

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Viral Bhagat v. Anuja Sharad Shah

Bhagat v. Shah · No. 24-CV-1424 (VEC) (RFT) · Decided November 24, 2025

SUMMARY

The court denied Defendant’s renewed motion for sanctions, finding that the deposition of Defendant’s computer forensics expert did not demonstrate bad faith or intentional time wasting by Plaintiff. The court partially granted Plaintiff’s motion to compel production of four document versions with appropriate labeling, but denied the remainder of the motion and Plaintiff’s request for sanctions.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Robyn F. Tarnofsky
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	November 24, 2025
DOCKET	24-CV-1424 (VEC) (RFT)
DISPOSITION	other
PROCEDURAL POSTURE	The court considered Defendant's renewed motion for sanctions, Plaintiff's cross-motion to compel, and Plaintiff's motion for sanctions under the court's inherent authority.
STANDARD OF REVIEW	The court evaluated whether the parties' conduct constituted bad faith, intentional waste of time or resources, or abuse of the judicial process warranting sanctions under the court's inherent authority.
PRECEDENTIAL VALUE	Nonprecedential district court order

TOPICS

- sanctions
- discovery dispute
- civil procedure

PRACTICE AREAS

- civil procedure
- discovery
- sanctions

QUESTIONS PRESENTED

1. Whether Defendant established that Plaintiff acted in bad faith or intentionally wasted time and money so as to warrant sanctions.
2. Whether Plaintiff was entitled to compel production of the four document versions relied on by Defendant's expert and additional materials discussed at the deposition.
3. Whether Defendant's document-production error constituted an abuse of the judicial process warranting sanctions against Defendant, including payment of the expert's deposition costs.

HOLDINGS

1. Defendant's renewed motion for sanctions was denied because the deposition did not demonstrate bad faith or intentional time wasting by Plaintiff.
2. Plaintiff's motion to compel was granted in part: if Defendant had not already done so, she was required to produce the four versions relied on by the expert with appropriate labeling by November 26, 2025.
3. Plaintiff's motion for sanctions against Defendant was denied because Plaintiff did not demonstrate an abuse of the judicial process or other sanctionable conduct.

KEY QUOTATIONS

"A court has inherent power to fashion an appropriate sanction for conduct which abuses the judicial process."

"In our American system, each party bears his own costs absent sanctionable behavior by the other party, and there was no such sanctionable behavior here."

FACTUAL BACKGROUND

The dispute concerned Defendant's production of documents relied on by her computer-forensics expert. The deposition transcript revealed that the production was incomplete, with missing versions of certain documents, and that the expert's script had overwritten some files bearing the same names. Plaintiff sought production of the four versions relied on by the expert, with minimal labeling sufficient to identify them uniquely.

PROCEDURAL HISTORY

The court previously ordered Defendant's computer-forensics expert to sit for a one-hour deposition concerning the documents on which the expert relied. After the deposition, Defendant moved for sanctions against Plaintiff; the court denied that motion without prejudice to renewal after submission of the complete transcript. Defendant renewed the motion, and Plaintiff filed a cross-motion to compel production of documents and for sanctions.

DISPOSITION

other

CASES CITED

- Ceglia v. Zuckerberg, 600 F. App'x 34, 36 (2d Cir. 2015)

- Chambers v. NASCO, Inc., 501 U.S. 32, 44-45 (1991)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK VIRAL BHAGAT, Plaintiff, 24-CV-1424 (VEC) (RFT) -against- ORDER ANUJA SHARAD SHAH, Defendant. ROBYN F. TARNOFSKY, United States Magistrate Judge: Pending before the Court is Defendant's renewed motion for sanctions against Plaintiff for "continued bad-faith and intentionally time and money-wasting litigation tactics." (ECF 567, at 1.) | ordered Defendant's computer forensics expert to sit for a one-hour deposition during which Plaintiff could question the expert about the documents on which the expert relied.

(ECF 528 q 4.) After that deposition took place on October 15, 2025, Defendant moved for sanctions, arguing that at the deposition, "and contrary to every prior representation on the subject, Plaintiff stated on the record that he had no problems receiving and re-reviewing the referenced documents in their original folders for the same exact reasons | gave the Court when | represented that Plaintiff had already been provided with the entirety of the subpoena production in an appropriate format." (ECF 547.) | denied the motion without prejudice to refiling after Defendant produced a complete copy of the transcript to the Court.

(ECF 560 4 1.) Defendant renewed the sanctions motion (ECF 567), arguing that at the deposition, "Plaintiff informed the expert that he would gladly accept the files upon which the expert's opinion was based in their original form as they were produced to him by the undersigned, in direct contradiction to his representations to the Court that he could not make sense of the documents in such format." (ECF 567, at 1.) In support, Defendant attached a portion of the deposition transcript.

(ECF 567-1.) Defendant also provided the full transcript as an attachment (ECF 570-1). I have reviewed the transcript and do not agree that the deposition reflected bad faith or intentional time wasting by Plaintiff.

In fact, the deposition revealed that Defendant's original production of documents on which the expert relied was incomplete, in that there were missing versions of certain documents and that the expert's script had overwritten some files with the same names. (ECF 570-1, Tr. at 5:6-10:12, 19:2-27:21, 30:25-31:25, 38:23-41:2.)

Accordingly, Defendant's renewed motion for sanctions (ECF 567) is DENIED. Also pending before the Court is Plaintiff's cross-motion to compel and for sanctions under the inherent authority of the Court (ECF 569). Plaintiff asks for production of a variety of documents discussed at the deposition of Defendant's computer forensics expert. (Id. at 4.)

However, at the deposition itself, Plaintiff asked only for production of the "four versions" on which the expert relied and for minimal labeling so that those documents could be uniquely

identified. (ECF 570-1, Tr. at 39-41.) Plaintiff did not ask for the additional materials during the deposition and has not explained why those additional materials are necessary.

Accordingly, Plaintiff's motion to compel (ECF 569) is GRANTED IN PART, in that if Defendant has not yet provided the "four versions" on which the expert relied with appropriate labeling, she shall do so by November 26, 2025; Plaintiff's motion to compel is otherwise DENIED.

As to Plaintiff's motion for sanctions in the form of requiring Defendant to pay the costs of the expert's deposition (ECF 569), "[a] court has inherent power to fashion an appropriate sanction for conduct which abuses the judicial process." *Ceglia v. Zuckerberg*, 600 F. App'x 34, 36 (2d Cir. 2015) (internal quotation marks omitted) (quoting *Chambers v. NASCO, Inc.*, 501 U.S. 32, 44-45 (1991)).

But Plaintiff has not demonstrated any abuse of judicial process by Defendant in connection with her expert's document production; Plaintiff identified an error in the production that was explained by the expert and that has been (or shortly will be) rectified.

In our American system, each party bears his own costs absent sanctionable behavior by the other party, and there was no such sanctionable behavior here. Accordingly, Plaintiff's motion for sanctions (ECF 569) is DENIED. DATED: November 24, 2025 New York, NY SO ORDERED.
ROBYN F. TARNOFSKY United States Magistrate Judge