

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

David C. Traub, Richard O. Cabel, William R. Sotka, Ern Andrew Gregorio, Gloria Giselda N. Arroyo, Winelda C. Ycoy, Simon U. Cabel, and Christopher R. Asis v. Stardust389, Inc.; Airlock389, Inc.; Christopher H. Cooper, and Patricia Ann Bellasalma

Traub v. Stardust389, Inc. · No. Civil Action No. 22-1582-SRF · Decided March 20, 2026

SUMMARY

The United States District Court for the District of Delaware granted in part plaintiffs’ unopposed motion to compel post-judgment discovery from judgment debtors. The court ordered production of responsive documents and attendance at depositions, denied without prejudice reimbursement of deposition reporter costs, and warned that noncompliance could result in contempt or other sanctions.

CASE DETAILS

COURT	United States District Court for the District of Delaware
WRITING FOR THE COURT	Sherry R. Fallon
JURISDICTION	United States District Court for the District of Delaware
DECIDED	March 20, 2026
DOCKET	Civil Action No. 22-1582-SRF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved under Federal Rule of Civil Procedure 69(a)(2) and Rule 37 to compel judgment debtors to comply with post-judgment discovery requests and sought reimbursement of deposition reporter costs.
PRECEDENTIAL VALUE	Unknown; memorandum order from the United States District Court for the District of Delaware

TOPICS

- discovery dispute
- civil procedure
- sanctions
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation
- judgment enforcement

QUESTIONS PRESENTED

1. Whether judgment creditors may use post-judgment discovery under Federal Rule of Civil Procedure 69(a)(2) and compel compliance under Rule 37.
2. Whether the judgment debtors should be ordered to produce responsive documents and appear for depositions.
3. Whether plaintiffs were entitled to reimbursement of \$900 in certified shorthand reporter costs resulting from the judgment debtors' deposition nonappearances.

HOLDINGS

1. A judgment creditor may obtain discovery from a judgment debtor under Federal Rule of Civil Procedure 69(a)(2) and may move under Rule 37 to compel compliance with post-judgment discovery requests.
2. The plaintiffs were entitled to an order compelling the judgment debtors to produce all responsive documents and appear for oral depositions.
3. The plaintiffs' request for reimbursement of \$900 in certified shorthand reporter costs was denied without prejudice.

KEY QUOTATIONS

“Under Federal Rule of Civil Procedure 69(a)(2), a judgment creditor “may obtain discovery from any person—including the judgment debtor—as provided by these rules or by the procedure of the state where the court is located.”” (¶ 3)

“Plaintiffs have demonstrated good faith attempts to obtain the requested discovery by serving the discovery notices on counsel and emailing and mailing them to the Judgment Debtors.” (¶ 4)

FACTUAL BACKGROUND

On July 2, 2025, the court entered a memorandum opinion, order, and judgment enforcing the parties' settlement agreement. Plaintiffs thereafter served writs of execution and sought discovery in aid of execution. The judgment debtors failed to appear for noticed depositions or produce requested documents, and plaintiffs made good-faith efforts to obtain compliance before moving to compel.

PROCEDURAL HISTORY

The court previously entered a memorandum opinion, order, and judgment enforcing the parties' settlement agreement. Plaintiffs served writs of execution and post-judgment discovery requests on the judgment debtors, who failed to produce documents or appear for depositions. Plaintiffs filed an unopposed motion to compel; the court granted the motion in part, ordering production and depositions but denying without prejudice the request for \$900 in reporter costs.

DISPOSITION

other

CASES CITED

- Davis v. Erigere Rapidus Sols. ERS, Inc., 2025 WL 2962482, at *2 (D.N.J. Oct. 20, 2025)
- Hindman LLC v. Mihaly, 2023 WL 7735543, at *2 (S.D.N.Y. Nov. 15, 2023)

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