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10 *Attorneys for Defendant,*
Rokoko Electronics, *et al.*

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

14 MATTHEW R. WALSH

15 Plaintiff,

16 vs.

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

18 Defendant.
19
20

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 KATHERINE
ELLENA IN SUPPORT OF
DEFENDANT ROKOKO
ELECTRONICS' OPPOSITION TO
PLAINTIFF MATTHEW R.
WALSH'S MOTION FOR
RECONSIDERATION RE MOTION
TO COMPEL**

Date: November 24, 2025
Time: 1:30 p.m.
Place: Dept. 590

[Concurrently filed with Opposition to
Motion for Reconsideration]

State Court Action Filed: May 12, 2025
Removal Date: June 12, 2025
Trial Date: None

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DECLARATION OF KATHERINE ELLENA

I, Katherine Ellena, 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 declaration in support of Rokoko’s Opposition to Plaintiff Matthew R. Walsh’s (“Plaintiff,” and together with Rokoko, “Parties”) Motion for Reconsideration.

3. On September 18, 2025 I sent an email to Plaintiff requesting a meet and confer regarding the non-party subpoenas served by Plaintiff on or about September 12 through 15, 2025. On September 25, 2025, I sent a letter to Plaintiff pursuant to L.R. 37-1 requesting a meet and confer regarding the subpoenas. To date, Plaintiff has not responded to my September 18, 2025 or September 25, 2025 meet and confer requests.

4. On October 10, 2025, at 3:21 p.m., Rokoko timely served its Responses and Objections to First and Second Sets of Requests for Admission, First and Second Sets of Requests for Production, and First Set of Interrogatories (collectively, the “Responses”). A true and correct copy of Rokoko’s email service of its Responses to Plaintiff is attached as **Exhibit A**.

5. A true and correct copy of the Notice of Electronic Filing regarding Plaintiff’s Motion to Compel (ECF No. 80), received by Rokoko on October 10, 2025 at 5:31 p.m., is attached hereto as **Exhibit B**.

6. Prior to filing his Motion to Compel, Plaintiff never sent Rokoko a letter pursuant to Local Rule 37-1 requesting a meet and confer, nor made any informal efforts to communicate with Rokoko via email or telephone regarding a meet and confer.

7. On October 30, 2025, the Parties conducted their Rule 26(f) conference, which included a discussion regarding Plaintiff’s non-party Subpoenas. The Parties ultimately failed to reach an agreement regarding the Subpoenas.

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1 8. Although I have informed Plaintiff multiple times that I would make
2 myself available to meet and confer regarding Rokoko’s Responses to Plaintiff’s
3 discovery Requests, Plaintiff has not scheduled any such meet and confer discussion
4 nor has he initiated the meet and confer process pursuant to L.R. 37-1.

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6
7 I declare under penalty of perjury under the laws of the State of California and
8 the United States that the foregoing is true and correct and that this declaration was
9 executed on November 10, 2025, in Los Angeles, California.

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11 /s/ Katherine J. Ellena

12 Katherine J. Ellena
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EXHIBIT A

Valencia, Heather R.

From: Valencia, Heather R.
Sent: Friday, October 10, 2025 3:21 PM
To: matthew@winteryear.com
Cc: Ellena, Katherine J.; Galibois, Michael B.; Graue, Emily H.
Subject: Walsh v. Rokoko Electronics
Attachments: Walsh - 2025-10-10 Response to Walsh RFAs Set Two.pdf; Walsh - 2025-10-10 Response to Walsh RFPs Set One.pdf; Walsh - 2025-10-10 Response to Walsh RFPs Set Two.pdf; Walsh - 2025-10-10 Response to Walsh ROGs Set One.pdf; Walsh - 2025-10-10 Response to Walsh RFAs Set One.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

please see the attached documents.

DEFENDANT ROKOKO ELECTRONICS' RESPONSES AND OBJECTIONS TO PLAINTIFF'S SECOND SET OF REQUESTS FOR ADMISSION
DEFENDANT ROKOKO ELECTRONIC'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF REQUESTS FOR PRODUCTION
DEFENDANT ROKOKO ELECTRONICS' RESPONSES AND OBJECTIONS TO PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION
DEFENDANT ROKOKO ELECTRONICS' RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES
DEFENDANT ROKOKO ELECTRONICS' RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF REQUESTS FOR ADMISSION

Thank you,

Heather Valencia

Assistant to Katherine J. Ellena

Reed Smith LLP

515 South Flower Street, Suite 4300

Los Angeles, CA 90071-1514

Direct 213.457.6458 | hvalencia@reedsmith.com

Main 213.457.8000 | Fax 213.457.8080

Please consider the environment before printing the contents of this email

EXHIBIT B

From: cacd_ecfmail@cacd.uscourts.gov
Sent: Friday, October 10, 2025 5:31 PM
To: ecfnef@cacd.uscourts.gov
Subject: Activity in Case 2:25-cv-05340-ODW-RAO Matthew R. Walsh v. Rokoko Electronics et al
Motion to Compel

External E-Mail - FROM caacd_ecfmail@cacd.uscourts.gov

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered on 10/10/2025 at 5:30 PM PDT and filed on 10/10/2025

Case Name: Matthew R. Walsh v. Rokoko Electronics et al

Case Number: [2:25-cv-05340-ODW-RAO](#)

Filer: Matthew R. Walsh

Document Number: [80](#)

Docket Text:

NOTICE OF MOTION AND First MOTION to Compel Discovery responses, third-party subpoenas, to meet and confer and for 26(f) filed by Plaintiff in pro per Matthew R. Walsh. Motion set for hearing on 11/10/2025 at 01:30 PM before Judge Otis D. Wright II. (Attachments: # (1) Declaration re: Evidence Package, # (2) Declaration re: Refusal to Answer Discovery / Deem Admitted, # (3) Declaration re: Subpoena Details (as issued), # (4) Declaration re: Fabricated Caselaw, # (5) Proposed Order LODGED proposed order granting Plaintiffs motion)(Walsh, Matthew)

2:25-cv-05340-ODW-RAO Notice has been electronically mailed to:

Emily Graue egraue@reedsmith.com

Katherine Jane Ellena kellena@reedsmith.com, EGraue@reedsmith.com, hvalencia@reedsmith.com,

MGalibois@reedsmith.com, vparedes@reedsmith.com

Matthew R. Walsh matthew@winteryear.com

Michael Galibois mgalibois@reedsmith.com

2:25-cv-05340-ODW-RAO Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\MOTION TO COMPEL.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=10/10/2025] [FileNumber=41116328-0] [2a31a2c5511058aa77571a8da57a4e5a9dc1f92bc02dfde2e2d326f510fa6a4f11b7597f42f286b4f6063a668dfb5cabbe9e69aa4a86035974f4322db9bd0d79]]

Document description:Declaration re: Evidence Package

Original filename:C:\fakepath\Motion to Compel - Evidence.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=10/10/2025] [FileNumber=41116328-1] [0977ad9073e053df7c1ab4dae5a555bd2016ac1f79a857cdf3d1c3dc9a619e4ac9f493ff6cd84d8b5f7619f1df54a0ab10bb4019bcc3a8ff44683bb1fef5280f]]

Document description:Declaration re: Refusal to Answer Discovery / Deem Admitted

Original filename:C:\fakepath\DECLARATION ISO MTC - Admissions Uncontested.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=10/10/2025] [FileNumber=41116328-2] [65f8c728e92d593d870f694ded65b979d47ca1f71e61a4b9dffe9eaf1f9a9a0111280025ddee58b312ac934af29e0b3fa68e4fcc7baf9bfff15b7a908618b5e47]]

Document description:Declaration re: Subpoena Details (as issued)

Original filename:C:\fakepath\DECLARATION ISO Subpoena detail.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=10/10/2025] [FileNumber=41116328-3] [3ef633f3a1715f14361259c0f32fa51cea93925fbb322105043ae7566f9f4e6dca9f35db352042d81971d1d0c915a8463b69579292b34e4e1f9842cbaf1c56a5]]

Document description:Declaration re: Fabricated Caselaw

Original filename:C:\fakepath\DECLARATION ISO MOTION TO COMPEL - CASElaw.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=10/10/2025] [FileNumber=41116328-4] [202936d5afc0a8baddb769988d4d8a231dd4bcf139ecee9dc53e167676c5826ffad079b92a064ddb1ff258cb134bd4b75713d5dab909a213a89439a58b704678]]

Document description:Proposed Order LODGED proposed order granting Plaintiffs motion

Original filename:C:\fakepath\PROPOSED ORDER.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=10/10/2025] [FileNumber=41116328-5] [5f1bf3b5ce59dd70e151a4fc7f4e2e065a02aafbddd0643ce1a6ff0aeb95dd50cc0c2042bbe7f8b8f7fd9790edc7117edbed697e9b724d480e6b7db559ee6847]]