 | <p>explanatory documents, summaries, or compilations describing such systems and safeguards, neither of which is required under Rule 34, which does not obligate a responding party to create documents that do not exist in the ordinary course of business; Plaintiff further objects that the request improperly attempts to force Plaintiff to construct a narrative regarding the adequacy of its security measures through a request for production, which is not a proper use of Rule 34 and instead seeks contention and explanation more appropriately addressed, if at all, through interrogatories subject to proper limitations; Plaintiff further objects that the request seeks documents subject to contractual confidentiality obligations,</p> |                          | <p><i>Russian to me</i>") (4) a Defendant who admits (<i>"And so you are not a programmer or a software engineer, correct?"</i>) .. (<i>"Correct"</i>) and (<i>"I'll have to talk to our engineers to understand that."</i>)</p> <p>Rokoko already has my expert report, with illustrations showing precisely what they are asking without divulging my non-discoverable, highly sensitive information and trade secrets as security, programming and engineering are my actual business and trade FRCP 26(c)(1)(G).</p> <p><b>FURTHER, ALREADY FULFILLED TO THE EXTENT THE LAW REQUIRES:</b></p> <p>This RFP has been fulfilled by the expert report, Plaintiff's testimony, illustrations,</p> |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Rokoko's Moving Argument | Plaintiff's Opposition                                            |
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|                       |                 | including non-disclosure agreements with third parties, the disclosure of which is restricted and cannot be compelled absent a narrowly tailored and justified request, which is not present here; Plaintiff further objects that the request is unduly burdensome and harassing in that it would require Plaintiff to conduct an expansive and technically invasive review of systems, practices, and materials far beyond any reasonable scope of discovery, including areas wholly unrelated to any specific claim or defense; Plaintiff further objects that the request, by demanding disclosure of security measures such as password protections and encryption, effectively seeks information that would undermine the very protections it purports to test, rendering the |                          | graphs, drawings, technical explanations and the videos provided. |

| Discovery Request No. | Text of Request                                                                                            | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Rokoko's Moving Argument                                                                                                                | Plaintiff's Opposition                                                  |
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|                       |                                                                                                            | request internally contradictory and inherently improper; Plaintiff further objects that the request lacks any limiting principle as to time, scope, system, or specific intellectual property at issue, and instead attempts to sweep in all possible measures across all assets; Plaintiff further objects that responsive information, to the extent relevant, has already been addressed through Plaintiff's allegations and disclosures regarding the proprietary and confidential nature of the intellectual property at issue; Plaintiff is withholding documents, if any, responsive to this request on the basis of the foregoing objections. |                                                                                                                                         |                                                                         |
| RFP NO. 71:           | Documents sufficient to show each instance in which You contend Rokoko used, disclosed, sublicensed, sold, | Objection. This request improperly seeks to require Plaintiff to create documents, summaries, or compilations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | The request seeks <i>existing</i> documents in Plaintiff's possession showing instances of alleged exploitation—such as communications, | Already within Rokoko's possession, custody or control.<br><br>Further, |

| Discovery Request No. | Text of Request                                                                                                                                      | Plaintiff's Written Response                                                                                                                                                                                                                           | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                    | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                       | or otherwise exploited Your alleged misappropriated intellectual property, including the date, recipient, and nature of each such use or disclosure. | identifying "each instance," including date, recipient, and nature, which is not required under Rule 34. Plaintiff has produced responsive documents in his possession, custody, or control and will not create documents in response to this request. | <p>licensing records, screenshots, sales records, or internal notes. Plaintiff claims he "has produced responsive documents" but fails to identify what was produced by Bates range or confirm the production is complete.</p> <p>These documents are directly relevant to Plaintiff's copyright claim, as evidence demonstrating each alleged instance of exploitation are essential to Rokoko's preparation of its defense and evaluation of damages.</p> | <p>Rokoko has already admitted to the conduct in depositions and they wish Plaintiff to identify the recipients, while they themselves refuse to identify them:</p> <p><b>Plaintiff:</b> <i>"have you sublicensed any of the data in your motion data set to a third party?"</i></p> <p><b>Rokoko:</b> <i>"I think I can say that we have... Made one single motion licensing deal and I... Cannot say much more about that."</i></p> <p><b>Plaintiff:</b> <i>"Who is that deal with?"</i></p> <p><b>Counsel:</b> <i>"Confidential, privileged. All of my same objections. And I'm instructing the witness not to answer"</i></p> <p>Further, Rokoko misapprehends the intellectual</p> |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                 | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                    | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Plaintiff's Opposition                                                                                                                                                               |
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|                       |                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | property cause of action and how copyright infringement works.... Copyright infringement occurs on unauthorized copying, which Rokoko has already admitted to and shown evidence of. |
| RFP NO. 72:           | Documents sufficient to show any profits or revenue that Rokoko allegedly derived from the use of Your alleged misappropriated intellectual property, to the extent such documents are in Your possession, custody, or control. | Objection. This request seeks Defendant's own financial information, including profits and revenue, which is not within Plaintiff's possession, custody, or control and is more appropriately the subject of discovery directed to Defendant. It is not Plaintiff's job to obtain, reconstruct, or create documents concerning Defendant's revenues or profits. | <p>The request is expressly limited to documents "in Your possession, custody, or control." If Plaintiff has no such documents, a simple statement to that effect—confirming that no responsive documents exist after a reasonable search—would suffice. Instead, Plaintiff makes categorical objections without confirming the absence of responsive documents. Plaintiff may possess documents from public sources, Rokoko marketing materials, third-party reports, or his own research reflecting Rokoko's profits.</p> <p>These documents are directly relevant to Plaintiff's copyright</p> | See Plaintiff's arguments in RFP No. 71                                                                                                                                              |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                                              | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Plaintiff's Opposition                                                                                                                                                                                                                                                                                           |
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|                       |                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | claim, as any documents in Plaintiff's possession bearing on Rokoko's alleged profits would be relevant to potential damages.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                  |
| RFP NO. 73:           | Documents sufficient to show the impact of the alleged misappropriation on Your ability to develop, publish, market, license, or distribute Next World, including any delays, cancellations, or reduced commercial opportunities that You attribute to the misappropriation. | Objection. Argumentative. This request improperly seeks to compel Plaintiff to create documents, summaries, or compilations describing alleged impacts, which is not required under Rule 34; Plaintiff further objects that the request improperly attempts to use a request for production to elicit Plaintiff's contentions or narrative regarding alleged harm, which is not a proper use of Rule 34; responsive information and documents have already been produced, including in Plaintiff's pending Motion for Summary Judgment; Plaintiff will not create documents in | <p>The request seeks existing documents showing the impact of alleged misappropriation on Plaintiff's ability to develop and distribute Next World (e.g., internal communications about delays, revised timelines, cancelled events, or lost opportunities). These are existing documents, not compilations.</p> <p>Plaintiff states that "responsive information and documents have already been produced, including in Plaintiff's pending Motion for Summary Judgment," but fails to identify what was produced by Bates range.</p> <p>The documents sought speak to actual impacts on alleged production shutdown, redevelopment costs,</p> | <p><b>No Longer Relevant.</b> Misappropriation is no longer a cause of action in this matter as Rokoko bent the truth to have it dismissed. It is no longer relevant.</p> <p>Further, it would require Plaintiff to create documents which are not kept in the normal course of business, which is improper.</p> |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                 | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                       |                                                                                                                                                                                                                                                 | response to this request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | and lost commercial opportunities, and are essential to evaluating causation and damages.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| RFP NO. 74:           | Documents sufficient to show the date of creation and first publication of each copyrighted work You contend was infringed, including development logs, version histories, distribution records, and any public release or publication records. | Objection. This request is overbroad and not proportional to the needs of the case under Rule 26(b)(1), as it seeks documents concerning “each” copyrighted work without limitation; Plaintiff further objects that the request improperly seeks to compel Plaintiff to create documents, summaries, or compilations identifying dates of creation and publication, which is not required under Rule 34; Plaintiff further objects that the request improperly attempts to use a request for production to elicit Plaintiff's contentions or narrative regarding authorship, creation, and publication, which is not a proper use of Rule 34; Plaintiff further objects that the | <p>The request seeks <i>existing</i> documents—development logs, version histories, distribution records, and publication records—showing dates of creation and first publication of the allegedly infringed works.</p> <p>These are standard categories of documents that any copyright plaintiff should possess. Plaintiff's blanket “creation” objection is a mischaracterization. His statement that he “has produced responsive documents” without Bates ranges is non-specific.</p> <p>These documents are highly relevant because date of creation and first publication are essential elements of copyright claims. They determine the scope of available remedies (including statutory damages for</p> | <p>Already: Asked. Answered and Provided.</p> <p>Plaintiff provided these documents already to Rokoko in discovery. They have file lists, creation animation dates, etc.</p> <p>Additionally, as Rokoko admits to copying at least 274 of Plaintiff's animations, they have those files within their possession, custody and control.</p> <p>Rokoko should appoint an expert – or Counsel should ask their own clients engineers -- to assist with these questions as their requests for certain types of technical documentation have nothing to do with what they are asking for. There are no “distribution records” or</p> |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                                  | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                              | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                | Plaintiff's Opposition                                                                                                                                                                                                                   |
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|                       |                                                                                                                                                                                                                                                                  | request is duplicative to the extent it seeks information and materials already in Defendant's possession, custody, or control, including the works themselves and associated data obtained from Plaintiff; Plaintiff has produced responsive documents in his possession, custody, or control and will not create documents in response to this request. | timely registration under 17 U.S.C. § 412) and establish the timeline for any alleged infringement.                                                                                                                                                                                                                                                                                     | <p>"version histories" or "development logs" for animation files... That's not a thing.</p> <p>Further, the Court has already accepted the validity of Plaintiff's Copyright registration. This request is burdensome and harassing.</p> |
| RFP NO. 75:           | Documents sufficient to show Your ownership of each copyrighted work that You contend Rokoko infringed, including copyright registration certificates, applications for registration, assignments, and any other documents establishing Your ownership interest. | Objection. Plaintiff's ownership of the works at issue is already reflected in the works themselves and in documents previously produced. This request improperly seeks to require Plaintiff to create, compile or restate that information, which is not required under Rule 34.                                                                         | <p>Plaintiff's response is non-responsive.</p> <p>The request specifically asks for copyright registration certificates, applications for registration, and assignments—these are standard, existing documents that any copyright plaintiff should possess and produce.</p> <p>Plaintiff alleges he holds "U.S. Copyright #14,954,598,732" and "U.S. Copyright Registration #Pau 4-</p> | Plaintiff reiterates the arguments from RFP No. 74                                                                                                                                                                                       |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                                                         | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                               | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                       |
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|                       |                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>279-489.” The underlying certificates and applications are plainly in his possession and must be produced.</p> <p>Copyright ownership is an essential element of Plaintiff's copyright claim. Plaintiff bears the burden of proving he owns valid copyrights.</p>                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                              |
| RFP NO. 76:           | Documents sufficient to show the specific elements of Your copyrighted works that You contend Rokoko copied, reproduced, distributed, displayed, or created derivative works from, including side-by-side comparisons, analyses, or technical demonstrations of substantial similarity. | Objection. This request improperly seeks to require Plaintiff to create documents such as analyses, comparisons, or demonstrations, which is not required under Rule 34; Plaintiff further objects that the request improperly seeks Plaintiff's contentions and legal theories regarding alleged copying and substantial similarity, which is not a proper subject of a request for production; Plaintiff further objects that the alleged use of Plaintiff's works—including incorporation into | <p>The request encompasses <i>existing</i> documents showing what elements Plaintiff contends were copied. To the extent Plaintiff possesses existing documents identifying the specific elements he claims were copied, he must produce them.</p> <p>Substantial similarity is the touchstone of copyright infringement. The documents requested are directly relevant to Plaintiff's ability to identify copying and Rokoko's defense that there was no copying.</p> | <p>Rokoko's arguments once again fail to understand the basics of the technology they are arguing. The request makes no sense....</p> <p>“side by side comparisons”... of what?</p> <p>Technical analyses... of what?</p> <p>The Court has already attempted to educate Counsel for Rokoko....<br/>“However, creating a derivative work is only one of several ways that a defendant can</p> |

| Discovery Request No. | Text of Request                                                                                                     | Plaintiff's Written Response                                                                                                                                                                                                               | Rokoko's Moving Argument                                                                                                                                          | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                       |                                                                                                                     | Defendant's aggregated "motion dataset" and related AI or commercial outputs—is based on Defendant's own conduct and systems, which are within Defendant's possession, custody, or control; responsive evidence has already been produced. |                                                                                                                                                                   | <p><i>commit copyright infringement... Indeed, Walsh's theory is not that Rokoko created a derivative work based on Walsh's video game, but that Rokoko "sub-license[d] [Walsh's] intellectual property to third-parties... "</i></p> <p>Further, Rokoko already admitted to copying, has already provided the files back, and has already admitted in deposition that they have sublicensed the data to "one" third party.</p> <p>Plaintiff reiterates his arguments to the extent that it is required from RFP No. 71</p> |
| RFP NO. 77:           | Documents sufficient to identify the specific copyright management information that You contend was associated with | Objection. This request improperly seeks to require Plaintiff to identify, compile, and describe categories of information across "each" work,                                                                                             | The request asks Plaintiff to identify the specific CMI he contends existed in his works at the time of alleged removal—author names, titles, identifiers, serial | <p>Already: Asked. Answered. Provided</p> <p>Rokoko has this information in spades. There is an entire dedicated</p>                                                                                                                                                                                                                                                                                                                                                                                                        |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                             | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                         | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                            | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                         |
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|                       | each of Your works at the time Rokoko allegedly removed or altered it, including author names, titles, identifiers, serial numbers, hardware identifiers, and any other information described in 17 U.S.C. § 1202(c).                       | which would require the creation of documents or summaries not maintained in the ordinary course of business and is not required under Rule 34; Plaintiff further objects that the request seeks information generated and controlled by Defendant's own software and embedded in Defendant's software generated files, which are within Defendant's possession, custody, or control; responsive evidence has already been produced. | numbers, hardware identifiers, and other information described in 17 U.S.C. § 1202(c).<br><br>Plaintiff himself alleges that his works contained specific CMI including "author and creator name," "project and work titles," "creation dates," "performer and actor identifiers," "unique device serial numbers," and "unique file identifiers and embedded metadata." Documents substantiating these allegations must exist and must be produced. | section to CMI provided in Plaintiff's discovery and in every opposition to MTD and in every Complaint since the original.<br><br>Additionally, Rokoko bent the truth to have Plaintiff's DMCA claims dismissed... then later completely changed their position at MSJ to try and prevail there. As there is no active cause of action for DMCA/CMI... Rokoko's request is no longer relevant. |
| RFP NO. 78:           | Documents sufficient to show how CMI was embedded in, attached to, or conveyed in connection with Your animation data, creative works, or other content transmitted through or stored on Rokoko's products or services, including technical | Objection. This request improperly seeks to require Plaintiff to create technical explanations, analyses, or compilations describing how CMI was embedded or conveyed, which is not required under Rule 34; Plaintiff further objects that the request seeks information                                                                                                                                                             | The request seeks <i>existing</i> documents showing how CMI was embedded in Plaintiff's animation data.<br><br>To the extent Plaintiff has prepared technical documentation, expert materials, or specifications regarding how his CMI was incorporated into his files, those must be produced.                                                                                                                                                     | See RFP No. 77                                                                                                                                                                                                                                                                                                                                                                                 |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                            | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                    | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                          | Plaintiff's Opposition                                                                                                                                                                                                                                    |
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|                       | specifications, file headers, metadata fields, or other mechanisms by which CMI was incorporated.                                                                                                                                                          | regarding mechanisms implemented by Defendant's own software and systems, including file structures and metadata handling, which are within Defendant's possession, custody, or control; the information requested has already been produced in discovery, including in Plaintiff's expert report; Plaintiff will not create documents in response to this request.             | To the extent Plaintiff states that information requested has already been produced in discovery, including in Plaintiff's expert report, Plaintiff must identify the production by Bates range.                                                                                                                                                                  |                                                                                                                                                                                                                                                           |
| RFP NO. 80:           | All financial statements Relating to the development, publishing, marketing, or distribution of Next World, from January 1, 2019 to the present, including but not limited to balance sheets, income statements, tax returns, and statements of cash flow. | Objection. This request is overbroad in scope and time, unduly burdensome, and not proportional to the needs of the case under Rule 26(b)(1), as it seeks sweeping categories of financial records over a multi-year period and therefore constitutes an impermissible fishing expedition; Plaintiff further objects that the request seeks highly sensitive, confidential, and | A party who claims a game is worth \$55M–\$75M and seeks treble RICO damages cannot shield the financial records underlying that valuation by asserting “privacy.” The protective order addresses confidentiality. See <i>Romano</i> , 2020 U.S. Dist. LEXIS 215003, at *6.<br><br>The documents requested are highly relevant to Plaintiff's claims and damages. | Same objections.<br><br>Reiterates arguments from RFP No. 68<br><br>Rokoko killed the equipment, which killed the game before it could ever be released, published or distributed there are no documents (balance sheets, income statements, tax returns, |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                          | Plaintiff's Opposition                                                                                                                                                                                                                                            |
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|                       |                 | private personal financial information, including tax returns and financial statements, which are subject to heightened protection and are not discoverable absent a compelling showing of relevance and need, which has not been made; Plaintiff further objects that the request is not relevant to the claims or defenses because the value of the project at issue—being a creative work—is based on market demand and comparable works, and is not determined by Plaintiff's spending, costs, or internal financial activity; Plaintiff further objects that the request is harassing and invasive of Plaintiff's financial privacy; Plaintiff is withholding documents, if any, responsive to this request on the basis of the foregoing objections. | <p>Plaintiff's assertion that his damages are based solely on "market comparables" does not render his actual financial records irrelevant. Rokoko is entitled to test the credibility and foundation of that valuation theory with actual financial data.</p> <p>Plaintiff admits withholding relevant and potentially responsive documents.</p> | <p>statements of cash flow) for that situation.</p> <p>All these requests besides tax returns would require documents to be created, which Plaintiff is not required to do under the FRCP. None of those documents are kept in the normal course of business.</p> |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                                                                                          | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Plaintiff's Opposition |
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| RFP NO. 81:           | All payroll records, employment agreements, independent contractor agreements, and compensation records for any individual employed by or engaged by You or any entity You own or control in connection with the development, production, marketing, or distribution of Next World, from January 1, 2019 to the present. | Objection. This request is overbroad in scope and time, unduly burdensome, and not proportional to the needs of the case under Rule 26(b)(1), as it seeks sweeping categories of employment and compensation records over a multi-year period and therefore constitutes an impermissible fishing expedition; Plaintiff further objects that the request fails to identify any claim or defense to which these materials are relevant and is not tied to any specific cause of action; Plaintiff further objects that the request seeks highly sensitive, confidential, and private information of third parties, including payroll and compensation data, and documents subject to contractual confidentiality and non-disclosure obligations, including employment and | <p>See RFP No. 80.</p> <p>Payroll and contractor records are directly relevant to the actual development costs of Next World, which bear on Plaintiff's asserted valuation and damages. Plaintiff claims the project is worth \$55M–\$75M; Rokoko is entitled to discover actual labor costs invested. Privacy concerns for third-party employees/contractors are addressed by the protective order.</p> <p>Plaintiff admits withholding relevant and potentially responsive documents.</p> | See RFP No 80          |

| Discovery Request No. | Text of Request                                                                                                                          | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Rokoko's Moving Argument                                                                                                                                                                                                                                                  | Plaintiff's Opposition                                                                                                                                                                                 |
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|                       |                                                                                                                                          | independent contractor agreements; Plaintiff further objects that the request is not relevant to the claims or defenses, as the value of the project at issue is based on market comparables and demonstrated market interest, not Plaintiff's payroll, staffing, or internal expenditures; Plaintiff further objects that the request is harassing and invasive of privacy; Plaintiff is withholding documents, if any, responsive to this request on the basis of the foregoing objections. |                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                        |
| RFP NO. 82:           | Documents sufficient to show total labor costs attributable to Next World during each calendar year from January 1, 2019 to the present. | Objection. This request is overbroad in scope and time, unduly burdensome, and not proportional to the needs of the case under Rule 26(b)(1), as it seeks calculation and compilation of "total labor costs" across multiple years and therefore constitutes an impermissible                                                                                                                                                                                                                 | See RFP No. 80.<br><br>The request seeks <i>existing</i> documents "sufficient to show total labor costs." To the extent such documents exist, they must be produced.<br><br>Plaintiff's response is also notable for attempting to condition production: "Defendant must | See RFP 66<br><br>This is an impermissible fishing expedition of untargeted discovery. "Total labor costs" has nothing to do with the valuation of a <b>wholly delayed and disrupted</b> project which |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Rokoko's Moving Argument                                                                                                                                                                                                                                                    | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                  |
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|                       |                 | <p>fishing expedition; Plaintiff further objects that the request improperly seeks to require Plaintiff to create documents, calculations, summaries, or compilations of labor costs, which is not required under Rule 34; Plaintiff further objects that the request is not relevant to the claims or defenses, as the value of the project at issue is based on market comparables and demonstrated market interest, not Plaintiff's internal labor costs or expenditures; Plaintiff further objects that Plaintiff himself performed the substantial majority of the labor associated with the project, and this request improperly seeks to force Plaintiff to quantify or reconstruct his own expert time and effort in a format not maintained in the ordinary course of business; to the extent Defendant</p> | <p>stipulate that such quantification will be treated as the applicable 'actual cost' measure of damages." Conditional responses are improper under Rule 34. Plaintiff does not get to dictate how evidence is used at trial as a condition of disclosure in discovery.</p> | <p>damages are being sought on market-based comparisons.</p> <p>It's not the cost of the canvas and paint that defines the value of a work of art; it's the market value of the product.</p> <p>Rokoko's request is impermissibly overbroad in scope and time and not relevant to the facts in this case and involves non-parties protected under strict Non Disclosure agreements.</p> |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                                                                                                     | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                              | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                          | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                            |
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|                       |                                                                                                                                                                                                                                                                                                                                     | seeks to require Plaintiff to quantify such labor, Defendant must stipulate that such quantification will be treated as the applicable "actual cost" measure of damages, as any such calculation would necessarily reflect substantial labor value; Plaintiff will not create documents in response to this request.                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                   |
| RFP NO. 83:           | Documents Relating to revenues, sales receipts, royalty payments, licensing fees, platform payouts, crowdfunding proceeds, grant funds, investment capital, or any other source of income received by You or any entity You own or control that is attributable to or derived from Next World, from January 1, 2019 to the present. | Objection. This request is overbroad in scope and time, unduly burdensome, and not proportional to the needs of the case under Rule 26(b)(1), as it seeks sweeping categories of financial records over a multi-year period and therefore constitutes an impermissible fishing expedition; Plaintiff further objects that the request seeks highly sensitive, confidential, and private financial information, including personal and business income records, as well as | See RFP No. 80.<br><br>Plaintiff alleges \$213,000 in pre-order revenue and seeks treble damages on a game he claims is worth \$55M–\$75M. Plaintiff cannot refuse to disclose the actual revenue generated by the project. Receipts, bank statements, and platform payouts are maintained in the ordinary course of business.<br><br>Plaintiff admits withholding relevant and potentially responsive documents. | Again, there was no revenue generated by the product. Plaintiff has pre-order sales with valid credit cards which were <b>never able to be billed</b> . Because Rokoko destroyed the equipment needed to finish the game; and therefore the game was never completed nor released.<br><br>See Plaintiff's arguments in RFP No. 66 |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Rokoko's Moving Argument | Plaintiff's Opposition |
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|                       |                 | documents subject to contractual confidentiality and non-disclosure obligations with third parties; Plaintiff further objects that the request is not relevant to the claims or defenses, as the value of the project at issue is based on market comparables and demonstrated market interest, not Plaintiff's revenue streams, funding sources, or internal financial activity; Plaintiff further objects that the request improperly seeks to require Plaintiff to identify, compile, or create documents reflecting categories of income not maintained in the ordinary course of business, which is not required under Rule 34; Plaintiff further objects that the request is harassing and invasive of financial privacy; Plaintiff is withholding documents, if any, responsive to this |                          |                        |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Plaintiff's Opposition                                                                                                                                                                                                                                                            |
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|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | request on the basis of the foregoing objections.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                   |
| RFP NO. 85:           | Documents Related to the purchase or ownership of any motion capture hardware, software, suits, sensors, gloves, headsets, and Related equipment purchased, leased, rented, licensed, or otherwise acquired by You or any entity You own or control for use in connection with Next World, from January 1, 2019 to the present, including purchase orders, invoices, receipts, shipping confirmations, and license agreements identifying the manufacturer, vendor, model, quantity, and cost of each item. | Objection. This request is overbroad in scope and time and not proportional to the needs of the case under Rule 26(b)(1), as it seeks sweeping categories of documents concerning equipment and purchases over a multi-year period and therefore constitutes an impermissible fishing expedition; Plaintiff further objects that the request improperly seeks to require Plaintiff to identify, compile, or organize documents identifying manufacturer, vendor, model, quantity, and cost, which would require the creation of summaries or compilations not maintained in the ordinary course of business and is not required under Rule 34; Plaintiff further objects that the request is not relevant to the | Plaintiff objects on overbreadth and "creation" grounds but acknowledges he "has produced responsive documents in his possession, custody, or control." Plaintiff fails to identify what was produced by Bates range or confirm the production is complete.<br><br>The request seeks <i>existing</i> transactional documents directly relevant to Plaintiff's allegations that his motion-capture equipment was intentionally damaged by firmware. Documents showing what equipment Plaintiff purchased, at what cost, are essential to evaluating these damage claims. | Already: Asked. Answered. Provided.<br><br>Everything Plaintiff has to offer is already within Rokoko's custody or control or has been provided to them in discovery.<br><br>Any further requirement to produce or compel these documents would require Plaintiff to create them. |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                       | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                       |                                                                                                                                                                                                                                       | claims or defenses to the extent it seeks detailed purchasing or cost information; Plaintiff has produced responsive documents in his possession, custody, or control and will not create documents in response to this request.                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| RFP NO. 87:           | Documents sufficient to show the timeline for the development and release of Next World, including any project schedules, roadmaps, milestone trackers, or similar project management documents, and any revisions to such timelines. | Objection. The Defendant is being sued over intellectual property misappropriation and infringement on this exact body of work. Plaintiff will not hand over even more sensitive intellectual property to this Defendant. This request is overbroad in scope and not proportional to the needs of the case under Rule 26(b)(1), as it seeks broad categories of project management materials without limitation and therefore constitutes an impermissible fishing expedition; Plaintiff further objects that the request improperly seeks to require Plaintiff to create | Plaintiff's statement that he will "not hand over even more sensitive intellectual property to this Defendant" is not a legally sufficient basis to refuse production. The protective order exists precisely to address concerns about disclosure to an opposing party.<br><br>Scheduling documents, roadmaps, and milestone trackers are not "intellectual property" subject to infringement. They are business records relevant to the development timeline and to Plaintiff's damages claims. Plaintiff also objects on "creation" grounds, but existing project schedules, milestone trackers, or | Already: Asked. Answered. Produced.<br><br>Rokoko has these exact documents "sufficient to show" in their possession.<br><br>The documents are confidential, privileged trade secrets and their existence has already been shown and verified. Rokoko has taken enough intellectual property from this game, they should not be entitled to <i>more trade secrets</i> .<br><br>See Plaintiff's arguments in RFP No. 86 |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                             | Plaintiff's Opposition |
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|                       |                 | documents, summaries, or compilations reflecting a "timeline," which are not maintained in the ordinary course of business and are not required under Rule 34; Plaintiff further objects that the request seeks highly confidential and proprietary development materials relating to an unreleased creative work, including internal processes, planning documents, and workflows, the disclosure of which would be commercially sensitive and not justified by any demonstrated need; Plaintiff further objects that the request is not relevant to the claims or defenses to the extent it seeks internal development methods and timelines; Plaintiff has produced responsive documents in his possession, custody, | roadmaps are standard project management documents.<br><br>Plaintiff alleges his production pipeline was disrupted and that, but for Rokoko's conduct, Next World would have been released.<br>Development timelines are essential to evaluating causation—whether the game was on track for release before the alleged interference—and to testing whether Plaintiff's damages claims are credible. |                        |

| Discovery Request No. | Text of Request                                                                                                                                                                                                                                                                                                                    | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                       |                                                                                                                                                                                                                                                                                                                                    | or control and will not create documents in response to this request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| RFP NO. 92:           | All Documents drafted or signed by You and submitted to the court in Ronald Radke v. Brittany Furlan, Case No. 26STRO00192 in the Los Angeles County Superior Court of the State of California, including but not limited to transcripts, written reports or declarations, and any other written materials submitted to the court. | Objection. Plaintiff objects to this request on the grounds that it is overbroad and not proportional to the needs of the case under Rule 26(b)(1), as it seeks "all documents" from an unrelated state court proceeding without limitation and therefore constitutes an impermissible fishing expedition. Plaintiff further objects that the request is not relevant to any claim or defense in this action, as it seeks materials from a separate proceeding involving different parties, issues, and legal standards. Plaintiff further objects that the request is unduly burdensome to the extent it seeks a complete compilation of filings and materials from a separate court action. | <p>Plaintiff's "unrelated proceeding" objection fails because materials Plaintiff submitted to other courts—particularly expert declarations and technical reports—directly bear on the credibility and consistency of his claims in this action. If Plaintiff presented inconsistent technical assertions to another court, that is admissible impeachment evidence.</p> <p>Plaintiff's claim that documents are "equally available from public records" does not relieve him of his production obligation, and Plaintiff is in the best position to identify and produce his own filings.</p> <p>Credibility, reliability of expert methodologies, and potential inconsistent prior statements are all directly relevant to</p> | <p>Already: Asked. Answered. Produced.</p> <p>Rokoko has two expert reports for that case. If they want information on the case they can look online as it was blasted across the media and internet for two years.</p> <p>Further, Rokoko is tying this to DMCA claims? What does a celebrity catfishing, deepfake and impersonation claim have to do with Rokoko stripping the CMI from animation files?</p> <p>Additionally, there is no active cause of action for DMCA claims as Rokoko bent the truth to have it dismissed.</p> |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                       |                 | <p>Plaintiff also objects to the extent the request seeks materials that are equally or more readily available from public records or the issuing court, as well as materials that may be confidential or filed under seal. Plaintiff further objects that it has already produced extensive expert materials in this action and related matters, which Defendants have (a) not rebutted, (b) expressly stated they do not understand technically, and (c) for which Defendants have not designated any opposing expert. Additional expert materials from unrelated proceedings are not relevant to any issue in this case. Plaintiff further objects that Defendants' repeated requests of this nature are duplicative and harassing. Defendants have acknowledged on</p> | <p>Rokoko's defenses. Plaintiff holds himself out as an "expert computer software architect" and "computer security expert" while simultaneously claiming that Defendants "cannot interpret even the basic technical jargon" in his expert reports.</p> <p>Plaintiff's own expert declarations are central to his copyright, DMCA, and CFAA claims, underscoring the importance of obtaining all materials showing how Plaintiff deploys his claimed "expertise."</p> <p>If his submissions in Radke v. Furlan contain inconsistent methodologies or representations, those go to the reliability of his technical claims in this action.</p> | <p>These documents are protected under the attorney-client privilege and work product protections. If Counsel believes she is entitled to them, she can subpoena Harder Stonerock, LLP. I am a retained expert.</p> <p><b>Plaintiff did not want to bring this up...</b> But, Plaintiff has serious fears and concerns with these requests... The Court should be aware, that Counsel for Rokoko Katherine J. Ellena has close ties to the Kardashian family and by extension TMZ. Her Instagram contains many images of her with the Kardashians including several with Kris Jenner</p> <p><i>("Wishing this woman the best birthday today!!! If I can be half as insanely gorgeous as her when I'm her age I'll be</i></p> |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Rokoko's Moving Argument | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                       |                 | <p>multiple occasions that they cannot interpret even the basic technical jargon in the expert reports or evidence already produced, instead characterizing plain, mundane computer science as “fanciful and fabricated.” Requiring Plaintiff to produce additional, unrelated expert materials—particularly where Defendants have failed to obtain or designate an expert—would impose undue burden without yielding any probative value. Plaintiff will not create documents to response to this request.</p> |                          | <p>happy. <a href="#">@krisjenner</a><br/>I hope you have the best year yet!<br/>🎁 🍀 🌟 💖”)</p> <p>This is not unsolicited or in a vacuum, in fact, the Kardashians even click like and comment on Ms. Ellena’s posts. Ms. Ellena admits to being previously under their employ:</p> <p>(“Last night was iconic!!! Just like THIS woman...”<br/>(Kris Jenner) “..in THIS dress!!!! <a href="#">#alexanderqueen</a> <a href="#">#ilovemyboss</a> <a href="#">@krisjenner</a>”)</p> <p>It is of my utmost concern that she may opportunistically be using discovery in Rokokok’s litigation to extract privileged and confidential information from high-profile and ongoing celebrity litigation for those purposes. This is a</p> |

| Discovery Request No. | Text of Request | Plaintiff's Written Response | Rokoko's Moving Argument | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                      |
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|                       |                 |                              |                          | <p>HIGHLY sensitive matter.</p> <p>If what she seeks cannot be obtained through the Court system because it's under seal or for whatever reason – she is not entitled to it.</p> <p>She must not be permitted to seek anything further with external litigation. She has two reports from that matter. This request is highly improper.</p> |

| Discovery Request No.                          | Text of Request                                                                                                                                                                                | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <b>Rokoko's Requests for Admission Set One</b> |                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| RFA NO. 11:                                    | Admit that when You first installed Rokoko Studio software, the installer displayed the 2020 License and required You to click "I accept the agreement" before the installation could proceed. | Objection. The request is vague and ambiguous as to the specific installer, version, and time period at issue, and as to the manner in which the 2020 License was allegedly presented and accepted. Plaintiff lacks knowledge or information sufficient to admit the request as stated. Plaintiff further objects as the definition of "Rokoko Studio" improperly conflates multiple distinct products and services, including Legacy software, cloud services, and platform components, each governed by different functionality and terms. As framed, the request is vague, ambiguous, and overbroad. | <p>The defined term "Rokoko Studio" is set forth in the Definitions section of the RFAs and encompasses the software Plaintiff indisputably installed and used for years. The phrase "when You first installed" is unambiguous—it asks about the first time Plaintiff installed the software. Plaintiff's claim that he "lacks knowledge" is implausible given that he installed and used the software from 2020 through 2024 (as admitted in RFAs 3-8).</p> <p>A party cannot feign ignorance about whether a software installer displayed a license agreement he accepted thousands of times over four years. See <i>Asea</i>, 669 F.2d at 1245 (evasive denial may be deemed an admission).</p> | <p>Objections upheld.</p> <p>In deposition Rokoko claims it is "impossible" to install Rokoko without seeing the terms or clicking I accept: "But obviously I think this is evidence that you clicked agree no user we have has access to the software or installed the software without clicking Agreed, <b>it's simply not possible.</b> All our engineers has confirmed that multiple times."</p> <p>In less than 1 minute, Plaintiff demonstrated that it is... in fact... possible to install Rokoko Studio and use it without ever (1) even seeing the agreement and; (2) without ever clicking I agree.</p> <p>Rokoko stated: "What I would say is that it should not be possible. I don't know what program you're using, or whether it's as I said,</p> |

| Discovery Request No. | Text of Request                                                                       | Plaintiff's Written Response                                                                                                                                               | Rokoko's Moving Argument                                                                                                                                                              | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                       |                                                                                       | Plaintiff cannot admit or deny without clarification as to which specific system is at issue. Subject to and without waiving these objections, Plaintiff responds: Denied. |                                                                                                                                                                                       | <p>I'm not an engineer, so this is my, but if you go through the regular process of installing then you would not be able to it to do it"</p> <p>I maintain my inability to admit or deny, because the basis of the entire question was proven false.</p> <p>Further, Rokoko Studio and Rokoko Studio Legacy are two different products with VERY different agreements. Rokoko wants me to admit to a trick question so they can claim later terms apply to me (a position they completely adopted at SJ after stating "accordingly the 2025 terms never applied to Plaintiff"</p> |
| RFA NO. 13:           | Admit that You reviewed the 2020 License before You clicked "I accept the agreement". | Objection. The request is vague and ambiguous as to the specific installer, version, time period, and which "2020 License" is being referenced, including any              | See RFA No. 11.<br><br>"2020 License" is a defined term in these RFAs. To the extent the denial is that Plaintiff did NOT review the license before accepting, that actually supports | See RFA 11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| Discovery Request No. | Text of Request                                                                                                                                                                         | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                 | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                               | Plaintiff's Opposition |
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|                       |                                                                                                                                                                                         | <p>variations thereof, as well as the manner in which the license was allegedly presented and reviewed.</p> <p>Subject to and without waiving these objections, Plaintiff states that he lacks knowledge or information sufficient to admit the request as stated and, on that basis, denies the request.</p>                                                                | <p>Rokoko's position (acceptance without review is still acceptance).</p>                                                                                                                                                                                                                                                                                                                                                                                              |                        |
| RFA NO. 14:           | <p>Admit that the 2022 Terms were displayed in the Rokoko Studio installer each time You installed or updated the software between November 1, 2022 and on or about March 29, 2025.</p> | <p>Objection. The request is vague and ambiguous as to the specific installer, version, and time period at issue, and improperly assumes facts not established, including that Plaintiff installed or updated Rokoko Studio software during the time period referenced. The request is further ambiguous as to which "2022 Terms" are being referenced and the manner in</p> | <p>Plaintiff's objection that the request "assumes facts not established, including that Plaintiff installed or updated Rokoko Studio software during the time period" is directly contradicted by his admissions in RFAs 3–8 (admitting use of Rokoko Products in calendar years 2020–2024). Having admitted continuous use through 2024, Plaintiff cannot now deny that he ever installed or updated the software during that period. This denial is evasive and</p> | See RFA 11             |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Rokoko's Moving Argument                                | Plaintiff's Opposition |
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|                       |                 | <p>which they were allegedly displayed. Plaintiff further objects as the definition of "Rokoko Studio" improperly conflates multiple distinct products and services, including Legacy software, cloud services, and platform components, each governed by different functionality and terms. As framed, the request is vague, ambiguous, and overbroad. Plaintiff further objects as the Defendant mischaracterizes the events and assumes that Plaintiff updated the software at any point. Subject to and without waiving objections, Plaintiff responds as Denied.</p> | <p>in bad faith. See <i>Asea</i>, 669 F.2d at 1245.</p> |                        |

| Discovery Request No. | Text of Request                                                                                            | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Plaintiff's Opposition                                                                                                                                                                                                                  |
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| RFA NO. 16:           | Admit that as of May 12, 2025, You had no executed publishing agreement for Next World with any publisher. | Objection. The request is vague and ambiguous as to the meaning of “platform-distribution agreement” and “platform distributor,” which are undefined and may encompass multiple types of agreements or relationships. Subject to and without waiving these objections, Plaintiff states that he lacks knowledge or information sufficient to admit the request as stated and, on that basis, Plaintiff responds as: Denied. | <p>Plaintiff's objection references “platform-distribution agreement” and “platform distributor”—terms that do not appear in this RFA. This RFA asks about “executed publishing agreement” with “any publisher”—plain English terms.</p> <p>Plaintiff appears to have copied an objection from a different RFA. This response is non-responsive and evasive.</p> <p>Furthermore, Plaintiff's claim that he “lacks knowledge” about whether he has an executed agreement is implausible on its face—a party knows whether it signed a contract.</p> | <p>Plaintiff already responded as Denied.</p> <p>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.</p> <p>The RFA is not at issue.</p> |
| RFA NO. 17:           | Admit that as of May 12, 2025, You had no executed platform-distribution agreement for Next                | Objection. The request is vague and ambiguous as to the meaning of “platform-distribution agreement” and “platform distributor,” which are                                                                                                                                                                                                                                                                                  | The term “platform-distribution agreement” is clear in context—it means a contract to distribute Next World on a platform. Plaintiff knows whether he signed such an agreement with                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                         |

| Discovery Request No. | Text of Request                                                                                              | Plaintiff's Written Response                                                                                                                                                                                                                                                    | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                    | Plaintiff's Opposition                                                                                                                                                                                                                  |
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|                       | World with Nintendo.                                                                                         | undefined and may encompass multiple types of agreements or relationships. Subject to and without waiving these objections, Plaintiff states that he lacks knowledge or information sufficient to admit the request as stated and, on that basis, Plaintiff responds as: Denied | <p>Nintendo or Sony. His vagueness objection is a transparent effort to avoid admitting he has no contract.</p> <p>Notably, Plaintiff admitted RFA No. 19 (no agreement with Microsoft) and RFA No. 21 (no agreement with Epic Games) using the same supposedly “vague” language, demonstrating he understands the term perfectly well. Selective denial of materially identical requests undermines the good faith of these responses.</p> |                                                                                                                                                                                                                                         |
| RFA NO. 18:           | Admit that as of May 12, 2025, You had no executed platform-distribution agreement for Next World with Sony. | Objection. The request is vague and ambiguous as to the meaning of “platform-distribution agreement” and “platform distributor,” which are undefined and may encompass multiple types of agreements or relationships. Subject to and without waiving these objections,          | See RFA No. 17.                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>Plaintiff already responded as Denied.</p> <p>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.</p> <p>The RFA is not at issue.</p> |

| Discovery Request No. | Text of Request                                                                                               | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                | Rokoko's Moving Argument                                | Plaintiff's Opposition                                                                                                                                                                                                           |
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|                       |                                                                                                               | Plaintiff states that he lacks knowledge or information sufficient to admit the request as stated and, on that basis, Plaintiff responds as: Denied                                                                                                                                                                                                                                                                         |                                                         |                                                                                                                                                                                                                                  |
| RFA NO. 20:           | Admit that as of May 12, 2025, You had no executed platform-distribution agreement for Next World with Valve. | Objection. The request is vague and ambiguous as to the meaning of “platform-distribution agreement” and “platform distributor,” which are undefined and may encompass multiple types of agreements or relationships. Subject to and without waiving these objections, Plaintiff states that he lacks knowledge or information sufficient to admit the request as stated and, on that basis, Plaintiff responds as: Denied. | See RFA No. 17.                                         | Plaintiff already responded as Denied.<br><br>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.<br><br>The RFA is not at issue. |
| RFA NO. 22:           | Admit that as of May 12, 2025,                                                                                | Objection: Admission 15 is not about                                                                                                                                                                                                                                                                                                                                                                                        | While Plaintiff correctly notes that RFA 15 addresses a | The question cannot be answered as phrased, it                                                                                                                                                                                   |

| Discovery Request No. | Text of Request                                                                                                                                      | Plaintiff's Written Response                                                                                                                                                                                                | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Plaintiff's Opposition                                                                                                                                                                                                           |
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|                       | You had no executed platform-distribution agreement for Next World with any platform distributor not identified in Request for Admission Nos. 15-20. | platforms, it's about e-mails. Plaintiff cannot truthfully admit or deny.                                                                                                                                                   | different subject, the cross-reference error does not render the substance of RFA 22 unanswerable—Plaintiff fails to address the applicability of RFA Nos. 16-20. The request asks whether Plaintiff had a platform-distribution agreement with any platform not already listed.<br><br>Plaintiff must either admit, deny, or state in detail why he cannot truthfully do so. "Plaintiff cannot truthfully admit or deny" without any explanation is insufficient under Rule 36(a)(4). | references the wrong RFA's.<br><br>Rokoko could have fixed this and then asked again.                                                                                                                                            |
| RFA NO. 52:           | Admit that You have not earned any revenue from consumer sales of Next World.                                                                        | Objection, vague and ambiguous as to the term "earned" and "consumer sales" and revenue. Plaintiff had provided as Bates No. WALSH002863 evidence of about 1,783 records showing preorders for The Next World to consumers. | Plaintiff's response is evasive as written.<br><br>Plaintiff's reference to WALSH002863 (preorder records) is noted but does not answer the question asked. Preorder records may show <i>orders placed</i> but not <i>revenue earned</i> .<br><br>If Plaintiff received payment from those preorders, he should                                                                                                                                                                        | Plaintiff already responded as Denied.<br><br>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.<br><br>The RFA is not at issue. |

| Discovery Request No. | Text of Request                                                                                                         | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Plaintiff's Opposition |
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|                       |                                                                                                                         | Subject to and without waiving objections, Plaintiff responds as: Denied.                                                                                                                                                                                                                                                                                                                                                                                                                       | respond with an admission. If the preorders did not result in actual payment (because the game was never delivered), he should admit he has not earned revenue.                                                                                                                                                                                                                                                                                                                                                           |                        |
| RFA NO. 57:           | Admit that You displayed animations from Next World to the public at a Hollywood release event in or about August 2025. | Objection. This Request is vague and ambiguous as to “displayed animations” and “from Next World”. The terms are vague and ambiguous because Plaintiff did not “display animations”, that’s not the purpose of the event. Further, the animations are not “from Next World”; if anything they are “from Rokoko’s systems” and integrated “into The Next World”. The request is harassing insofar that it entirely mischaracterizes Plaintiff’s activities to gain a false admission. It further | <p>Plaintiff’s objection that the request “mischaracterizes Plaintiff’s activities” reveals that Plaintiff <i>did</i> have a Hollywood event but objects to how it is characterized. This is an improper basis for denial.</p> <p>If Plaintiff showed animations at a public event, he should admit that fact and may qualify only if necessary to avoid a misleading admission. Plaintiff’s complaint relies on this event (Ex. 15) to support his damages claim; a categorical denial is evasive and contradictory.</p> |                        |

| Discovery Request No. | Text of Request                                                                                                                         | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                              | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                                                                                                                                              | Plaintiff's Opposition                                                                                                                                                                                                           |
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|                       |                                                                                                                                         | mischaracterizes animations, games, gameplay and how those separate contexts work together. Subject to and without waiving objections, Plaintiff responds as: Denied.                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                  |
| RFA NO. 59:           | Admit that You publicly posted behind-the-scenes filming, editing, book storyboards, and scripts related to Next World on social media. | Objection. The request is vague and ambiguous as to "editing" – editing what? Plaintiff further objects as "book storyboards" is vague and ambiguous and does not appear to have any sensible definition, creating a book doesn't require storyboards, that's a function of film and cinema. Plaintiff further objects as the scope of materials identified, and is overbroad. Subject to and without waiving these objections, Plaintiff | Plaintiff's categorical denial of all public posting of behind-the-scenes materials is contradicted by his admission in RFA No. 60 (admitting he "publicly disclosed limited screenshots and video from Next World on social media").<br><br>Plaintiff's denial is also contradicted by his Second Amended Complaint, in which multiple social media posts are featured as evidence of his claim.<br><br>Plaintiff's response is therefore evasive and contradictory. | Plaintiff already responded as Denied.<br><br>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.<br><br>The RFA is not at issue. |

| Discovery Request No. | Text of Request                                                                                                                            | Plaintiff's Written Response                                                                                                                                                                                 | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                       | Plaintiff's Opposition                                                                                                                                                                                                                                       |
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|                       |                                                                                                                                            | responds:<br>Denied.                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                              |
| RFA NO. 60            | Admit that You publicly disclosed animations, screenshots, or video footage from Next World on one or more social media platforms.         | Admitted in part and denied in part. Plaintiff admits that he publicly disclosed limited screenshots and video from Next World on social media. Plaintiff denies the remaining allegations.                  | See RFA No. 59.                                                                                                                                                                                                                                                                                                                                | Plaintiff already responded as Admitted in part and Denied in part<br><br>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.<br><br>The RFA is not at issue. |
| RFA NO. 61:           | Admit that You did not require any viewer of Your publicly posted animations or trailer for Next World to sign a non-disclosure agreement. | Objection. The request is vague and ambiguous as to "publicly posted animations or trailer," and assumes facts not established. Subject to and without waiving these objections, Plaintiff responds: Denied. | Plaintiff cannot admit that he publicly disclosed screenshots and video on social media (RFA No. 6) while denying that his publicly posted materials were not subject to NDAs. By definition, publicly posted content is not subject to confidentiality restrictions on viewers. This denial is evasive and contradictory of other admissions. | Plaintiff already responded as Denied.<br><br>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.<br><br>The RFA is not at issue.                             |
| RFA NO. 62:           | Admit that the motion-capture                                                                                                              | Objection. The request is vague and ambiguous                                                                                                                                                                | Plaintiff's denial implies such a written agreement exists. If                                                                                                                                                                                                                                                                                 | Plaintiff already responded as Denied.                                                                                                                                                                                                                       |

| Discovery Request No. | Text of Request                                                                                                                                                    | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                | Rokoko's Moving Argument                                                                                                                                                                                                                                                                                                                         | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                  |
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|                       | animation data You allege Rokoko misappropriated was not subject to any written confidentiality agreement between You and Rokoko.                                  | and assumes facts not established, including that confidentiality of Plaintiff's motion-capture data was governed solely by a written agreement "between Plaintiff and Rokoko." Subject to and without waiving these objections, Plaintiff responds: Denied.                                                                | so, he must produce it. If no written agreement exists, his denial is in bad faith.<br><br>Plaintiff's objection that confidentiality might be governed by something other than a written agreement is non-responsive to what was asked.                                                                                                         | Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.<br><br>The RFA is not at issue.                                                                                                                                                                                      |
| RFA NO. 66:           | Admit that You cannot identify any specific instance in which Rokoko distributed Your motion-capture data in its original, non-anonymized form to any third party. | Objection. The request is vague and ambiguous as to the phrases "original," "non-anonymized form," and "distributed." The request fails to define whether "distributed" includes synchronization, cloud replication, third-party access, internal platform availability, machine-learning ingestion, derivative processing, | Plaintiff's lengthy objection essentially claims that he lacks visibility into Rokoko's systems. But this objection ignores the substance of the request: <i>can he</i> identify an instance or not? If he cannot, the answer is admit. If his position is that he may be able to do so after additional discovery, he must say so specifically. | Rokoko's candid argument and increased pressure to respond is actually humorous, because just yesterday on May 28, 2026 their Chief Operating Officer was deposed and <b>admitted to sublicensing his intellectual property!</b><br><br><b>Defendant:</b> <i>"OK that that data set is or that's the total volume of assets stored... We have rights to sub-license</i> |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Rokoko's Moving Argument | Plaintiff's Opposition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                       |                 | telemetry-based transfer, or other forms of dissemination or exposure. The request further fails to define what constitutes "original" or "non-anonymized" motion-capture data in the context of transformed, processed, compressed, metadata-altered, or derivative animation data. Plaintiff further objects that the request assumes Plaintiff possesses complete visibility into Defendant's internal systems, downstream transfers, third-party integrations, repositories, and methods of handling data, despite Defendant's failure to comply with Requests for Production seeking the very |                          | <p><i>all that are not on the enterprise plan."</i></p> <p><b>Plaintiff:</b> <i>"have you sublicensed any of the data in your motion data set to a third party?"</i></p> <p><b>Rokoko:</b> <i>"I think I can say that we have... Made one single motion licensing deal and I... Cannot say much more about that."</i></p> <p><b>Plaintiff:</b> <i>"Who is that deal with?"</i></p> <p><b>Counsel:</b> <i>"Confidential, privileged. All of my same objections. And I'm instructing the witness not to answer"</i></p> <p>Plaintiff now can respond with certainty and responds as: <b>Denied</b></p> |

| Discovery Request No. | Text of Request                                                                                                                  | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                 | Rokoko's Moving Argument | Plaintiff's Opposition |
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|                       |                                                                                                                                  | materials necessary to evaluate and determine such facts. Subject to and without waiving these objections, Plaintiff cannot truthfully admit or deny the request based on the information presently available to him.                                                                                                                                                                        |                          |                        |
| RFA NO. 67:           | Admit that You cannot identify any specific third party that received Your motion-capture data in its original form from Rokoko. | Objection. The request is vague and ambiguous as to the phrase "original form," including whether that phrase refers to raw motion-capture data, processed animation data, derivative datasets, metadata-stripped files, transformed files, synchronized assets, or other technically altered forms of data. Plaintiff further objects that the request assumes Plaintiff possesses complete | See RFA No. 66.          | See RFA No. 66         |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Rokoko's Moving Argument | Plaintiff's Opposition |
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|                       |                 | visibility into Defendant's internal systems, downstream transfers, third-party integrations, repositories, sublicensing arrangements, or methods of dissemination, despite Defendant's failure to comply with Requests for Production directed to those exact subjects. Plaintiff further objects that the request is premature insofar that discovery regarding third-party recipients, transfers, integrations, and data handling remains incomplete due to Defendant's ongoing nonproduction. Subject to and without waiving these objections, Plaintiff cannot truthfully admit or deny the request based on the information |                          |                        |

| Discovery Request No. | Text of Request                                                                                                                    | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Rokoko's Moving Argument                                                                                                                                                         | Plaintiff's Opposition                                                                                                                                                                                                           |
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|                       |                                                                                                                                    | presently available to him.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                  |                                                                                                                                                                                                                                  |
| RFA NO. 68:           | Admit that You cannot identify any specific economic loss caused by Rokoko's alleged misappropriation of Your motion-capture data. | Objection. The request calls for a legal conclusion regarding the nature and measure of damages recoverable for alleged misappropriation and copyright-related claims, including whether economic loss is a required element of recovery. Plaintiff further objects that the phrase "specific economic loss" is vague and ambiguous, including whether the request refers to direct monetary loss, diminution in intellectual property value, loss of exclusivity, loss of licensing value, statutory damages, or other forms of legally cognizable harm. Plaintiff further | See RFA No. 66.<br><br>Further, Plaintiff's assertion that the question "calls for a legal conclusion" is meritless. Identifying economic losses or harms is a factual exercise. | Plaintiff already responded as Denied.<br><br>Forcing a substantively answered RFA in a joint table and forcing the Plaintiff to expend his time and resources is harassing and highly improper.<br><br>The RFA is not at issue. |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Rokoko's Moving Argument | Plaintiff's Opposition |
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|                       |                 | objects that the request improperly assumes that recoverable harm is limited to identifiable economic loss, when the unauthorized copying, retention, use, and deprivation of exclusive rights itself constitutes actionable harm. Plaintiff further objects that discovery directed to Defendant's internal use, handling, retention, transfer, integration, monetization, and dissemination of Plaintiff's motion-capture data remains incomplete due to Defendant's failure to comply with Requests for Production directed to those exact subjects. Subject to and without waiving |                          |                        |

| Discovery Request No. | Text of Request                                                                                                                   | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Rokoko's Moving Argument | Plaintiff's Opposition |
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|                       |                                                                                                                                   | these objections, Plaintiff responds: Denied.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                          |                        |
| RFA NO. 69:           | Admit that You cannot identify any competing product or service that incorporate d Your motion-capture data in its original form. | Objection. The request is vague and ambiguous as to the phrases “competing product or service” and “original form,” including whether “original form” refers to raw motion-capture data, processed animation data, transformed files, derivative datasets, metadata-stripped files, machine-learning datasets, or other technically altered forms of data. Plaintiff further objects that the request assumes Plaintiff possesses complete visibility into Defendant’s internal systems, downstream integrations, sublicensing arrangements, third-party | See RFA No. 66.          | See RFA 66             |

| Discovery Request No. | Text of Request | Plaintiff's Written Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Rokoko's Moving Argument | Plaintiff's Opposition |
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|                       |                 | transfers, training datasets, repositories, and commercial uses, despite Defendant's failure to comply with Requests for Production directed to those exact subjects. Plaintiff further objects that the request calls for speculation regarding unidentified third-party products, services, datasets, or integrations potentially involving Plaintiff's data. Subject to and without waiving these objections, Plaintiff cannot truthfully admit or deny the request based on the information presently available to him. |                          |                        |