

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Pop Top Corp. v. Rakuten Kobo Inc.

Pop Top · No. 20-cv-04482-YGR (DMR) · Decided June 23, 2025

SUMMARY

The Northern District of California denied Rohit Chandra’s motion to quash subpoenas, obtain a protective order regarding interrogatories, quash a judgment debtor examination, and obtain sanctions. The court held that Chandra’s pending Federal Circuit appeal did not automatically stay post-judgment discovery, that he remained a judgment debtor, and that the requested discovery into his personal assets was not shown to be duplicative, irrelevant, or unduly burdensome. The court directed the parties to submit a stipulated protective order concerning Chandra’s bank records.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Donna M. Ryu
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 23, 2025
DOCKET	20-cv-04482-YGR (DMR)
DISPOSITION	other
PROCEDURAL POSTURE	Judgment debtor Rohit Chandra moved to quash third-party subpoenas, obtain a protective order concerning interrogatories, quash a debtor's examination, and obtain sanctions. The district court denied the motion.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

TOPICS

- discovery dispute
- sanctions
- civil procedure
- commercial litigation
- asset protection

PRACTICE AREAS

- civil procedure
- judgment enforcement
- commercial litigation
- patent litigation

QUESTIONS PRESENTED

1. Whether Chandra's pending appeal automatically stayed Kobo's post-judgment discovery.
2. Whether Chandra could object to the discovery as a nonparty after the court added him as a judgment debtor.
3. Whether the post-judgment subpoenas, interrogatories, and debtor's examination were duplicative, overly broad, irrelevant, or disproportionate.
4. Whether Kobo's post-judgment discovery warranted sanctions for harassment or abusive tactics.
5. Whether Chandra's privacy concerns required quashing the discovery or entering a protective order.

HOLDINGS

1. A pending appeal does not automatically stay post-judgment discovery, particularly when the judgment debtor has not sought a stay of enforcement or posted a supersedeas bond.
2. Chandra could not avoid post-judgment discovery on the ground that he was a nonparty because the court had added him as a judgment debtor, and that order remained effective while his appeal was pending.
3. Kobo was entitled to broad post-judgment discovery concerning Chandra's personal assets, including third-party bank subpoenas, interrogatories, and a judgment debtor's examination, and the discovery was not shown to be duplicative, irrelevant, or unduly burdensome.
4. Chandra's privacy concerns did not require quashing the discovery because the concerns could be mitigated through a stipulated protective order governing his bank records.
5. Sanctions were not warranted because Chandra did not establish that Kobo's post-judgment discovery was harassing, abusive, unduly burdensome, or obviously irrelevant.

KEY QUOTATIONS

"Federal Rule of Civil Procedure 69(a)(2) provides that, "[i]n aid of the judgment or execution, the judgment creditor . . . may obtain discovery from any person--including the judgment debtor--as provided in these rules or by the procedure of the state where the court is located."" (Legal Standard)

"Kobo is entitled to examine Chandra's personal assets to satisfy the attorneys' fee award, including through the use of third-party subpoenas to his banks, interrogatories, and a judgment debtor's exam." (Discussion, third ground)

"For the foregoing reasons, the court denies Chandra's motion." (Conclusion)

FACTUAL BACKGROUND

Rakuten Kobo obtained an attorneys' fee award against Pop Top Corp. after prevailing on summary judgment in the underlying patent litigation. When Pop Top did not timely pay, the court added Pop Top's principal, Rohit Chandra, as a judgment debtor after finding that he was Pop Top's alter ego. Kobo then sought information about Chandra's assets through subpoenas to Charles Schwab and Wells Fargo, interrogatories, and a debtor's examination. Chandra argued that the pending appeal, his status as a nonparty, duplication, privacy concerns, and alleged harassment barred the discovery.

PROCEDURAL HISTORY

After the court entered summary judgment for Rakuten Kobo and awarded Kobo \$274,721.43 in attorneys' fees, Pop Top failed to timely pay. The court later added Pop Top's principal, Rohit Chandra, as a judgment debtor after finding that he was Pop Top's alter ego; Chandra appealed that order, but the appeal remained pending. Kobo then served post-judgment discovery on Chandra and third parties to identify assets, prompting this motion. The court denied the requested relief but directed the parties to submit a stipulated protective order for Chandra's bank records.

DISPOSITION

other

CASES CITED

- Pop Top Corp. v. Rakuten Kobo Inc., Case No. 22-1688, Docket No. 39 (Fed. Cir.)
- In re PersonalWeb Techs., LLC, No. 18-MD-02834-BLF, 2023 WL 3510391, at *2 (N.D. Cal. May 16, 2023)
- JW Gaming Dev., LLC v. James, 544 F. Supp. 3d 903, 926 (N.D. Cal. 2021)
- Ryan Inv. Corp. v. Pedregal de Cabo San Lucas, No. C 06-3219 JWRS, 2009 WL 5114077, at *1, *4 (N.D. Cal. Dec. 18, 2009)
- Cellspin Soft, Inc. v. Fossil Grp., Inc., No. 17-cv-05933-YGR (KAW), 2018 WL 11471632, at *2 (N.D. Cal. Nov. 21, 2018)
- Virgin Scent, Inc. v. BT Supplies W., Inc., No. CV 21-00184-DMG (ASX), 2023 WL 12011478, at *1 (C.D. Cal. May 5, 2023)
- Johnson v. Storix, Inc., No. 14-CV-1873-H-BLM, 2017 WL 2779265, at *3 (S.D. Cal. June 27, 2017)
- Pop Top Corp. v. Rakuten Kobo Inc., Case No. 25-1392 (Fed. Cir.)

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