

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: CV 25-05340-ODW (RAOx) Date: July 28, 2026
Title: Matthew R. Walsh v. Rokoko Electronics et al.

Present: The Honorable **ROZELLA A. OLIVER, U.S. MAGISTRATE JUDGE**

Cindy Delgado
Deputy Clerk

N/A
Court Reporter/Recorder: N/A

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

N/A

N/A

Proceedings: (In Chambers) **ORDER RE: MOTIONS TO COMPEL [186][188]**

Pending before the Court are two motions to compel, one brought by each side in this matter, which raise disputes in joint table format as previously directed by the Court. Dkt. Nos. 183, 186-188. On June 23, 2026, District Judge Wright issued an order dismissing Plaintiff's first and third causes of action without leave to amend. Dkt. No. 197. Plaintiff's second cause of action for copyright infringement remains at issue. *See id.*, Dkt. No. 208. The Court directed the parties to remove any discovery requests that pertained only to the dismissed claims and to re-file their joint tables. Dkt. No. 209. Both sides have now submitted their joint tables. Dkt. Nos. 212, 214. The parties previously filed opening and supplemental briefs. Dkt. Nos. 186, 188, 189, 192. The Court finds the matters suitable for decision without oral argument. *See* Fed. R. Civ. P. 78; L.R. 7-15. The Court issues its rulings for each motion below.

I. Plaintiff's Motion to Compel

The Court permitted each side to file a motion to compel in joint table format, with up to 10 pages of briefing that do not fit within the table format. Dkt. No. 183 at 10. The Court also permitted each side to file one supplemental memorandum up to 5 pages in length. *Id.* Plaintiff's motion to compel was accompanied by a 23-page brief. Dkt. No. 188. In response to Defendants' objection about the length of the brief, Plaintiff argues that he only included 10 pages of argument. *See* Dkt. No. 193. Plaintiff then attached an "argument only" version of his brief. Dkt. No. 193-1. The Court will consider only the first 10 pages of the 23-page brief at Dkt. No. 183, exclusive of the cover page and table of contents. The Court's order was clear that each side may include up to 10 pages of briefing, and including an additional 10 pages of introduction, background, or caselaw was not permitted. The Court has not given leave to Plaintiff to file an "argument only"

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version, and this would require the Court to provide Defendants with another opportunity to respond. Therefore, the Court will not consider the supplemental brief at Dkt. No. 193.

Additionally, Plaintiff attached to his motion to compel a “Personal Declaration of Matthew R. Walsh re: Deposition Questions To Compel.” Dkt. No. 188-3. This declaration amounts to a separate motion to compel regarding deposition questions. *See id.* Because this exceeds the 10-page limit and is not in joint table format, the Court will not consider this “declaration.”

A. Deposition Questions

The Court declines to address this part of the table. Dkt. No. 214 at 8-20. This was not part of the original table, and was instead set forth in a declaration which the Court will not consider as explained above. Moreover, there is also no indication that the parties met and conferred on these deposition questions, apart from arguments made on the record during the deposition in response to Defendants’ objections to these questions, or that Defendants had an opportunity to provide their arguments for the joint table. *See* Dkt. No. 211. For this additional reason, the Court will not address this part of the table.

B. Requests for Production (“RFPs”)

RFP No. 22: To the extent this request seeks something more than terms of use, the relevance is unclear. To the extent that Defendants have not produced the terms at issue in response to other discovery requests, Defendants shall produce different versions of the terms associated with the use of the software installers at issue.

RFP Nos. 3, 5, 17, 21: The parties dispute whether a compromise was reached on these disputes. The Court is without sufficient information to determine the scope of any such compromise and therefore declines to address these RFPs.

RFP No. 5: Defendants’ response is sufficient in light of the parties’ compromise.

RFP No. 8: Defendants should confirm whether there were any responsive documents after their search and supplement accordingly.

RFP No. 18: Defendants agreed to search and produce subject to objections and if Defendants require clarification regarding “AI/ML,” they should seek that clarification from Plaintiff. Defendants should confirm whether any responsive documents were produced and/or withheld for

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confidentiality/privilege. If any responsive documents were withheld, Defendants must provide a privilege log.

RFP No. 1: Defendants have produced responsive documents, and Plaintiff's arguments go to authenticity.

RFP Nos. 4, 29, 30: The Court sustains Defendants' objection that these RFPs are overbroad as they request agreements with Naver, Snap, Inc., and Lucasfilm, not limited to those that relate to the animation data at issue.

RFP No. 32: Defendants have agreed to produce responsive documents and must confirm whether all responsive documents have now been produced.

C. Requests for Admission ("RFAs")

RFA Nos. 90-94, 98-100, 128-132, 136-138, 169, 174-177, 185, 189: The Court overrules Defendants' objections that these RFAs are vague and ambiguous. The Court finds that these RFAs are not so vague and ambiguous that Defendants could not frame an intelligent reply, and Defendants could have provided alternate wording. *See U.S. ex rel. Englund v. Los Angeles Cty.*, 235 F.R.D. 675, 684-85 (E.D. Cal. 2006). The Court also overrules Defendants' objections that certain of these RFAs require legal conclusions as RFAs may ask for the application of law to facts. *See Fed. R. Civ. P. 30(a)(1)(A)*. The Court also overrules Defendants' objections that certain of these RFAs assume facts not in evidence. Defendants may qualify their answers to admit part of RFAs and deny the rest, or assert lack of knowledge or information as appropriate. To the extent Plaintiff is attempting to authenticate documents that appear to have been created by Defendants, that is not an improper use of an RFA, though Defendants are free to deny. Although the Court overrules most, if not all, of Defendants' objections to these RFAs, Defendants have already denied these RFAs, so no further response is required.

RFA Nos. 96, 97: The Court denies Plaintiff's motion as to these RFAs because it is unclear what is being referred to as "terms" or different documents with respect to Dkt. No. 42. Dkt. No. 127-1 does include a terms of use exhibit, *see* Dkt. No. 127-1 at 10-17, but Dkt. No. 42 does not.

RFA Nos. 105, 106, 110, 111: Because RFA No. 104 is not in the table, the relevance of RFA Nos. 105 and 106 is unclear. Additionally, assuming the documents at issue were not created by Defendants, Defendants' response that they lack knowledge or information is proper. The Court also sustains Defendants' objections that the documents speak for themselves.

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RFA No. 115: The Court overrules Defendants’ objections. Defendants refer to Plaintiff’s videogame in their own discovery requests and to the extent Defendants believe the RFA is ambiguous, Defendants can provide alternate wording (i.e. naming the exact videogame) in their response. The Court orders Defendants to provide a response.

RFA No. 116: The Court sustains Defendants’ objection that this RFA calls for a legal conclusion. Moreover, relevance is unclear as the copyright infringement claim here relates to animations.

RFA No. 134: Defendants’ response is sufficient as it admits in part and denies in part.

RFA No. 135: Defendants’ objections regarding these screenshots taken by Plaintiff are sustained. Moreover, Defendants have denied these RFAs.

RFA No. 142: The Court overrules Defendants’ objections as the RFA requests application of law to fact, which is permissible. The Court also finds that the RFA is not impermissibly compound. If any Rokoko Studio agreement from 2020 through 2024 granted any right for Rokoko to sell or sublicense user content, the response would be to deny. The Court orders Defendants to provide a response to this RFA.

RFA No. 157: The Court sustains Defendants’ objection related to the use of an image of a file folder, but notes that Defendants have already denied the RFA.

RFA Nos. 167, 168, 171: Defendants’ response that it lacks knowledge or information is proper.

RFA No. 170: The Court sustains Defendants’ objection that this RFA is vague and ambiguous or not relevant as Plaintiff did not identify which arbitration(s) and/or the subject matter of any such arbitration.

RFA Nos. 179, 191-194: The Court sustains Defendants’ objections and finds that relevance is unclear as the RFAs are not limited in time and therefore might not encompass Plaintiff’s animations.

RFA Nos. 197, 198: Defendants’ objections are sustained.

RFA No. 199: The Court overrules Defendants’ objections. Defendants may provide alternate wording in their response to the extent they believe Plaintiff’s wording is vague or ambiguous. The Court overrules Defendants’ objections that the RFA is overbroad or speculative as it refers expressly to Plaintiff’s computer and to what has occurred in the past with the use of the word

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“was.” Defendants may qualify their response if needed, but Defendants must provide a substantive response.

II. Defendants’ Motion to Compel

A. Exhibit A: Joint Table for First Set of RFPs and First Set of Rogs.

Interrogatory No. 2: The Court grants Defendants’ motion only as to the damages calculation for the copyright infringement claim. To the extent Plaintiff claims that he will seek only statutory damages, he may state so in his response. However, Plaintiff must still provide any facts underlying any anticipated request for the higher end of statutory damages.

B. Exhibit B: Joint Table for Second Set of RFPs and First Set of RFAs

i. *RFPs*

RFP No. 70: : Relevance is unclear as the misappropriation of intellectual property claim has been dismissed and Defendants do not explain why confidentiality or secrecy is relevant to a claim for copyright infringement.

RFP Nos. 71-78, 80-83, 85, 87: Plaintiff shall identify by Bates numbers any responsive documents he has produced. If Plaintiff does not have any responsive documents in his possession, custody, or control after a diligent search and reasonable inquiry, he should state so.

RFP No. 92: Relevance is unclear. If Plaintiff designates himself as an expert, then Defendants may seek this information in expert discovery.

ii. *RFAs*

RFA Nos. 11, 13, 14, 16, 17, 18, 20, 52, 57, 59: The Court overrules Plaintiff’s objection that these RFAs are vague and ambiguous. Plaintiff should look to Defendants’ definitions of the terms and may provide his alternate wording if necessary. Plaintiff’s responses that he lacks knowledge are overruled because the requested information should be within his personal knowledge. As to the RFAs that were already denied, Plaintiff need not provide a further response. For those RFAs that have not been admitted or denied, Plaintiff must provide a further response.

RFA No. 22: The Court previously discussed that if there was an error in drafting a discovery request, Defendants could correct the error and re-propound the request. *See* Dkt. No. 145. The Court denies Defendants’ motion to compel because the error within this RFA could have easily

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been corrected and the Court finds the failure to do so amounts to a failure to exhaust good faith meet and confer efforts to narrow disputes without Court intervention.

RFA No. 60: Plaintiff's response is sufficient.

RFA Nos. 61, 62: Relevance is unclear as the misappropriation of intellectual property claim has been dismissed and Defendants do not explain why confidentiality or secrecy is relevant to a claim for copyright infringement.

RFA No. 66, 67, 69: Plaintiff has now amended his responses to these RFAs as “denied.”

RFA No. 68: Relevance is unclear as the misappropriation claim is no longer at issue and the Court understands the copyright claim to relate to Plaintiff's animations.

IT IS SO ORDERED.

Initials of Preparer _____ : _____
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