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March 21, 2012

The Hon. Lucy H. Koh
United States District Court, N.D. California
280 South 1st Street
Courtroom 8 - 4th Floor
San Jose, California 95113

VIA ELECTRONIC FILING & OVERNIGHT DELIVERY

**RE: Motion to Require Disclosure of Defendant Skywalker's Identity;
Art of Living Foundation v. Does 1-10, Case No. 10-cv-5022 LHK**

Dear Judge Koh:

Pursuant to the Minute and Case Management Order entered on January 19, 2012 [D.E. No. 141], Plaintiff submits this letter brief in support of its motion to require the disclosure of Defendant Skywalker's identity. The Court should grant Plaintiff's motion because Skywalker's anonymity has hindered Plaintiff in multiple respects, most recently, by preventing Plaintiff from engaging an expert of its choosing.

CERTIFICATION OF MEET-AND-CONFERENCE EFFORTS

Before filing this motion, Plaintiff's counsel engaged in good faith meet-and-confer efforts with Defendants' counsel regarding the issues in this motion. (Declaration of Karl S. Kronenberger in Support of Plaintiff's Motion to Require Disclosure of Defendant Skywalker's Identity ("Kronenberger Decl.") ¶2.)

ARGUMENT

On several occasions, Plaintiff has expressed to Defendants' counsel and the Court that Skywalker's anonymity is inhibiting Plaintiff's ability to prosecute this action. As discussed in the concurrently-filed motion to compel discovery responses, Skywalker's anonymity has prevented Plaintiff from discovering numerous facts central to this case, such as: a) Skywalker's relationship with Plaintiff; b) Skywalker's current employment, and whether such employment relates to breathing, meditation, and yoga; c) communications between Skywalker and Plaintiff; d) communications between Skywalker and other contributors to the blog; and e) Skywalker's other blogs and online contributions.

Now again, Skywalker's anonymity has frustrated Plaintiff's efforts to prosecute this case. Specifically, Plaintiff has sought to engage experts to provide testimony in this case. Unfortunately, potential experts have expressed

concerns regarding the engagement because they cannot check for conflicts due to Skywalker's anonymity. In other words, Plaintiff has been denied its right to prosecute this lawsuit, as permitted under the Federal Rules of Civil Procedure, as a direct result of Skywalker's anonymity.

For this reason, and for the reasons already expressed to the Court, Plaintiff requests that the Court order Skywalker to disclose his identity.

Respectfully submitted,

KRONENBERGER ROSENFELD, LLP

s/ Karl S. Kronenberger

Karl S. Kronenberger