

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Triosim Corporation v. Somarakis, Inc., John Somarakis, and SI
Post, Inc.

Triosim · No. 24-CV-382 · Decided December 18, 2025

SUMMARY

The Eastern District of Wisconsin grants Triosim Corporation’s motion to compel John Somarakis to provide complete interrogatory responses and comply with requests for production, because the defendants did not oppose the motion. The court denies without prejudice the portion seeking enforcement of subpoenas directed to Somarakis, Inc. and SI Post, Inc., concluding that compliance was required in the Western District of Washington. The court also sets April 15, 2026, as the deadline for any motion for default judgment or request for a default-judgment hearing.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Byron B. Conway
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	December 18, 2025
DOCKET	24-CV-382
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel a defendant to provide complete interrogatory responses and responses to requests for production, and also moved to compel two other defendants to comply with subpoenas.
STANDARD OF REVIEW	The motion to compel was granted as unopposed under the court's local briefing rule; the subpoena issue was evaluated under Federal Rule of Civil Procedure 45(d)(2)(B)(i).
PRECEDENTIAL VALUE	unknown

TOPICS

- discovery dispute
- civil procedure
- default judgment
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should compel John Somarakis to provide complete responses to Triosim's interrogatories and requests for production when defendants failed to oppose the motion.
2. Whether the Eastern District of Wisconsin could compel Somarakis, Inc. and SI Post, Inc. to comply with subpoenas requiring compliance in the Western District of Washington.
3. What deadline should govern any motion for default judgment or request for a default-judgment hearing.

HOLDINGS

1. The motion to compel John Somarakis to provide complete interrogatory responses and fully comply with the requests for production was granted as unopposed because the defendants failed to file a response within the time required by Civil Local Rule 7(h).
2. The court denied without prejudice the portion of Triosim's motion seeking to compel Somarakis, Inc. and SI Post, Inc. to comply with the subpoenas because the subpoenas required compliance in the Western District of Washington, and Triosim had not shown that the subpoena-enforcement motion was properly before the Eastern District of Wisconsin.
3. Any motion for default judgment or request for a hearing regarding default judgment had to be filed no later than April 15, 2026.

KEY QUOTATIONS

“At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.”

FACTUAL BACKGROUND

Triosim served John Somarakis with interrogatories and requests for production and sought complete responses. Triosim also served subpoenas on Somarakis, Inc. and SI Post, Inc.; those subpoenas required compliance in the Western District of Washington. The defendants did not respond to Triosim's motion to compel.

PROCEDURAL HISTORY

Triosim filed a motion to compel discovery responses and subpoena compliance. The defendants did not respond to the motion within the time required by the local rules. The court granted the motion as to John Somarakis, denied without prejudice the subpoena-enforcement request because compliance was required in another federal district, and set a deadline for any motion for default judgment.

DISPOSITION

other

CASES CITED

- Hobbs v. Am. Commercial Barge Line LLC, No. 4:22-cv-00063-TWP-KMB, 2023 U.S. Dist. LEXIS 171310, at *9 (S.D. Ind. Sept. 26, 2023)
- Rayburn v. Apogee Enters., No. 23-cv-744-jdp, 2024 U.S. Dist. LEXIS 104810, at *3 (W.D. Wis. June 12, 2024)
- Lymon v. UAW Local Union #2209, No. 1:20-cv-000169-HAB-SLC, 2021 U.S. Dist. LEXIS 233909, at *2 (N.D. Ind. Dec. 7, 2021)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN TRIOSIM CORPORATION, Plaintiff, v. Case No. 24-CV-382 SOMARAKIS, INC., JOHN SOMARAKIS, and SI POST, INC., Defendants. ORDER Triosim asks the court to compel defendant John Somarakis “to provide complete responses to Plaintiff’s First Set of Interrogatories and Plaintiff’s First Set of Requests for Production.” (ECF No. 53 at 1.)

The defendants have not responded to Triosim’s motion to compel. See Civ. L.R. 7(h) (requiring response to be filed within seven days). Accordingly, the motion to compel (ECF No. 53) is granted as unopposed. See Hobbs v. Am. Commercial Barge Line LLC, No. 4:22-cv-00063-TWP-KMB, 2023 U.S. Dist. LEXIS 171310, at *9 (S.D. Ind. Sep. 26, 2023). Within 28 days of this order John Somarakis shall provide complete responses to Plaintiff’s First Set of Interrogatories and fully comply with Plaintiff’s First Set of Requests for Production.

Any request for expenses related to this motion to compel, see Fed. R. Civ. P. 37(a)(5)(B), shall be filed within seven days of the date of this order. Any response must be filed within seven days thereafter. Triosim has also moved the court to compel defendants Somarakis, Inc., and SI Post, Inc. to respond to its subpoenas. (ECF No. 53 at 1.) “At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.” Fed.

R. Civ. P. 45(d)(2)(B)(i) (emphasis added); see also Rayburn v. Apogee Enters., No. 23-cv-744-jdp, 2024 U.S. Dist. LEXIS 104810, at *3 (W.D. Wis. June 12, 2024); Lymon v. UAW Local Union #2209, No. 1:20-cv-000169-HAB-SLC, 2021 U.S. Dist. LEXIS 233909, at *2 (N.D. Ind. Dec. 7, 2021).

The subpoenas required compliance in the Western District of Washington. (ECF Nos. 53-3 at 2; 53-4 at 2.) Consequently, Triosim has failed to demonstrate that its motion related to the enforcement of the subpoenas is properly before the court.

Accordingly, that aspect of Triosim’s motion (ECF No. 53) is denied without prejudice. Finally, as to Triosim’s request regarding scheduling (ECF No. 47), any motion for default judgment or request for a hearing regarding default judgment shall be filed no later than April 15, 2026. SO

ORDERED. Dated at Green Bay, Wisconsin this 18th day of December, 2025. s/ Byron B. Conway
BYRON B. CONWAY U.S. District Judge

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