

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Arch Specialty Insurance Company v. Ding Sheng Corporation

Arch Specialty Insurance · No. 24-cv-03583 (MKB) (JMW) · Decided December 22, 2025

SUMMARY

The United States District Court for the Eastern District of New York grants Plaintiff Arch Specialty Insurance Company’s motion to compel non-party Xiang Xing Chu to comply with a post-judgment deposition subpoena. The Court concludes that the subpoena topics are relevant and proportional to judgment-enforcement efforts under Federal Rules of Civil Procedure 45 and 69, and directs the deposition to occur by February 6, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	James M. Wicks
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	December 22, 2025
DOCKET	24-cv-03583 (MKB) (JMW)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff obtained a default judgment against Defendant on breach-of-contract and accounts-stated claims and moved to compel nonparty Xiang Xing Chu, Defendant's principal owner, to comply with a deposition subpoena in aid of post-judgment execution.
STANDARD OF REVIEW	The Court assessed whether the subpoena was valid and whether the requested post-judgment discovery was relevant and proportional to execution of the judgment under Federal Rules of Civil Procedure 26, 45, and 69.
PRECEDENTIAL VALUE	unpublished district-court order

TOPICS

- discovery dispute
- civil procedure
- default judgment
- insurance
- breach of contract

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff's attorney-issued subpoena to nonparty Xiang Xing Chu was valid and enforceable under Federal Rule of Civil Procedure 45.
2. Whether the subpoena's topics were relevant and proportional to post-judgment collection under Federal Rule of Civil Procedure 69(a)(2).
3. Whether the absence of opposition or an adequate excuse warranted an order compelling Chu to comply with the subpoena.

HOLDINGS

1. An attorney-issued subpoena signed by Plaintiff's counsel under Federal Rule of Civil Procedure 45(a)(3) was valid and enforceable against the nonparty.
2. The subpoena's requested discovery concerning the judgment debtor's insurance policies, assets, accounts, ownership, operations, and collection of the judgment was relevant and proportional to execution of the judgment under Rule 69(a)(2).
3. Because the subpoena was valid, the requested discovery was relevant and proportional to judgment execution, and Chu neither complied nor opposed the motion, Plaintiff was entitled to an order compelling compliance.

KEY QUOTATIONS

“In aid of the judgment or execution, the judgment creditor or a successor in interest whose interest appears of record 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.” (opinion text, Legal Framework)

“Valid attorney-issued subpoenas under Rule 45(a)(3) operate as enforceable mandates of the court on whose behalf they are served.” (opinion text, Discussion)

FACTUAL BACKGROUND

Arch Specialty Insurance Company obtained a judgment against Ding Sheng Corporation after Ding Sheng failed to appear and defend the action. Plaintiff served Ding Sheng's principal owner, Xiang Xing Chu, with a subpoena requiring a deposition concerning the insurance policies, additional premiums, Defendant's assets and accounts, ownership and operations, and collection of the judgment. Chu did not appear for the scheduled deposition and did not oppose or move to quash the subpoena.

PROCEDURAL HISTORY

Plaintiff filed claims for breach of contract, unjust enrichment, and accounts stated. Defendant failed to answer or appear, the Clerk entered default, and the Court adopted a Report and Recommendation granting Plaintiff's motion for default judgment in part and denying it in part. After judgment was entered, Plaintiff served Chu with a subpoena for a deposition concerning the insurance policies, Defendant's assets, ownership, operations, and

collection of the judgment. Chu did not comply, oppose, or move to quash, and the Court granted Plaintiff's motion to compel.

DISPOSITION

other

CASES CITED

- *Stati v. Republic of Kazakhstan*, No. 19-MISC-382 (PAE), 2024 WL 3442663, at *4 (S.D.N.Y. July 17, 2024), appeal withdrawn, No. 24-2198, 2025 WL 513037 (2d Cir. Jan. 27, 2025)
- *EM Ltd. v. Republic of Argentina*, 695 F.3d 201, 207 (2d Cir. 2012)
- *Republic of Argentina v. NML Cap., Ltd.*, 573 U.S. 134, 134 S. Ct. 2250, 189 L. Ed. 2d 234 (2014)
- *GMA Accessories, Inc. v. Elec. Wonderland, Inc.*, No. 07-CV-3219 (PKC) (DF), 2012 WL 1933558, at *4 (S.D.N.Y. May 22, 2012)
- *McCabe v. Conair LLC*, No. 24-CV-5594 (RER) (VMS), 2025 WL 2677095, at *2 (E.D.N.Y. Sept. 18, 2025)
- *United States ex rel. Ortiz v. Mount Sinai Hosp.*, 169 F. Supp. 3d 538, 543 (S.D.N.Y. 2016)
- *Gov't Emps. Ins. Co. v. Dinesh Verma Med., P.C.*, No. 22-CV-2893 (GRB) (JMW), 2023 WL 1967575, at *5 (E.D.N.Y. Feb. 10, 2023)
- *Mizrahi v. Equifax Info. Servs., LLC*, 345 F.R.D. 392, 395 (E.D.N.Y. 2024)
- *Freund v. Weinstein*, No. 08-CV-1469 (FB) (MDG), 2009 WL 4065585, at *1 (E.D.N.Y. Nov. 23, 2009)
- *Gujarat State Petroleum Corp. Ltd. v. Republic of Yemen*, No. 19-MC-0547 (RA), 2022 WL 1567464, at *8 (S.D.N.Y. May 18, 2022)
- *Owens v. Republic of Sudan*, No. CV 01-2244 (JDB), 2020 WL 4039302, at *5 (D.D.C. July 17, 2020)
- *Rodriguez v. New Generation Hardware Store Corp.*, No. 22-CV-4422 (LJL), 2024 WL 232103, at *1 (S.D.N.Y. Jan. 22, 2024)