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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CORBIS CORP.,	)	
	)	
Plaintiff(s),	)	No. C 09-3383 BZ
	)	
v.	)	
	)	<b>ORDER DENYING MOTION</b>
TIVOLI ASSOCIATES, INC, et	)	<b>TO COMPEL</b>
al.,	)	
	)	
Defendant(s).	)	
_____	)	

Tivoli's motion to compel further discovery is **DENIED** with the exception that Corbis shall produce communications with the copyright office related to its registration program. I find no need for a hearing.

I agree with Corbis that the issues presented by Tivoli are primarily questions of law. See Bean v. McDougal Littell, 669 F.Supp.2d, 1031, 1036 (D. Ariz. 2008). Given that Corbis has turned over all requested documents with respect to photographs whose images are at issue, the remainder of the documents that Tivoli seeks are wholly or largely irrelevant to the issues before the Court. Significantly, Tivoli has not shown that the documents Corbis has produced provide any

1 factual support for its theories. Given the tremendous cost  
2 of accomplishing the proposed discovery, which Tivoli does not  
3 seriously dispute, and given what is at stake in this  
4 litigation, I find that, pursuant to Rule 26(b)(2)(C)(iii) the  
5 burden and expense of the proposed discovery outweighs its  
6 likely benefit.

7 Given Corbis's concession that it does not intend to rely  
8 on internal settlement documents (Opp. P. 18, l. 11-12), I  
9 deem these requests **MOOT**.

10 **IT IS THEREFORE ORDERED** that Tivoli's motion is **DENIED**,  
11 except as to communications between Corbis and the copyright  
12 office, which shall be produced by **May 5, 2010**.

13 Dated: April 23, 2010

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15 \_\_\_\_\_  
16 Bernard Zimmerman  
17 United States Magistrate Judge

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