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UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

STEVE WILSON BRIGGS,

No. C 13-04679 PJH (LB)

Plaintiff,

**ORDER REGARDING PLAINTIFF'S
JULY 10, 2014 MOTION TO COMPEL**

v.

SONY PICTURES ENTM'T, INC., et al.,

[Re: ECF No. 53]

Defendants.
_____ /

In this action, Plaintiff Steve Wilson Briggs has sued Defendants Neill Blomkamp, Sony Pictures Entertainment, Inc., Tristar Pictures, Inc., Media Rights Capital II LP, and QED International for copyright infringement. First Amended Complaint (“FAC”), ECF No. 17. In essence, Mr. Briggs claims that Defendants, through their production, distribution, and display of the film *Elysium*, infringed his copyright in a screenplay he wrote called *Butterfly Driver*. Mr. Briggs served requests for production of documents (“RFP”) on Defendants, and now has filed a motion to compel Defendants to further respond to two of them: RFP Nos. 4 and 6. Motion, ECF No. 53. Defendants oppose the motion. Opposition, ECF No. 62. The court held a hearing on August 7, 2014, and rules as follows.

I. RFP NO. 4

As clarified by Mr. Briggs, RFP No. 4 seeks “[a]ll documents (emails, texts, memos, letters or any other communication) pertaining to *Elysium* between Defendant Neill Blomkamp and *Elysium*’s film editors Julian Clarke and Lee Smith between June 2013 and August 9th, 2013.” Errata, ECF

ORDER
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1 No. 56; RFPs, ECF No. 62 at 13. During the parties’ meet-and-confer session, Defendants’ counsel
2 informed Mr. Briggs that Mr. Blomkamp had no documents responsive to RFP No. 4 and that
3 Defendants would serve a supplemental response to this effect. Korn Decl., ¶ 4, ECF No. 62 at 7.
4 Per Mr. Briggs’s suggestion, Defendants’ counsel also spoke with Mr. Clarke, who confirmed over
5 the phone and by email that the editing of *Elysium* concluded well before June 2013, and that there
6 were therefore no communications between the editors and Mr. Blomkamp about the film from June
7 2013 to August 9, 2013. *Id.* ¶ 8, ECF No. 62 at 8. Defendants subsequently did serve a
8 supplemental response to RFP No. 4 that states that they have no documents responsive to that
9 request. *Id.*, Ex. 4, ECF No. 62 at 23.

10 At the hearing, Mr. Briggs confirmed that he had received the supplemental response and that the
11 issue is moot. Accordingly, the court denies as moot Mr. Briggs’s motion to compel Defendants to
12 further response to RFP No. 4.

13 **II. RFP NO. 6**

14 RFP No. 6 seeks “[a]ll contracts and agreements between any and all Defendants pertaining to
15 their participation in ANY facet of the writing, production, making, distribution, marketing, etc., of
16 the film ‘*Elysium*.’” RFPs, ECF No. 62 at 13. Defendants object to this request as overbroad.
17 Opposition, ECF No. 62 at 5. They point out that its broad language would encompass innumerable
18 contracts, many of which do not relate in any way to Mr. Briggs’s copyright infringement claims
19 (e.g., contracts with actors, composers, crew, and others who were not involved with the writing of
20 the film’s script; location agreements; contracts with caterers and equipment rental companies; etc.).
21 *Id.* at 5-6. Defendants also object to producing documents responsive to this request in light of Mr.
22 Briggs’s refusal to enter into a protective order that covers confidential information. *Id.* at 6.

23 Defendants do, however, propose a compromise: Given that Mr. Briggs wants to identify other
24 potential defendants to his copyright infringement action, Defendants offer to provide a verified
25 interrogatory response that identifies all of the entities responsible for the production and
26 distribution of *Elysium*. *Id.* At the August 7, 2014 hearing, Mr. Briggs acknowledged that his goal
27 was to obtain the names of potential infringers and that Defendants’ compromise served that end.
28 Accordingly, the court orders the verified interrogatory response that Defendants offered.

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CONCLUSION

This disposes of ECF No. 53.

IT IS SO ORDERED.

Dated: August 7 2014



LAUREL BEELER
United States Magistrate Judge