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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN PEREZ,
Plaintiff,
v.
MONSTER INC., et al.,
Defendants.

Case No. 15-cv-03885-EMC (DMR)

**ORDER TO FILE LEGIBLE COPIES OF
IMAGES AND ARCHIVED WEBSITES
REFERENCED IN JUNE 15, 2016 JOINT
DISCOVERY LETTER**

Re: Dkt. No. 74

In the parties’ June 15, 2016, joint discovery letter, Plaintiff Benjamin Perez moved to compel Defendants to produce all sales figures from August 2011 to the present for all Monster HDMI cables with more than 10.2 Gbps of bandwidth. [Docket No. 74.] Plaintiff contends that although Defendants have provided sales information for the 18.0, 22.5, and 27.0 Gbps HDMI cables that were sold in the same packaging as the chart in paragraph 33 of Plaintiff’s First Amended Complaint (“FAC”), this production is incomplete because it excludes other HDMI cables that Plaintiffs contend “all contain the core misrepresentation at issue in this case: Monster’s claim that some video signals require more than 10.2 Gbps of bandwidth.” [Docket No. 74 at 3.] Plaintiff provided a number of footnotes to support his position that other Monster HDMI cables contained the same core representations at issue in this suit, although they contained charts or language different than the one included in paragraph 33 of his FAC. [Docket No. 74 1t 3 ns. 2-5.] However, as Defendants pointed out in their portion of the discovery letter, many of the links Plaintiff provided do not work and only produce error messages. [Docket No. 74 at 4-5.] Further, for some of the functional links, the images are not legible. Although Plaintiff was on notice of this issue at the time of the filing of the letter, inexplicably he did not correct the links or provide images of the packaging or websites that he relies on.


Therefore, the Plaintiff is ordered to file legible .pdf versions of the referenced images or

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webpages clearly identifying the alleged misrepresentations that Plaintiff contends “contain the same core misrepresentation at issue in the case” as exhibits to the joint discovery letter **by 4:00 p.m. on July 1, 2016**. The .pdfs should be clearly labelled, so that the court and Defendants can tell what they are and to which footnote in the joint discovery letter they relate.

IT IS SO ORDERED.

Dated: June 30, 2016



Donna M. Ryu
United States Magistrate Judge