

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CIVIL MINUTES--GENERAL

Case No. CV 07-5744 AHM (AJWx)

Date: April 6, 2009

Title: UMG RECORDINGS, INC., et al. v. VEOH NETWORKS, INC., et al.

PRESENT: HON. ANDREW J. WISTRICH, MAGISTRATE JUDGE

Ysela Benavides
Deputy Clerk

Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:
None Present

ATTORNEYS PRESENT FOR DEFENDANTS:
None Present

ORDER REGARDING UMG'S MOTION FOR SANCTIONS AND TO COMPEL COMPLIANCE WITH PRIOR COURT ORDERS

As to Veoh's license agreements, the motion is denied as moot based upon Veoh's representation that its production of license agreements is complete. [Veoh's Supplemental Memorandum at 4].

As to lost or destroyed Skype files, the motion is denied as moot based upon Veoh's representation that its production of Skype files is complete. [Joint Stipulation at 42].<sup>1</sup>

The court is concerned about what appear to be unreasonably narrow interpretations by Veoh of some of UMG's discovery requests [see, e.g., Joint Stipulation at 32-33], a practice which calls into question the completeness of its entire production. Anomalies in Veoh's production, which may or may not have an entirely innocent explanation, heighten that concern. Nevertheless, the measures UMG has asked the court to adopt are too draconian on the present record. Instead, Veoh is directed to review its production and to have its general counsel (if any) and its lead trial counsel in this case certify to the court under penalty of perjury that under a fair reading of the requests for production as to which it has agreed to produce documents or been ordered to produce documents, its production is complete. Compliance within 21 days is required.

IT IS SO ORDERED.

cc: Parties

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk

1 The court expresses no view as to whether Veoh adequately complied with its evidence preservation obligations with respect to Skype logs or files pertaining to ex-employees or past or present independent contractors.