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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KING.COM LIMITED,

No. C-13-03977-MMC (DMR)

Plaintiff(s),

**ORDER RE: JOINT DISCOVERY
LETTERS [DOCKET NOS. 88, 90]**

v.

6 WAVES LLC,

Defendant(s).

The parties filed a joint discovery letter, and an update to that letter. [Docket Nos. 88, 90.] Plaintiff King.com Limited (“King”) seeks an order compelling Defendants Six Waves Inc. and 6 Waves LLC (collectively referred to as “SWI”) to produce certain discovery. The court held a hearing on August 28, 2014, and made rulings from the bench. This order summarizes those rulings. For the reasons stated at the hearing, the court ordered the following:

King’s motion to compel 6 Waves LLC to respond to King’s requests for production of documents (“RFPs”) is **granted**. 6 Waves LLC stated it does not have responsive documents, but has not provided this information in a formal discovery response. 6 Waves LLC shall provide formal written discovery responses to King’s discovery requests by **September 5, 2014**.

King’s motion to compel SWI to provide a declaration regarding documents from SWI’s third party chat service (BigAnt) is **granted**. The detailed declaration shall state whether the requested documents are or have ever been in the possession, custody, or control of SWI, the reasons

1 therefor, the dates during which SWI used BigAnt's chat service, and the configuration of that chat
2 service. The declaration shall be produced by **September 5, 2014**.

3 King's motion to compel responses to RFP Nos. 1, 8, and 9 is **denied without prejudice**.

4 The parties stated at the hearing that they have recently begun discussions of search terms that SWI
5 will use to identify discoverable information and filter out information that is not subject to
6 discovery. The parties are ordered to continue to meet and confer and to agree upon such search
7 terms, as well as the quality control methods the parties will use to evaluate whether a production is
8 missing relevant information or contains substantial amounts of irrelevant information.

9 King's motion to compel SWI to respond to RFP No. 71 is **granted in part**. The parties
10 agree that the request shall be narrowed to only copyright infringement actions involving Farm Epic
11 and Treasure Epic. SWI shall produce responsive pleadings, docket sheets, and settlement
12 agreements by **September 9, 2014**.


13 King's motion to compel SWI to respond to RFP No. 72 is **granted in part**. SWI shall
14 produce the settlement agreement from the *Spry Fox* case (including any attachments) by
15 **September 9, 2014**.

16 King's motion to compel SWI to respond to RFP Nos. 73-74 is **denied**.

17 SWI shall also confirm in writing by **September 5, 2014** that it has not withheld any
18 documents on the basis of the new objections in its supplemental RFP responses, and that SWI has
19 produced all responsive documents that are not protected by a privilege (e.g., the attorney client or
20 work product privilege). If SWI is withholding any documents on the basis of privilege, it shall
21 produce a privilege log by the date previously agreed upon by the parties.

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23 IT IS SO ORDERED.

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25 Dated: August 28, 2014

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DONNA M. RYU
United States Magistrate Judge