

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CIVIL MINUTES--GENERAL

Case No. CV 07-5744 AHM (AJWx)

Date: November 18, 2008

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 EX PARTE APPLICATION FOR ORDER REQUIRING VEOH TO RETAIN EVIDENCE

The court has considered UMG's ex parte application and Veoh's opposition thereto. The ex parte application is granted.

Information - such as the metadata fields sought by UMG in this case - is not necessarily immunized from discovery merely because it is transitorily stored in RAM. See California Pictures, Inc. v. Bunnell, 245 F.R.D. 443, 446-448 (C.D. Cal. 2007). The additional metadata fields sought by UMG are relevant for purposes of Fed. R. Civ. P. 26(b)(1), and since Veoh is already selectively retaining and producing some of the metadata fields, requiring Veoh to retain and produce the additional metadata fields as well would not impose an undue burden.

The obligation to retain and produce the additional metadata fields begins immediately and ends with the dismissal or entry of final judgment in this case unless the court subsequently orders otherwise.

The court expresses no view as to whether Veoh had an obligation to retain and produce the additional metadata fields prior to the date of this order.

IT IS SO ORDERED.

cc: Parties

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk