

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

COLUMBIA PICTURES INDUSTRIES, INC.; AMAZON CONTENT SERVICES, LLC; DISNEY ENTERPRISES, INC.; PARAMOUNT PICTURES CORPORATION; WARNER BROS. ENTERTAINMENT INC.; UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP; UNIVERSAL TELEVISION LLC; and UNIVERSAL CONTENT PRODUCTIONS LLC,

Plaintiffs,

v.

ALEJANDRO GALINDO and DOES 1-20,

Defendants.

Case No. 2:20-cv-03129-SVW-GJSx

[PROPOSED] ORDER REQUIRING DEFENDANT’S PRESERVATION OF EVIDENCE; COMPELLING DEFENDANT’S DEPOSITION; COMPELLING SUPPLEMENTAL RESPONSES AND PRODUCTION; AND AWARDING ATTORNEYS’ FEES

Trial Date: October 13, 2020

1 The Court, having considered Plaintiffs’ Motion for an Order: 1) Requiring
2 Evidence Preservation, Imaging of Devices, and Defendant’s Deposition; 2)
3 Compelling Supplemental Responses and Production; 3) Compelling Consent to
4 Production of Emails by Google; and 4) for Attorneys’ Fees, and finding good cause
5 therefor, HEREBY ORDERS THAT:

6 Plaintiffs’ Motion for an Order: 1) Requiring Evidence Preservation, Imaging
7 of Devices, and Defendant’s Deposition; 2) Compelling Supplemental Responses
8 and Production; 3) Compelling Consent to Production of Emails by Google; and 4)
9 for Attorneys’ Fees is GRANTED.

10 Defendant Alejandro Galindo (“Defendant”) is ordered to preserve all
11 information, documents, electronically stored information (ESI) and other tangible
12 evidence relevant to the issues, facts, circumstances, and claims and defenses raised
13 in Plaintiffs’ complaint and Defendant’s answer (“Relevant Evidence”). As such,
14 Defendant is prohibited from purging, destroying, or erasing any and all Relevant
15 Evidence. And Defendant is further ordered to stop or disable all functions, features,
16 or procedures that may purge, destroy, or erase automatically or otherwise Relevant
17 Evidence.

18 Plaintiffs are permitted to depose Defendant to identify the repositories of
19 Relevant Evidence, as well as the electronic storage devices, email, and social media
20 accounts, and messaging applications he used or which were used at his direction;
21 his preservation (or lack thereof) of Relevant Evidence; and any deletion of Relevant
22 Evidence, including emails. Counsel for the parties are ordered to meet and confer
23 within three days of the issuance of this order to schedule Defendant’s deposition
24 for a mutually agreed upon time within two weeks of the issuance of this order. This
25 deposition will not count against Plaintiffs’ deposition of Defendant regarding the
26 claims and defenses in this matter.

27
28

1 Defendant is ordered to provide fulsome, verified, supplemental responses to
2 Interrogatories Nos. 1 and 2 within two weeks of the issuance of this order.

3 Defendant is ordered to produce all non-privileged, responsive documents to
4 RFP Nos. 2 through 5 and 7 through 80 in his possession, custody, or control within
5 two weeks of the issuance of this order.

6 The Court will be awarding Plaintiffs attorneys' fees in connection with
7 bringing their motion. The Court instructs the parties to brief the question of the
8 fees to which Plaintiffs are entitled. Plaintiffs' motion is due three weeks from the
9 issuance of this order, and Plaintiffs' Memorandum of Points and Authorities is
10 limited to 15 pages. Defendant's opposition is due five weeks from the issuance of
11 this order and is likewise limited to 15 pages. Plaintiffs' reply, if any, is due six
12 weeks from the issuance of this order, and may be up to seven pages.

13 The Court has ruled on Plaintiffs' request for an order requiring imaging of
14 Defendant's devices and accounts and compelling Defendant's consent to Google's
15 production of emails in separate orders.

16
17 IT IS SO ORDERED.

18
19 Dated:

20 By:

21 _____
22 The Honorable Gail Standish
23 Magistrate Judge
24
25
26
27
28