

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

Elías Sánchez-Sifonte et al. v. Josué Fonseca et al.

Sánchez-Sifonte v. Fonseca · No. Civil No. 22-1444 (RAM) · Decided May 6, 2026

SUMMARY

The United States District Court for the District of Puerto Rico partially granted Defendants’ motion to compel and denied their motion to dismiss in a defamation action. The Court required Plaintiffs to supplement any incomplete, non-evasive, or unverified interrogatory responses, deemed most untimely objections waived, and awarded Defendants reasonable expenses under Federal Rule of Civil Procedure 37(a)(5)(A). The Court declined to dismiss the case for failure to prosecute at that time.

CASE DETAILS

COURT	United States District Court for the District of Puerto Rico
WRITING FOR THE COURT	Raúl M. Arias-Marxuach
JURISDICTION	United States District Court for the District of Puerto Rico
DECIDED	May 6, 2026
DOCKET	Civil No. 22-1444 (RAM)
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to compel responses to interrogatories and to dismiss the action as a sanction for discovery noncompliance and failure to prosecute. Plaintiffs served belated discovery responses after the motion to compel was filed. The court granted the motion to compel in part, denied dismissal, deemed untimely objections waived except privilege, ordered supplementation if necessary, and awarded reasonable expenses.
STANDARD OF REVIEW	For discovery sanctions under Federal Rule of Civil Procedure 37(a)(5)(A), reasonable expenses generally must be awarded when a motion to compel is granted unless the opposing party's conduct was substantially justified or other circumstances make an award unjust. Dismissal with prejudice for failure to prosecute is an extraordinary sanction.
PRECEDENTIAL VALUE	Unknown

TOPICS

discovery dispute

sanctions

motions to dismiss

civil procedure

PRACTICE AREAS

civil procedure

discovery sanctions

defamation

QUESTIONS PRESENTED

1. Whether Plaintiffs' belated service of interrogatory responses rendered Defendants' motion to compel and request for discovery-related expenses moot.
2. Whether Plaintiffs' untimely objections to the interrogatories were waived under Federal Rule of Civil Procedure 33(b)(4).
3. Whether Plaintiffs' failure to comply with discovery obligations and court-imposed deadlines warranted an award of reasonable expenses under Federal Rule of Civil Procedure 37(a)(5)(A).
4. Whether dismissal with prejudice for failure to prosecute was warranted.

HOLDINGS

1. Belated production after the motion to compel was filed did not moot the motion or eliminate the court's authority to require further complete, non-evasive, and verified responses.
2. Plaintiffs' objections to the interrogatories were waived, except for privilege, because they were not timely asserted and Plaintiffs did not establish good cause for the delay.
3. Defendants were entitled to reasonable expenses, including attorney's fees, incurred in the dispute over Plaintiffs' interrogatory responses.
4. Dismissal with prejudice was not warranted at this time.

KEY QUOTATIONS

"The Court has considered them, as well as Plaintiff Elías Sánchez-Sifonte and his wife Valerie Rodríguez-Erazo (collectively, "Plaintiffs")'s Response to the Motion to Dismiss and Defendants' Reply to the Response. (Docket Nos. 263, 265). On account of Plaintiffs' failure to excuse their delay and the lack of current compliance, the Court GRANTS IN PART the Motion to Compel at Docket No. 255 and DENIES the Motion to Dismiss at Docket No. 261."

"It conflates tardy production with immunity from consequences."

"They certainly cannot constitute grounds for disappearing altogether."

"However, the Court declines to dismiss the case at this time."

FACTUAL BACKGROUND

Plaintiffs failed to timely answer Defendants' interrogatories or assert objections, despite expiration of the ordinary deadline, an additional week provided by Defendants, further efforts to confer, and a court-imposed deadline to oppose the motion to compel. Plaintiffs later served discovery responses and attributed the delay to a busy trial schedule, a prior surgery, and an administrative oversight. Defendants maintained that the responses

remained incomplete and unverified, and sought expenses and dismissal. The court found no substantial justification for the noncompliance but declined to dismiss the action because Plaintiffs had partially served responses and had not previously been warned that dismissal was imminent.

PROCEDURAL HISTORY

Plaintiffs brought a defamation, slander, and libel action arising from broadcasts on a television program. The court had previously dismissed Plaintiffs' consequential-damages claims with prejudice for failure to comply with prior court orders. Defendants then moved to compel answers to interrogatories and later moved to dismiss for failure to prosecute and discovery noncompliance. Plaintiffs eventually served responses and opposed dismissal, but the court found their delay unjustified, ordered any remaining supplementation, awarded discovery-related expenses, and declined the requested dismissal with prejudice.

DISPOSITION

other

CASES CITED

- *Malot v. Dorado Beach Cottages Assocs.*, 478 F.3d 40, 43-44 (1st Cir. 2007)
- *Torres-Vargas v. Pereira*, 431 F.3d 389, 393 (1st Cir. 2005)
- *Pierce v. Underwood*, 487 U.S. 552, 565 (1988)
- *Pomales v. Celulares Telefonica, Inc.*, 342 F.3d 44, 48 (1st Cir. 2003)