

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

Dettmering v. VBit Technologies Corp.; Eichler v. VBit Technologies Corp.

Dettmering · No. C.A. Nos. 1:22-cv-1482-JLH-SRF and 1:22-cv-1574-JLH-SRF · Decided December 9, 2025

SUMMARY

The court granted in part and denied in part plaintiffs’ motion concerning discovery from defendant Katie Vo. It ordered Vo to supplement her written discovery responses with documents and emails relating to Truist Bank accounts by January 9, 2026, but denied the request to reopen discovery, pursue discovery on discovery, and recover expenses. The memorandum order was issued in connection with consolidated actions alleging that a Bitcoin mining business operated as a Ponzi scheme.

CASE DETAILS

COURT	United States District Court for the District of Delaware
WRITING FOR THE COURT	Sherry R. Fallon
JURISDICTION	United States District Court for the District of Delaware
DECIDED	December 9, 2025
DOCKET	C.A. Nos. 1:22-cv-1482-JLH-SRF and 1:22-cv-1574-JLH-SRF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved to compel Defendant Katie Vo to supplement written discovery responses and to reopen fact discovery after receiving third-party subpoena materials from Truist Bank. The magistrate judge granted the motion in part and denied it in part.
PRECEDENTIAL VALUE	Nonprecedential memorandum order
PARTIES	Ross Dettmering, Francis Mangubat, Michael Eichler, all other similarly situated individuals v. VBit Technologies Corp., VBit Mining LLC, Advanced Mining Group, Danh Cong Vo a/k/a Don Vo, Katie Voe, Sean Tu, Jin Gao, Lillian Zhao, John Doe Individuals 1-10, ABC Companies 1-10

TOPICS

- discovery dispute
- civil procedure
- commercial litigation
- commercial

PRACTICE AREAS

Civil procedure

Discovery

Commercial litigation

RICO

QUESTIONS PRESENTED

1. Whether Katie Vo was required under Federal Rule of Civil Procedure 26(e)(1) to supplement her written discovery responses with documents and emails relating to the Truist Bank materials.
2. Whether Plaintiffs had shown good cause to reopen fact discovery after the discovery deadline.
3. Whether Plaintiffs could obtain discovery concerning Katie Vo's methods for searching and producing discovery.
4. Whether Plaintiffs were entitled to reasonable expenses incurred in bringing the motion.

HOLDINGS

1. Katie Vo must supplement her interrogatory and document-production responses with documents and emails within her possession, custody, or control relating to the materials produced by Truist Bank, including emails she originated, received, or on which she was copied.
2. Plaintiffs did not establish good cause to reopen fact discovery.
3. Plaintiffs were not entitled to compel discovery concerning Katie Vo's methods for searching and producing discovery.
4. Plaintiffs were not entitled to an award of reasonable expenses incurred in bringing the motion.

KEY QUOTATIONS

“does not require that a party volunteer information that was not encompassed within the scope of an earlier discovery request.” (¶ 6)

“A schedule may be modified only for good cause and with the judge's consent.” (¶ 7)

“discovery on discovery is the exception, not the norm,” (¶ 10)

FACTUAL BACKGROUND

Plaintiffs alleged that Defendants operated a Bitcoin-mining business that functioned as a Ponzi scheme and asserted claims under 18 U.S.C. § 1962(c) and (d), along with related common-law and statutory claims. After the close of fact discovery, Plaintiffs obtained Truist Bank documents showing asset transfers to Katie Vo from Don Vo and from Katie Vo to an irrevocable trust. Plaintiffs then sought supplemental interrogatory and document-production responses from Katie Vo and requested that fact discovery be reopened.

PROCEDURAL HISTORY

Plaintiffs filed two actions alleging RICO and related common-law and statutory claims concerning an alleged Bitcoin-mining Ponzi scheme. The actions were consolidated for discovery purposes. After the fact-discovery deadline had passed, Plaintiffs received Truist Bank records indicating transfers involving Katie Vo and sought

supplemental discovery and reopening of discovery. The court ordered limited supplementation but denied reopening discovery, denied discovery concerning the discovery process itself, and denied expenses.

DISPOSITION

other

CASES CITED

- Bowers v. National Collegiate Athletic Ass'n, 475 F.3d 524, 540 (3d Cir. 2007)
- Polec v. Northwest Airlines, Inc., 86 F.3d 498, 539 (6th Cir. 1996)
- Bistran v. Levi, C.A. No. 08-3010, 2022 WL 888878, at *7 (E.D. Pa. Mar. 25, 2022)
- McGoveran v. Amazon Web Services, Inc., No. 1:20-cv-01399-SB, 2024 WL 4533598, at *3 (D. Del. Oct. 18, 2024)
- Xcoal Energy & Resources v. Bluestone Energy Sales Corp., C.A. No. 18-819-LPS, 2020 WL 5369109, at *6 (D. Del. Sept. 8, 2020)
- Lehman Brothers Holdings v. Gateway Funding Diversified Mortgage Services, L.P., 785 F.3d 96, 102 (3d Cir. 2015)
- Hewlett v. Davis, 844 F.2d 109, 113 (3d Cir. 1988)
- Dew Chemical Canada Inc. v. HRD Corp., 287 F.R.D. 268, 270 (D. Del. 2012), aff'd, 587 F. App'x 741 (3d Cir. 2014)
- In re Diisocyanates Antitrust Litigation, 2023 WL 11938951, at *3 (W.D. Pa. Nov. 7, 2023)
- In re Avandia Marketing, Sales Practices & Products Liability Litigation, 924 F.3d 662, 672 (3d Cir. 2019)
- Miller v. Indiana Hospital, 16 F.3d 549, 551 (3d Cir. 1994)