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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

AIRDOCTOR, LLC, Plaintiff, v. LONNI, Inc. et al., Defendants.	Case No.: 2:23−cv−00353−GW−AS **COUNTERCLAIM PLAINTIFFS' MOTION FOR REVIEW OF MAGISTRATE JUDGE'S DISCOVERY ORDER [DKT. 315] AND REQUEST FOR EXPEDITED REVIEW** Judge: Hon. George H. Wu Date: August 6, 2026 Time: 8:30 a.m. Ctrm: 9D Discovery Cut-Off: July 2, 2026

Pre-Trial Conference: December 3, 2026
Trial Date: December 15, 2026

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, on August 6, 2026 at 8:30 a.m., or as soon thereafter as the parties may be heard, in Courtroom 9D of the United States District Court for the Central District of California, located at United States Courthouse, 350 West 1st Street, Los Angeles, CA, 90012, 9th Floor, before the Honorable George H. Wu, Defendants and Counterclaim Plaintiffs Lonni, Inc., Shenzhen Dazhan Pengtu Internet Co., Ltd., and Dongguanshilianruizhongxinwangluokejiyouxiangongsi will and hereby do move under Fed. R. Civ. P. 72(a), 28 U.S.C. § 636(b)(1)(A), and L.R. 72-2.1 for review of Magistrate Judge Alka Sagar's June 18, 2026 discovery order (Dkt. 315). This motion seeks review only of the portion of the order denying discovery concerning AirDoctor's AD3500 replacement filters. Counterclaim Plaintiffs also request expedited review and, if the Court grants review, a limited 60-day reopening of fact discovery closed on July 2, 2026, solely for the foreclosed AD3500 filter discovery. The grounds and bases supporting this motion are more fully set forth in Counterclaim Plaintiffs' Memorandum of Points and Authorities which is filed herewith.

This Motion is based on this Notice of Motion and the Memorandum of Points and Authorities in support thereof; the [Proposed] Order filed herewith, the

pleadings, papers and other documents on file herein; and such further material or argument as the Court may consider at or before the hearing on this Motion.

This Motion is made following the conference of counsel pursuant to L.R. 7-3, which took place on June 23, 2026. Despite Counterclaim Plaintiffs' diligent and good-faith efforts, the parties were not able to resolve the issues, leaving these matters respectfully for the Court's consideration.

Respectfully Submitted,
Glacier Law LLP

Date: July 2, 2026

/s/ Jie Li
Jie Li

Attorney for Counterclaim Plaintiffs

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

This motion presents a narrow question under Federal Rule of Civil Procedure 72(a): whether the Magistrate Judge clearly erred in concluding that discovery concerning AirDoctor's AD3500 replacement filters is irrelevant to the claims and defenses in this action. The answer is yes, and the June 18, 2026 Order (Dkt. 315) ("June 18 Order") should be modified insofar as the Court clearly erred.

Counterclaim Plaintiffs do not seek broad discovery into every AirDoctor product. Nor do they ask this Court to resolve the ultimate merits of their Lanham Act counterclaims. They seek review of only one portion of the June 18 Order—the ruling foreclosing further discovery concerning AirDoctor's AD3500 replacement filters. That ruling rests upon a factual premise contradicted by AirDoctor's own marketplace representations.

Throughout this litigation, Plaintiff/Counterclaim Defendants ("AirDoctor") has marketed its AD3500 replacement filters as interchangeable replacements for AD3000 air purifiers. Its Amazon listing advertises an "AIRDOCTOR AD3000 / AD3500 Replacement Filter Combo Pack," represents that the filters "Fit Both Models," identifies both the AD3000 and AD3500 air purifiers as compatible products, and assures consumers that genuine AirDoctor filters are "guaranteed to work with your AD3500 and AD3000." (Dkt. 248-5 at 8-11.) AirDoctor therefore

chose to present these products to consumers as serving the same replacement-filter market.

Yet, after Counterclaim Plaintiffs asserted false advertising counterclaims challenging AirDoctor's advertising and marketplace conduct, AirDoctor reversed course. For purposes of discovery, it argued that AD3500 filters occupy a separate product universe because Counterclaim Plaintiffs did not themselves sell filters labeled "AD3500." The Magistrate Judge accepted that premise and concluded that further discovery concerning AD3500 filters was irrelevant and disproportionate. (Dkt. 315 at 2-3.)

Respectfully, that conclusion cannot be reconciled with Rule 26 or with AirDoctor's own marketplace conduct. Discovery under Rule 26 extends to any nonprivileged matter relevant to any party's claim or defense. Fed. R. Civ. P. 26(b)(1). The question is therefore not whether Counterclaim Plaintiffs sold a product bearing the model number "AD3500." The question is whether discovery concerning AirDoctor's AD3500 replacement filters bears on the parties' claims and defenses, including competition, consumer substitution, market diversion, causation, damages, and the truth or falsity of AirDoctor's advertising. Because AirDoctor itself marketed AD3500 replacement filters as replacements for AD3000 air purifiers—the very market in which Counterclaim Plaintiffs sold competing products—the answer is plainly yes.

The June 18 Order contains another internal inconsistency that underscores the need for review. Although the Order denied further AD3500 discovery, it simultaneously recognized that AD3500 information could not be withheld where it was maintained together with AD3000 information or where sales and financial information for the two products were intertwined. (Dkt. 315 at 2-3.) If AD3500 information is sufficiently intertwined with concededly relevant AD3000 evidence that it must be produced in one context, it cannot simultaneously be deemed categorically irrelevant in another. The distinction drawn by the Order is therefore neither practical nor supported by the record. It has also generated disputes at depositions, given the obvious internal inconsistency.

Counterclaim Plaintiffs seek only limited relief. They ask this Court to modify the June 18 Order to permit targeted discovery concerning AD3500 replacement filters responsive to the discovery requests already before the Magistrate Judge and, because fact discovery has since closed, to reopen discovery for a limited period solely to complete that narrowly defined discovery. Such relief will neither expand the scope of this litigation nor disturb the existing trial schedule. It will simply permit discovery into evidence that falls comfortably within Rule 26's broad relevance standard.

II. RELEVANT BACKGROUND

Plaintiff AirDoctor, LLC commenced this action alleging that Counterclaim Plaintiffs engaged in false advertising through the marketing and sale of replacement filters represented as compatible with AirDoctor AD3000 air purifiers. (Dkts. 1, 249.) Following extensive motion practice, Counterclaim Plaintiffs filed their First Amended Counterclaims asserting Lanham Act and related claims against AirDoctor and affiliated entities arising from AirDoctor's own advertising and marketing of replacement air filters. (Dkt. 248.)

The Counterclaims place AirDoctor's advertising, compatibility representations, filtration-performance claims, testing representations, and competitive conduct directly at issue. Among other things, Counterclaim Plaintiffs allege that AirDoctor falsely advertised the performance of its replacement filters, misrepresented the testing supporting those claims, and diverted sales from competing replacement-filter manufacturers through false and misleading advertising. (Dkt. 248 ¶¶ 14-27, 62, 68-70, 74.)

The Counterclaims also expressly identify AirDoctor's marketing of replacement filters for both the AD3000 and AD3500 air purifiers. In particular, they reference AirDoctor's Amazon listing advertising an "AIRDOCTOR AD3000 / AD3500 Replacement Filter Combo Pack." (Dkt. 248 ¶ 62; Dkt. 248-3.) That listing states that the replacement filters "Fit Both Models," identifies both the AirDoctor AD3000 and AD3500 air purifiers as compatible devices, and represents that

AirDoctor's genuine replacement filters are "guaranteed to work with your AD3500 and AD3000." Thus, AirDoctor itself represented to consumers that the same replacement filters served both product lines.

Consistent with those marketplace representations, Counterclaim Plaintiffs sought discovery concerning AirDoctor's AD3500 replacement filters, including advertising, compatibility representations, testing, sales, and financial information. (Dkt. 277 at 24-26; Dkt. 282 at 3-5.) During discovery, AirDoctor produced documents reflecting that information concerning AD3000 and AD3500 replacement filters was frequently maintained together, and its Rule 30(b)(6) witness testified, without any objection by his counsel, concerning both product lines.

The counterclaims together with the exhibits thereto allege, *inter alia*, that Counterclaim Defendants' product line includes the AD3000 and AD3500 air purifiers, together with replacement filters; that Counterclaim Defendants advertised AirDoctor filters using the challenged "HEPA", "99.99%" and "0.003 microns" filtration claims; that Counterclaim Defendants had no legitimate testing protocol in place with any independent third-party testing lab, as was expressly advertised to consumers; that the advertising claims made by Counterclaim Defendants were false; and that Counterclaim Plaintiffs, whom Plaintiff has admitted are competitors in this space, suffered damages from Counterclaim Defendants' false advertising and

Amazon delisting conduct in the form of sales that were improperly diverted to Counterclaim Defendants. (Dkt. 248 ¶¶ 14-27, 32, 62, 68–70, 74.)

After the Counterclaims were filed, however, AirDoctor opposed further AD3500 discovery, arguing that because Counterclaim Plaintiffs did not themselves sell filters specifically labeled "AD3500," discovery concerning AirDoctor's AD3500 replacement filters fell outside the scope of the case. The Magistrate Judge accepted that position in part, concluding that further AD3500 discovery was not relevant or proportional under Rule 26, while simultaneously recognizing that AirDoctor could not withhold AD3500 information where it was maintained together with concededly relevant AD3000 information or where the financial information for the two products was intertwined. (Dkt. 315 at 2-3.)

Counterclaim Plaintiffs seek review only of that limited portion of the June 18 Order.

III. LEGAL STANDARD

Federal Rule of Civil Procedure 72(a) provides that when a magistrate judge decides a pretrial matter not dispositive of a party's claim or defense, the district judge assigned to the case "must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law." Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). This standard is deferential, and a district court "may not simply substitute its judgment" for that of the magistrate judge as it would

on de novo review. *Grimes v. City & Cnty. of San Francisco*, 951 F.2d 236, 241 (9th Cir. 1991). "The 'clearly erroneous' standard applies to the magistrate judge's findings of fact; legal conclusions are freely reviewable de novo to determine whether they are contrary to law." *Wolpin v. Philip Morris Inc.*, 189 F.R.D. 418, 422 (C.D. Cal. 1999). The standard of review in most instances of discovery disputes that involve a question of relevance is abuse of discretion. *Id.*

IV. ARGUMENT

A. The June 18 Order Rests on a Factual Premise Contradicted by AirDoctor's Own Marketplace Representations.

This motion does not turn on the label affixed to a replacement filter. It turns on how AirDoctor itself chose to market that filter to consumers. The June 18 Order concluded that further discovery concerning AirDoctor's AD3500 replacement filters fell outside the proper scope of discovery because Counterclaim Plaintiffs did not themselves sell filters identified as "AD3500." (Dkt. 315 at 2-3.) That conclusion rests upon a factual premise the existing record does not support.

AirDoctor did not market its AD3500 replacement filters as products confined to a distinct market separate from AD3000 replacement filters. To the contrary, its own advertising affirmatively presented those products as interchangeable. AirDoctor's Amazon listing advertises an "AIRDOCTOR AD3000 / AD3500 Replacement Filter Combo Pack," states that the filters "Fit Both Models," identifies both the AD3000 and AD3500 air purifiers as compatible devices, and assures

consumers that genuine AirDoctor filters are "guaranteed to work with your AD3500 and AD3000." (Dkt. 248-5 at 8-11.)

Those representations matter because Rule 26 focuses on relevance to the claims and defenses actually being litigated—not on formal product labels divorced from marketplace reality. Consumers shopping for replacement filters are influenced by the representations AirDoctor makes in the marketplace. When AirDoctor advertises one replacement filter for both purifier models, it necessarily places those products into the same competitive marketplace.

Accordingly, the relevant question is not whether Counterclaim Plaintiffs manufactured a filter bearing the designation "AD3500." The relevant question is whether discovery concerning products AirDoctor itself marketed as replacements for AD3000 air purifiers bears upon competition, consumer substitution, market diversion, causation, damages, or the truth of AirDoctor's advertising claims. The answer is plainly yes.

Indeed, the June 18 Order itself recognizes the practical overlap between these products. Although the Order foreclosed further AD3500 discovery, it simultaneously held that AirDoctor could not withhold AD3500 information where that information was maintained together with AD3000 data or where financial information for the two products was intertwined. (Dkt. 315 at 2-3.)

That recognition illustrates the flaw in the underlying premise. Information cannot simultaneously be so intertwined with concededly relevant evidence that it must be produced, yet so unrelated that discovery concerning it is categorically foreclosed. The marketplace does not treat these products as unrelated, AirDoctor's own advertising does not treat them as unrelated, and the record demonstrates that AirDoctor's own business records frequently do not treat them as unrelated.

Because the June 18 Order rests upon a factual distinction inconsistent with both AirDoctor's marketplace representations and the existing discovery record, it should be modified. Rule 26(b)(1) permits parties to "obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case." Fed. R. Civ. P. 26(b)(1). District courts "must review the magistrate's order with an eye toward the broad standard of relevance in the discovery context." *Geophysical Sys. Corp. v. Raytheon Co.,* 117 F.R.D. 646, 647 (C.D. Cal. 1987). "More precise evidentiary rulings should await trial, when the issues are more clearly defined, and be made then or in limine." *Jerozal v. Stryker Corp.,* 2023 WL 9474512, at *3–4 (C.D. Cal. Aug. 22, 2023), adopted, 2023 WL 9474623 (C.D. Cal. Aug. 24, 2023). The Subject Order applied too narrow a relevance standard, and pre-judged a central issue prematurely. The question is not whether Counterclaim Plaintiffs ever sold a filter labeled "AD3500." The question is whether discovery concerning the sale of AD3500 filters bears on any claim or

defense. It most certainly does. That competitive overlap is sufficient for discovery. "[D]irect competition is generally sufficient to support a presumption that one competitor's misleading misrepresentations commercially injured another competitor." *Vicious Brands, Inc. v. Face Co., LLC*, No. 24-CV-04996-LJC, 2026 WL 276178, at *8 (N.D. Cal. Feb. 3, 2026); *HomeLight, Inc. v. Shkipin,* 694 F. Supp. 3d 1242, 1254 (N.D. Cal. 2023). *Lexmark* likewise recognizes that the "paradigmatic" injury from false advertising is "diversion of sales to a direct competitor." *Lexmark*, 572 U.S. at 129, 134 S.Ct. 1378. And the Ninth Circuit has held that proximate cause is sufficiently alleged where the parties' products directly compete and the challenged advertising concerns the competing product. *ThermoLife Int'l, LLC v. Compound Sols., Inc.*, 848 F. App'x 706, 709 (9th Cir. 2021); *InSinkErator, LLC v. Joneca Co., LLC*, 163 F.4th 608, 613 (9th Cir. 2025).

Here, the relevance is straightforward. Counterclaim Defendants sold AD3500 filters as AD3000 unit-compatible replacement filters in the same online marketplace where Counterclaim Plaintiffs sold competing replacement filters. Discovery concerning AD3500 filter advertising, compatibility representations, testing, sales, and profits bears directly on competition, consumer substitution, market diversion, causation, damages, and the challenged filtration and compatibility claims.

In *Vicious Brands,* the Court explained that plaintiff's commercial injury need not be fully proven at the discovery stage. There, the court found likely injury adequately alleged *where a forthcoming* product would plausibly compete directly with defendants' products, supporting a presumed commercial injury theory under the Lanham Act. *Vicious Brands, Inc. v. Face Co., LLC*, No. 24-CV-04996-LJC, 2026 WL 276178, at *9 (N.D. Cal. Feb. 3, 2026). Counterclaim Plaintiffs' showing here is stronger: Counterclaim Defendants' own listing places AD3500 filters into the AD3000 replacement-filter market, as plain as day. By using false advertising in the sale of the joint sale of AD3500/AD3000 replacement filters, Counterclaim Defendants unlawfully divert sales to themselves when consumers elect to purchase the AD3500 replacement filter.

Geophysical Systems also defeats Counterclaim Defendants' artificial product-silo argument. There, the defendant argued that discovery into other Phoenix systems was irrelevant because the plaintiff received a unique, modified system. *Geophysical Sys. Corp.*, 117 F.R.D. at 648. The district court reversed the discovery denial because the related systems could have contained the same or similar defects, and the defendant's knowledge of those defects was relevant to the plaintiff's misrepresentation claims. *Id.* The same principles are at work here. Counterclaim Defendants cannot market AD3500 filters as compatible with AD3000 units, then avoid discovery by insisting that AD3500 is a separate product silo. Their

own marketplace conduct links AD3500 filters to the AD3000 replacement-filter market.

The June 18 Order found Counterclaim Plaintiffs' AD3500 filter theory speculative. (Dkt. 315 at 2.) But Counterclaim Defendants' own advertising supplies the competitive nexus. The listing does not merely state that AD3500 filters fit AD3500 units. It sells an "AD3000 / AD3500 Replacement Filter Combo Pack," states that the product "Fits Both Models," and identifies the compatible devices as both "AirDoctor 3000" and "AirDoctor 3500." (Dkt. 248-5 at 8–12.)

At the discovery stage, Counterclaim Plaintiffs need only show that AD3500 filter discovery is relevant and proportional to the claims and defenses. They have done so. A consumer seeking a replacement filter for an AD3000 unit may purchase Counterclaim Defendants' AD3500 replacement filter instead of Counterclaim Plaintiffs' competing filter. *See Scilex Pharms. Inc. v. Sanofi-Aventis U.S. LLC*, No. 21-CV-01280-JST, 2021 WL 11593043, at *3 (N.D. Cal. Aug. 16, 2021). Discovery concerning AD3500 filters therefore bears directly on competition, consumer substitution, market diversion, causation, damages, and the challenged compatibility and filtration claims.

B. The Requested Relief Is Targeted and Proportional.

Counterclaim Plaintiffs do not seek to reopen discovery concerning AirDoctor's product line generally. Nor do they request a second round of broad merits discovery. The relief requested is considerably narrower.

Counterclaim Plaintiffs seek only production of discovery concerning AirDoctor's AD3500 replacement filters that was previously withheld pursuant to the June 18 Order. Specifically, they seek documents and information concerning: (1) advertising and marketing materials; (2) compatibility representations; (3) testing and performance claims; (4) sales and financial information; and (5) documents reflecting the marketing of AD3500 replacement filters for use in AD3000 air purifiers. The requested discovery is limited to the requests already presented to the Magistrate Judge and does not expand the scope of those requests.

The requested relief is likewise proportional under Rule 26(b)(1). The information sought concerns a discrete product category that AirDoctor itself chose to market together with the AD3000 replacement filters already acknowledged to fall within the scope of discovery. The requested materials are uniquely within AirDoctor's possession, custody, or control, and bear directly upon issues of competition, consumer substitution, causation, damages, and the challenged advertising.

Moreover, the record demonstrates that production of this information will impose little additional burden. AirDoctor represented during the discovery

proceedings that information concerning AD3000 and AD3500 replacement filters was frequently maintained together and that separating the two would itself be burdensome. (Dkt. 331 at 2.) Likewise, the June 18 Order expressly recognized that AD3500 information could not be withheld where it appeared together with concededly relevant AD3000 information or where financial records for the two products were intertwined. (Dkt. 315 at 2-3.) Those representations substantially undermine any suggestion that targeted AD3500 discovery would impose a disproportionate burden.

In short, Counterclaim Plaintiffs seek neither expansive discovery nor a second opportunity to revisit completed discovery disputes. They seek production of a discrete body of evidence concerning products that AirDoctor itself marketed as serving the same replacement-filter market already at issue in this litigation. Rule 26 readily accommodates that limited request.

V. EXPEDITED REVIEW IS WARRANTED

Expedited review is warranted because fact discovery closed on July 2, 2026 (except for the deposition of Helen Christoni), and ordinary motion timing would make Rule 72 review a hollow remedy. If the Court modifies the Subject Order, Counterclaim Plaintiffs request a narrowly tailored 60-day reopening of fact discovery solely to obtain and use the AD3500 filter discovery authorized by the Court. Courts may reopen discovery where a successful discovery motion requires

additional discovery after the cutoff. *Davis v. Calvin*, No. CIVS071383FCDEFBP, 2008 WL 4287149, at *2 (E.D. Cal. Sept. 10, 2008). Good cause therefore exists. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

The *City of Pomona* factors also favor relief: trial is not imminent; the request is limited to one product category and to the discovery requests already litigated; Counterclaim Defendants have long been on notice of the AD3500 filter issue and cannot claim unfair surprise (Dkt. 324-4 at 6-7); any prejudice is self-inflicted because Counterclaim Defendants maintained categorical AD3500 filter objections, forcing the motion to compel and this timely Rule 72 motion; Counterclaim Plaintiffs acted diligently by pursuing AD3500 filter discovery during the fact-discovery period, meeting and conferring, moving to compel as early as April 20, 2026, and seeking Rule 72 review within 14 days of the June 18 Order; the need for a short reopening became unavoidable only after the June 18 Order denied the discovery two weeks before the cutoff; and the discovery is likely to lead to relevant evidence concerning competition, consumer substitution, market diversion, causation, damages, and the challenged compatibility and filtration claims. *See City of Pomona v. SQM N. Am. Corp.*, 866 F.3d 1060, 1066 (9th Cir. 2017). A 60-day, AD3500 filter-only reopening will not disturb the December 15, 2026 trial date. It will merely allow Counterclaim Plaintiffs to obtain discovery the Court determines should have been produced in the first instance.

VI. CONCLUSION

Counterclaim Plaintiffs respectfully request that the Court modify the Subject Order and require Counterclaim Defendants to produce targeted AD3500 filter discovery responsive to the discovery requests already at issue. Counterclaim Plaintiffs further request expedited review and, if the Court modifies the Subject Order, a limited 60-day reopening of fact discovery solely for AD3500 filter discovery.

Date: July 2, 2026

By: /s/ Jie Li

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Attorney for Defendants and Counterclaim Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of July 2026, I caused the foregoing to be filed electronically with the Clerk of Court and to be served via the Court's Electronic Filing System upon all counsel of record.

Date: July 2, 2026

/s/ Jie Li
Jie Li
Glacier Law LLP
Attorney for Defendants and Counterclaim Plaintiffs