

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: CV 19-07818 CBM (RAOx) Date: September 25, 2020
Title: Nintendo of America Inc. v. Matthew Storman et al.

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

Donnamarie Luengo
Deputy Clerk

Tape No.: AT&T 09/25/2020
Court Recorder: AT&T System

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

William Rava
Christian Marcelo

Matthew Storman, pro se

Proceedings: **MINUTES OF TELEPHONIC DISCOVERY HEARING [44]**

The case was called and counsel entered their appearances telephonically. The Court and the parties discussed the pending discovery disputes. There are three categories of discovery requests for which Plaintiff seeks further production or responses from Defendant. As stated on the record, the Court rules as follows.

1. Requests pertaining to the number of times certain files were downloaded (RFAs 8, 9; Rogs 4, 9; RFP 10): Defendant is directed to investigate and search further as to whether this information is available or can be obtained. The parties shall meet and confer by **September 30, 2020** by telephone as to Defendant’s progress on his search for information and documents responsive to these requests and what information Plaintiff would like Defendant to produce by October 5, 2020 in response to these requests. If the parties are unable to resolve this dispute during their telephonic meet and confer, they shall inform the Court by email by **October 1, 2020** for the need of another telephonic hearing, which will be set for some time on **October 2, 2020**.
2. Requests to which Defendant indicated he was withholding “marketing puffery, protected business, and protected private communications” (RFPs 14-18): The Court overrules Defendant’s objection that responsive information is publicly available, and overrules Defendant’s withholding of any documents based on “marketing puffery, protected business, and protected private communications.” Defendant must produce all responsive documents by **October 5, 2020**.
3. RFP No. 5 for Defendant’s tax returns: To the extent documents do not exist, Defendant must provide a supplemental verified response indicating so. For the years in which

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Defendant did file tax returns, including 2016, Defendant must produce the tax returns by **October 5, 2020**.

Finally, Plaintiff raised during the telephonic hearing that Plaintiff would like to schedule a settlement conference before the undersigned in the latter half of October 2020. The parties are directed to meet and confer on mutually agreeable dates for the settlement conference as part of their telephonic meet and confer to be completed by September 30, 2020. The Court is currently available on the following dates: October 20, 23, 26, and 28, 2020. By October 1, 2020, the parties shall email the Court their availability on those dates for a video settlement conference.

IT IS SO ORDERED.

Initials of Preparer 0 : 51
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