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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN AMES BROWN,

Plaintiff,

v.

ANDREW B. STROUD,

Defendants.

No. C-08-02348 JSW (DMR)

**ORDER REGARDING APRIL 6, 2011
JOINT DISCOVERY LETTER**

Before the Court is the April 6, 2011 joint discovery letter submitted by Plaintiff Steven Ames Brown and Defendant Andrew B. Stroud setting forth the parties' dispute regarding Plaintiff's first set of Requests for Admissions. *See* Docket No. 277. The Court conducted a hearing on April 29, 2011, during which the parties were given an opportunity to present their arguments. This Order summarizes the rulings made by the Court on the record during the April 29, 2011 hearing.

I. Request for Admissions 1, 3, 5, and 7

Plaintiff's request for an order compelling further responses to Request for Admissions 1, 3, 5, and 7 is DENIED. However, in their stead, by May 9, 2011, Defendant Stroud shall produce to Plaintiff authenticated, verified copies of the tracks entitled "Love Me or Leave Me," "Don't Explain," "This Year's Kisses" and "Strange Fruit" that are on deposit with the Copyright Office and are the subject of Defendant Stroud's copyright registration N-4087.

1 Counsel for Defendant Stroud represented that Mr. Stroud currently has some medical issues
2 which may impact his ability to meet the May 9, 2011 deadline. If Defendant Stroud is unable to
3 meet this deadline, he may apply to the Court for an extension of the deadline but must provide
4 adequate information demonstrating good cause for an extension.

5 **II. Request for Admissions 2, 4, 6, and 8**

6 Plaintiff's request for an order compelling further responses to Request for Admissions 2, 4,
7 6, and 8 is DENIED. Plaintiff may re-serve these requests on Defendant Stroud, and shall
8 supplement any renewed requests with detailed information about the provenance of each track on
9 the recording submitted with the requests. Defendant Stroud shall comply with the requirements of
10 Federal Rule of Civil Procedure 36, including undertaking a reasonable inquiry to respond to the
11 requests. Defendant Stroud shall serve responses to the requests within 30 days after being served.

12 IT IS SO ORDERED.

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14 Dated: April 29, 2011

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17 DONNA M. RYU
18 United States Magistrate Judge
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