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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]*

**DECLARATION OF GERARDO V.
GOROSPE IV IN SUPPORT OF
DEFENDANT ROKOKO
ELECTRONICS' MOTION FOR
SUMMARY JUDGMENT**

*[Concurrently Filed With Motion for
Summary Judgment; Separate Statement
of Uncontroverted Facts; Declaration of
Ricardo Tobon; Declaration of Jakob
Balslev; Declaration of Mikkel Overby;
Compendium of Evidence; Application to
File Under Seal; Declaration of Gerardo
V. Gorospe ISO App. to Seal; [Proposed]
Order]*

**State Court Action Filed: May 12,
2025
Removal Date: June 12, 2025**

Discovery Cutoff: August 10, 2026
Trial Date: March 9, 2027

Hearing Date: September 28, 2026
Time: 1:30 p.m.
Place: Courtroom 5D

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DECLARATION OF GERARDO V. GOROSPE IV

I, Gerardo V. Gorospe IV, declare:

1. I am an attorney duly licensed to practice law before all courts of the State of California and am an associate with Reed Smith LLP, counsel of record for Defendant Rokoko Electronics (“Rokoko”) in the above-captioned action. 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 declaration in support of Rokoko’s Motion for Summary Judgment brought against Plaintiff Matthew R. Walsh (“Plaintiff”).

3. Attached hereto as **Exhibit J** is a true and correct copy of excerpts of the Declaration of Matthew R. Walsh re: Evidentiary Package in Support of Plaintiff’s Motion for Summary Judgment, dated April 11, 2026, filed in this action (ECF No. 167-1).

4. Attached hereto as **Exhibit K** is a true and correct copy of the Certificate of Registration for Copyright Registration No. PAu 4-279-489, bearing Bates number ROKOKO_0000542, which Reed Smith LLP obtained from the United States Copyright Office through an official records research and certification request.

5. Attached hereto as **Exhibit L** is a true and correct copy of correspondence between Plaintiff and the United States Copyright Office regarding Copyright Registration No. PAu 4-279-489, bearing Bates numbers ROKOKO_0000546 et seq., which Reed Smith LLP obtained from the United States Copyright Office through an official records research and certification request.

6. Attached hereto as **Exhibit M** are true and correct copies of the deposit copy materials submitted by Plaintiff for Copyright Registration No. PAu 4-279-489, which Reed Smith LLP obtained from the United States Copyright Office through an official records research and certification request. The deposit copy consists of five separate files: (1) a diary-style Booklet detailing the production of The Next World, (2) a “mission map,” (3) a rough script for “The Nothing” (later retitled The Next World),

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1 (4) a pitch deck, and (5) a video trailer for The Next World (“Trailer”). **Exhibit M(5)**
2 (the Trailer) is an .mp4 video file that is not conducive to paper or portable document
3 format. Accordingly, and pursuant to the Court’s Scheduling and Case Management
4 Order (ECF No. 103), Rokoko is submitting **Exhibit M(5)** to the Court on a USB flash
5 drive in lieu of a compact disc.¹

6 7. Attached hereto as **Exhibit N** is a true and correct copy of the Certificate
7 of Registration for Copyright Registration No. PAu 4-305-887, bearing Bates number
8 ROKOKO_0001042, which Reed Smith LLP obtained from the United States
9 Copyright Office through an official records research and certification request.

10 8. Attached hereto as **Exhibit O** is a true and correct copy of correspondence
11 regarding Copyright Registration No. PAu 4-305-887, bearing Bates numbers
12 ROKOKO_0001046, et seq. which Reed Smith LLP obtained from the United States
13 Copyright Office through an official records research and certification request.

14 9. On July 21, 2026, I took the deposition of Plaintiff Matthew R. Walsh in
15 this action. Attached hereto as **Exhibit P** is a true and correct copy of excerpts of the
16 certified transcript of that deposition.

17 10. On August 11, 2026, the day after the close of fact discovery, I emailed
18 Plaintiff to advise him that Rokoko intended to move for summary judgment and to
19 request his availability to meet and confer pursuant to Local Rule 7-3. Plaintiff
20 responded that same day that he was “not available” because he would be “out of state
21 on vacation beginning tomorrow and wholly unavailable.” Prior to that email, Rokoko
22 had received no notice from Plaintiff of any planned travel or unavailability. I followed
23 up again on August 12, 2026 requesting his first available time for a brief telephonic
24 conference, and Plaintiff responded that there would be no “quick call,” “quick Zoom,”
25 or other litigation work while he was away, and that he would provide his availability
26 only “after [he] return[ed].” Plaintiff did not identify any date on which he would

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28 ¹ For the same reason, Rokoko is submitting **Exhibit B** to the Declaration of Ricardo Tobon via the
same method.

1 become available. On August 17, 2026, Plaintiff wrote that he “didn’t read a single
2 word of the last email” I had sent, and again declined to provide any availability, stating
3 only that he would “be back on Wednesday” and would “have [his] schedule then.”
4 Though he claimed he was unavailable to meet and confer, on that same date, August
5 17, 2026, Plaintiff sent emails to me seeking to initiate meet and confer conversations
6 over Rokoko’s document production. Attached hereto as **Exhibit Q** is a true and correct
7 copy of that email correspondence, the most recent of which is dated August 17, 2026.

8 11. On August 18, 2026, I again asked Plaintiff to provide a specific timeslot
9 he was available Wednesday through Friday of that week to meet and confer regarding
10 Rokoko’s forthcoming motion for summary judgment. Plaintiff responded that he
11 would “be back Wednesday and will have my availability then,” that “[t]his issue is
12 finalized and will no longer be discussed.” Plaintiff again provided no date or time. I
13 renewed the request on the morning of August 19, 2026, and Plaintiff responded that he
14 could “only do Friday at 3:30pm this week,” together with several times the following
15 week. Attached hereto as **Exhibit R** is a true and correct copy of that email
16 correspondence, the most recent of which is dated August 19, 2026.

17 12. Throughout the period in which Plaintiff represented that he was
18 unavailable to confer, Plaintiff sent extensive email correspondence to me, including
19 making affirmative requests that Rokoko review the entirety of its Production 7 and
20 identify proposed redactions. On August 20, 2026, Plaintiff filed his motion for
21 terminating sanctions under seal, together with sixteen accompanying declarations
22 attributed to him. (See ECF No. 232). Plaintiff thus apparently had time during this
23 period to prepare and file his own motion and supporting declarations (totaling well
24 over 300 pages), but not to participate in meet and confer discussions regarding
25 Rokoko’s Motion for Summary Judgment.

26 13. On the evening of August 20, 2026, the same day he filed his Sanctions
27 Motion (ECF No. 232), Plaintiff sent an email at 8:47 p.m. cancelling the telephonic
28 meeting that was set for the following day to discuss Rokoko’s Motion for Summary

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Judgment. In view of Plaintiff's continued postponement, on the evening of August 20, 2026, I provided Plaintiff written notice of the specific grounds for Rokoko's forthcoming motion for summary judgment and confirmed that Rokoko remained available to confer at 3:30 p.m. on August 21, 2026. In response, Plaintiff stated, in part, "[a]lso if that's your theory to prevail... I... I don't even know what to say..... All I'm going to say, is after all this, I hope you're doing this one pro bono. Good lord." Attached hereto as **Exhibit S** is a true and correct copy of that email correspondence, the most recent of which is dated August 20, 2026.

14. On August 21, 2026, I appeared in the Zoom conference room at 3:30 p.m. as originally scheduled. Plaintiff did not appear.

15. On July 28, 2026, the Court issued a Minute Order on the Parties' cross-motions to compel (ECF No. 225). A true and correct copy of Plaintiff's August 10, 2026 email and relevant excerpts of Plaintiff's "Response to Dkt # 225" are attached hereto as **Exhibit T** in the exact form as it was sent by Plaintiff to me. Plaintiff's "Response to Dkt # 225" was sent by email in Word format without a caption page or signature, and provides responses to written discovery propounded by Rokoko seeking information regarding Plaintiff's claimed damages.

16. On July 2, 2026, the Court ordered Plaintiff to produce documents submitted by him to the Copyright Office in connection with his applications for copyright registration numbers PAu 4-279-489 and PAu 4-305-887. (ECF No. 208). To date, Plaintiff has not produced any applications, correspondence, or other documentation in connection with his two copyright applications, apart from a copy of his deposit.

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1 I declare under penalty of perjury under the laws of the United States of America
2 that the foregoing is true and correct. Executed on this 24th day of August 2026, in Los
3 Angeles, California.

4 *Gerardo Valentino Gorospe IV*
5 Gerardo V. Gorospe IV
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