

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JANE BUEHLER, :
 :
 Plaintiff, :
 :
 v. : CASE NO. 3:08MC325 (RNC)
 :
 KENETITEC CORP., ET AL, :
 :
 Defendant. :

RULING ON POST-JUDGMENT MOTIONS

This is an action to enforce a judgment. Plaintiff obtained a judgment against judgment debtor John McConnaughy (a/k/a Jack McConnaughy and/or Jake McConnaughy) in the U.S. District Court for the Eastern District of Washington in the amount of \$821,198.18 plus post-judgment interest. That judgment has been registered with this court. (See doc. #1.) Pending before the court are the plaintiff's Motion for Compliance, doc. #12 and Motion for *Capias*, Fine and Damages, doc. #13.

The plaintiff served post-judgment interrogatories. The judgment debtor failed to respond within thirty days, as required by Conn. Gen. Stat. § 52-351b. Plaintiff's Motion for Compliance, doc. #12, asks the court to enter an order requiring the judgment debtor to comply with the post-judgment interrogatories by a date certain or be held in contempt of this court.

The Motion for Compliance is granted in part. **The judgment debtor is ordered to respond to the plaintiff's post-judgment interrogatories in full and to deliver his responses, signed and**

under oath, to the plaintiff's counsel on or before June 26, 2009.

The plaintiff also has filed a Motion for *Capias*, Fine and Damages, doc. #13, due to the judgment debtor's failure to comply with a subpoena requiring him to appear for deposition. The plaintiff asks the court to issue a *capias* for the judgment debtor's immediate arrest pursuant to Conn. Gen. Stat. §52-143(e). The plaintiff's request for a *capias* is denied without prejudice. **The judgment debtor is ordered to submit to a deposition within the next thirty days.** If the judgment debtor fails to comply with this order, the plaintiff may renew her motion for a *capias*.

Plaintiff's motion also asks that the judgment debtor be fined \$25 and ordered to pay the plaintiff's damages pursuant to the same statute. This request is granted. **The judgment debtor shall pay the statutory \$25 fine to the plaintiff's counsel on or before June 26, 2009.** Conn. Gen. Stat. §52-143(e). The judgment debtor shall also pay the plaintiff's reasonable damages associated with the filing of this motion. Id. On or before **June 26, 2009**, the plaintiff shall file an affidavit or other evidence substantiating her damages.

The judgment debtor is warned that failure to comply with this order could subject him to monetary sanctions and to civil contempt. Failure to comply may result in the entry of a *capias*

**authorizing an officer to arrest the judgment debtor and bring
him to court.**

SO ORDERED at Hartford, Connecticut this 9th day of June
2009.

_____/s/_____
Donna F. Martinez
United States Magistrate Judge