

1 MATTHEW R. WALSH
2 19197 GOLDEN VALLEY RD #333
3 SANTA CLARITA, CA 91387
4 (661) 644-0012

5 Plaintiff In Pro Per,

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

MATTHEW R. WALSH

Plaintiff In Pro Per,

vs.

ROKOKO ELECTRONICS
(AND DOES 1 THROUGH 50,
INCLUSIVE)

Defendant

Case No.: 2:25-CV-05340-ODW-RAO

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

Date: November 19, 2025

Time: 10:00 a.m.

Place: Dept. 590

**DECLARATION ISO OBJECTION
TO DEFENDANTS MOTION TO
QUASH – EVIDENTIARY
PACKAGE**

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**DECLARATION ISO OBJECTION TO DEFENDANTS MOTION TO
QUASH – EVIDENTIARY PACKAGE**

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I, Matthew R. Walsh, declare as follows:

I am the Plaintiff in this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently

17 thereto. All exhibits attached hereto are true and accurate copies of documents I
18 have received or made.

- 19
- 20 • **EXHIBIT A** - One of many examples of CoCo Care and Rokoko commingling
21 and having dual board meetings, with signed minutes. Also one of many
22 examples of Defendant's using their personal e-mail addresses in these specific
23 business matters.
 - 24 • **EXHIBIT B** - Plaintiff specifically stated he would schedule a 37-1 conference,
25 two days later Defendant stated they would never meet and confer again absent
26 recording the meetings.
 - 27 • **EXHIBIT C** - Defendant publicly admits to the IP misappropriation scheme in
28 which they are accused of.

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

32 Executed on October, 16 2025, in Santa Clarita, California.

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34 Matthew R. Walsh
35 Plaintiff in pro per

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EXHIBIT A

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EXHIBIT B

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56 Plaintiff specifically stated he would schedule a 37-1 conference, two days later
57 Defendant stated they would never meet and confer again absent recording the
58 meetings.
59

RE: Re:



matthew@winteryear.com

To 'Ellena, Katherine J.'

Cc 'Graue, Emily H.'; 'Galibois, Michael B.'

Reply Reply All Forward

Fri 9/26/2025 12:16 PM

We removed extra line breaks from this message.

The September 30 date is, and always was a 26(f) conference meeting.

I specifically stated if you wanted to combine other meetings with it, those additional topics must be noticed to me, in writing prior. You chose to not respond to that. It is now Friday, my schedule is made for most of the week and I have allotted only the time that you set yourself for that meeting.

Further, you may want to read the local rules again. 37-1 allows for 10 days from the date of your notice of intent to quash.

If you somehow wish to paint me as uncooperative and unwilling, go right ahead. That can and will be addressed in your sanctions hearing on the 20th as well as just another display of bad faith.

Thanks
Matt

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61 On or about September 16, 2025 both parties agreed on September 30, 2025 for a
62 26(f) conference.

Walsh v. Rokoko - Rule 26(f) conference



Ellena, Katherine J. <KEllena@reedsmith.com>
Required Galibois, Michael B.; matthew@winteryear.com

No Response Required

Tue 9/16/2025 4:05 PM

This meeting request was updated after this message was sent. You should open a later update or open the item on the calendar.

Tuesday, September 30, 2025 2:30 PM-3:30 PM

<https://reedsmith.zoom.us/j/94727896410?pwd=gnu4RTPaEiRlgy6llqKFQIQ0HIBdVE.1>

Ellena, Katherine J. is inviting you to a scheduled Zoom meeting

Join Zoom Meeting

<https://reedsmith.zoom.us/j/94727896410?pwd=gnu4RTPaEiRlgy6llqKFQIQ0HIBdVE.1>

Meeting ID: 947 2789 6410

Passcode: 163629

IMPORTANT: Please do not reuse the meeting URL other than during the specific meeting time.

One tap mobile - tap the number next to your location below to dial into your meeting (audio only):

Belgium: +3227924508,,94727896410#,,, *163629#

China (North & South): one tap dialing currently unavailable in China

France: +33170394855,,94727896410#,,, *163629#

Germany: +4969710448211 94727896410# *163629#

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Counsel began attaching conditions to the 26(f) conference date such as requiring

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the meeting to cover *more topics* that are not part of a 26(f) but required under LR

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7-3 and LR 31-7

RE: Re:



Ellena, Katherine J. <KEllena@reedsr
To matthew@winteryear.com
Cc Graue, Emily H.; Galibois, Michael B.

Reply Reply All Forward ...

Fri 9/26/2025 11:24 AM

You replied to this message on 9/26/2025 11:48 AM.
We removed extra line breaks from this message.

Mr. Walsh:

The matters that the Court has instructed the parties to meet and confer over are set forth in its September 9, 2025 Notice. In addition to those topics, we would also like to further discuss the various subpoenas that you have attempted to issue in the recent weeks and that are the subject of our Rule 37 letter to you yesterday.

Please be advised that we have retained a stenographer from Aptus Court Reporting to attend Tuesday's meet and confer and we will provide the stenographer's contact information to you when we receive it so you can order a copy of the transcript if you wish.

Regards,

Katherine J. Ellena | Senior Associate
kellena@reedsmith.com

ReedSmith LLP

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Plaintiff objected to the unilateral conditions

RE: Re:



matthew@winteryear.com
To 'Ellena, Katherine J.'
Cc 'Graue, Emily H.'; 'Galibois, Michael B.'

Reply Reply All Forward ...

Fri 9/26/2025 11:49 AM

We removed extra line breaks from this message.

Subpoena issues will not be addressed during the September 30 meet and confer. Those discussions, if necessary, will proceed at a later date consistent with the requirements of Local Rule 37-1.

Further, as you have previously objected to recording or transcription of conferences — and even threatened me with felony charges in that context — I likewise object to any stenographic recording, or otherwise of the September 30 meeting. Such measures are unnecessary and inappropriate for a Rule 26(f) conference.

We will limit the discussion to the matters identified in the Court's September 9, 2025 Notice.

Thank you
Matthew R. Walsh

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-----Original Message-----

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73 Counsel began to paint Plaintiff as “unwilling” to meet and confer.

RE: Re:



Ellena, Katherine J. <KEllena@reedsr
To matthew@winteryear.com
Cc Graue, Emily H.; Galibois, Michael B.

Reply Reply All Forward ...

Fri 9/26/2025 12:02 PM

You replied to this message on 9/26/2025 7:05 PM.
We removed extra line breaks from this message.

Mr. Walsh:

In light of your unwillingness to meet and confer regarding the subpoenas during our September 30th call, I will be asking the Court for an informal discovery conference to address the subpoenas. Please advise if you would like to participate in that request jointly.

There is no prohibition under California law to a court certified stenographer preparing a transcript. And considering your inaccurate recount of our last telephone call, we believe a certified stenographer is necessary.

Katherine J. Ellena | Senior Associate
kellena@reedsmith.com

ReedSmith LLP

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76 Plaintiff clarified his position and that the 30th was only for a 26(f)

RE: Re:



matthew@winteryear.com
To 'Ellena, Katherine J.'
Cc 'Graue, Emily H.'; 'Galibois, Michael B.'

Reply Reply All Forward ...

Fri 9/26/2025 12:16 PM

We removed extra line breaks from this message.

The September 30 date is, and always was a 26(f) conference meeting.

I specifically stated if you wanted to combine other meetings with it, those additional topics must be noticed to me, in writing prior. You chose to not respond to that. It is now Friday, my schedule is made for most of the week and I have allotted only the time that you set yourself for that meeting.

Further, you may want to read the local rules again. 37-1 allows for 10 days from the date of your notice of intent to quash.

If you somehow wish to paint me as uncooperative and unwilling, go right ahead. That can and will be addressed in your sanctions hearing on the 20th as well as just another display of bad faith.

Thanks
Matt

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78 Plaintiff agreed to some of Defendant’s demands reluctantly while narrowing the
79 scope of the meeting. Defendant refused to accept these terms.

RE: Re:



matthew@winteryear.com
To 'Ellena, Katherine J.'
Cc 'Graue, Emily H.'; 'Galibois, Michael B.'

Reply Reply All Forward ...

Fri 9/26/2025 7:05 PM

You replied to this message on 9/29/2025 11:48 AM.
We removed extra line breaks from this message.

Ms. Ellena,

There is no prohibition, and I am free to agree or oppose. Despite my interactions with you/Defendants I remain cautiously optimistic that some semblance of truth and professionalism can occur and therefore will do my part, I will agree to a certified stenographer on the following conditions:

1. Courtesy Copy at no cost: You will provide me a complete electronic copy of the certified transcript (ASCII or PDF with exhibits) at no cost within 5 business days of receipt.
2. Scope: The conference is limited to the Rule 26(f) topics set forth in the Court’s September 9, 2025 Notice. Subpoena issues will proceed, if necessary, under L.R. 37-1/37-2 at a later date which I will coordinate with you on.
3. A Neutral reporter: A neutral, certified reporter will be used; no ex parte communications with the reporter regarding content or certification.
4. No waiver: No statements in this conference shall be deemed a waiver of any objections, privileges or rights, and the transcript is for the limited purpose of documenting the 26(f) conference planning session.

If you agree to these terms, please confirm and provide the reporter’s contact information.

Thanks
Matt

-----Original Message-----

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82 Plaintiff followed up with Defendant in good faith since no reply was received.

RE: Re:



matthew@winteryear.com
To 'Ellena, Katherine J.'
Cc 'Graue, Emily H.'; 'Galibois, Michael B.'

Reply Reply All Forward ...

Mon 9/29/2025 11:48 AM

We removed extra line breaks from this message.

Ms. Ellena,

I have not received a response to the reasonable terms I proposed for tomorrow’s Rule 26(f) conference. I will appear as scheduled and limit the discussion to the topics identified in the Court’s September 9 notice. For the record, I do not consent to stenographic recording absent agreement on my stated conditions.

Matt

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84 After Defendant made threats of Court involvement, Plaintiff reiterated that he will
85 now allow a 26(f) to turn into a free for all deposition of him.

RE: Re:



matthew@winteryear.com
To 'Ellena, Katherine J.'
Cc 'Graue, Emily H.'; 'Galibois, Michael B.'

Reply Reply All Forward ...

Mon 9/29/2025 12:13 PM

We removed extra line breaks from this message.

A Rule 26(f) conference is a cooperative planning discussion, not testimony or deposition. There is no requirement or authority permitting a party to unilaterally record or transcribe it. I do not consent to being recorded, transcribed, or otherwise memorialized by a third-party reporter.

If you wish to take my testimony, you can notice a deposition under Rule 30, which carries its own procedural safeguards. This conference is not that. Please cancel the reporter.

I will attend the 26(f) conference as ordered and participate fully within its proper scope — initial disclosures, scheduling, and discovery planning — but I will not waive rights by participating in a recorded proceeding that exceeds Rule 26(f)'s intent.

Also, those subpoenas are already issued; their existence is past-tense. Further, they are Rule 45 and should be addressed as such; not part of any 26(f) conference and I will not discuss them or any other matters outside of the specific nature of 26(f).

Thank you
Matthew R. Walsh

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88 Counsel openly states she will no longer meet and confer with Plaintiff unless she
89 can record the calls.

RE: Re:



Ellena, Katherine J. <KEllena@reedsr
To matthew@winteryear.com
Cc Graue, Emily H.; Galibois, Michael B.

Reply Reply All Forward ...

Mon 9/29/2025 2:11 PM

You replied to this message on 9/29/2025 2:28 PM.
We removed extra line breaks from this message.

Mr. Walsh:

Given your inaccurate characterization of our last telephone call, we will not proceed with any further calls without a certified court reporter present and will need to reschedule tomorrow's call. Because you are not willing to have a reporter present, the parties are at an impasse and will need to address this with the Court. Please let us know whether you will participate in a joint request for an Informal Discovery Conference. If not, Rokoko will request one.

Thanks,

Katherine J. Ellena | Senior Associate
kellena@reedsmith.com

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92 Plaintiff reiterated his position and once again, also demanded that Counsel stop
93 making false statements that he “mischaracterized” the only 7-3 conference ever.
94 Plaintiff further demanded that Counsel engage in 26(f), proceed through discovery
95 and reach the merits. Defendant refused.

RE: Re:



matthew@winteryear.com

To 'Ellena, Katherine J.'
Cc 'Graue, Emily H.; Galibois, Michael B.'

Reply Reply All Forward

Mon 9/29/2025 2:29 PM

We removed extra line breaks from this message.

I won't allow a standard meet-and-confer to be turned into a deposition or a fishing expedition for impeachment material.

If you intend to keep asserting that my account of the call is inaccurate, you should be prepared to substantiate that claim. Mischaracterizing events to manipulate these proceedings would be a serious error, and I am absolutely, positively 100% sure the record will support my version. This is not a thread you want to continue pulling, it's not an argument that will go well for you, and I suggest moving on from it.

I recommend we complete the 26(f) as a standard procedure, proceed through discovery, and reach the merits. I'm growing tired of the endless and unnecessary detours.

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98 Defendant refused and cancelled the 26(f) meet and confer, the 37-1 and the 7-3.

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RE: Re:



Ellena, Katherine J. <KEllena@reedsr

To matthew@winteryear.com
Cc Graue, Emily H.; Galibois, Michael B.

Reply Reply All Forward

Mon 9/29/2025 3:34 PM

We removed extra line breaks from this message.

Mr. Walsh:

We will reschedule the meet and confer for a time after we have conducted an IDC with the Court.

Katherine J. Ellena | Senior Associate
kellena@reedsmith.com

ReedSmith LLP
515 Flower St., Suite 4300 | Los Angeles, CA 90071 | Direct: 213.457.8254 | Cell: 424.302.1476 | Reception: 213.457.8000
| Fax: 213.457.8080 Abu Dhabi | Atlanta | Athens | Austin | Beijing | Brussels | Century City | Chicago | Dallas | Denver |
Dubai | Frankfurt | Greece | Hong Kong | Houston | Kazakhstan | London | Los Angeles | Miami | Munich | New York | Paris |
Philadelphia | Pittsburgh | Princeton | Richmond | San Francisco | Shanghai | Silicon Valley | Singapore | Tysons | Washington
DC | Wilmington

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Walsh v. Rokoko - Rule 26(f) conference



Ellena, Katherine J. <KEllena@reedsm

Required Galibois, Michael B.; matthew@winteryear.com

Accept Tentative Decline

Tue 9/16/2025 4:05 PM

Tuesday, September 30, 2025 2:30 PM-3:30 PM

https://reedsmith.zoom.us/j/ [redacted]

2 PM	
3 PM	<p>Walsh v. Rokoko - Rule 26(f) conference</p> <p>https://reedsmith.zoom.us/j/94727896410?pwd=gnu4RTPaEiRIgy6llqKFQjQ0HlBdVE.1</p> <p>Ellena, Katherine J.</p>
4 PM	

Ellena, Katherine J. is inviting you to a scheduled Zoom meeting

Join Zoom Meeting

[https://reedsmith.zoom.us/j/\[redacted\]](https://reedsmith.zoom.us/j/[redacted])

Meeting ID: [redacted]

Passcode: [redacted]

IMPORTANT: Please do not reuse the meeting URL other than during the specific meeting time.

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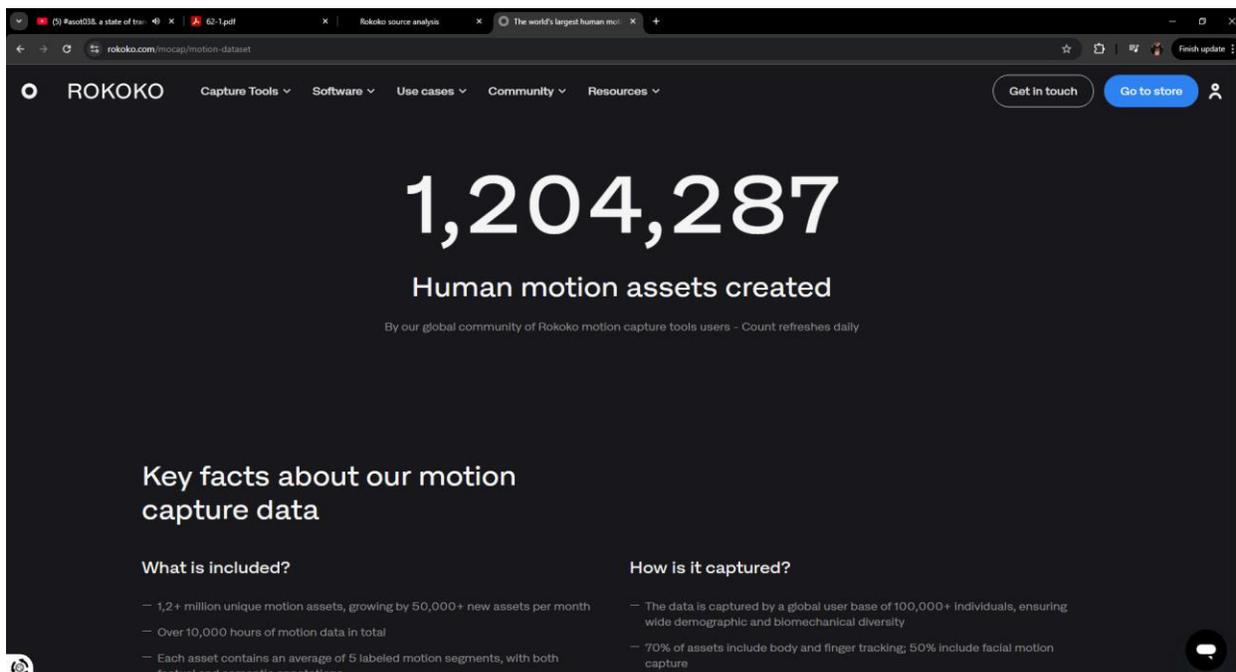
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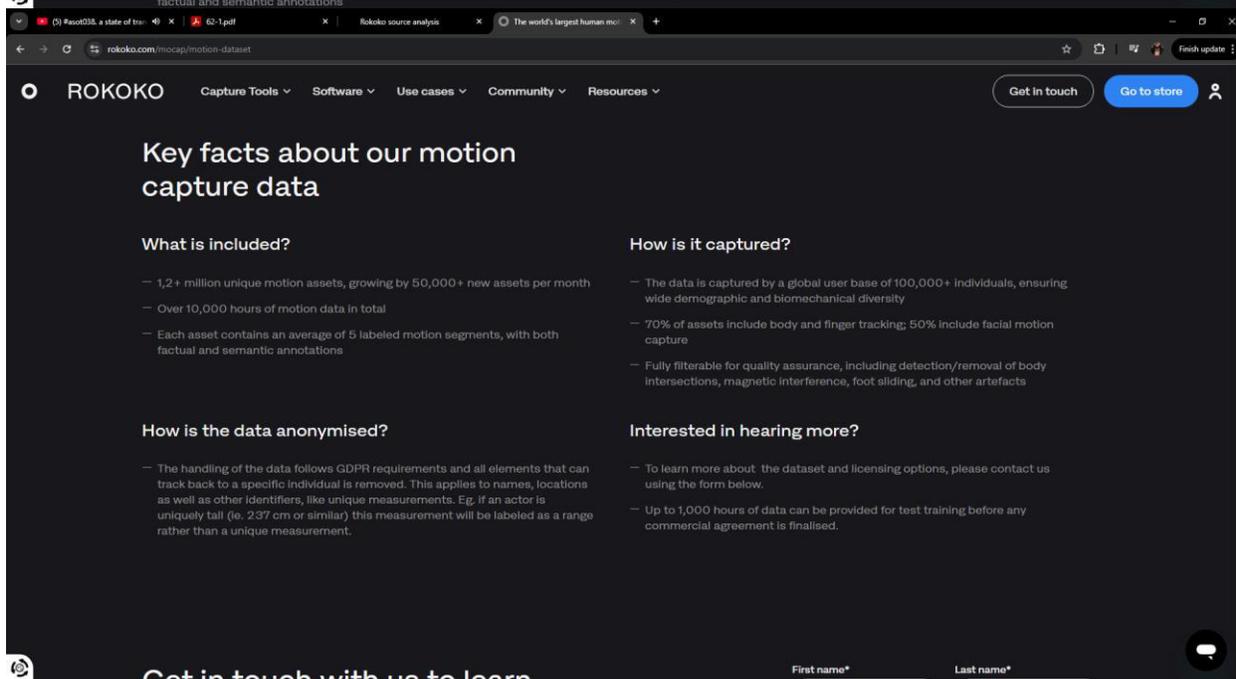
EXHIBIT C

113 Defendant publicly admits to the IP misappropriation scheme in which they are
114 accused of.

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