

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

ERICA GUERRINI,

Plaintiff,

v.

SPECIFIED CREDIT ASSOCIATION, INC.,

Defendant.

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CIVIL ACTION NO.
3:15-cv-00545 (VAB)

JANUARY 25, 2016

RULING ON MOTION TO COMPEL

Plaintiff, Erica Guerrini, filed this action against Defendant, Specified Credit Association, Inc., alleging violations of the Fair Debt Collection Practices Act (“FDCPA”). On June 17, 2015, the Clerk entered a default against Defendant for failure to appear and answer the Complaint. On August 18, 2015, the Court entered a default judgment for \$3,500 against Defendant under Federal Rule of Civil Procedure 55. Defendant has failed to pay the judgment, and failed to respond to Plaintiff’s post-judgment discovery requests seeking information about Defendant’s income and assets in order to enforce the judgment. Plaintiff moves for an order compelling Defendant to respond to the post-judgment discovery requests.

Federal Rule of Civil Procedure 69 provides that a judgment creditor may obtain discovery from any person in aid of executing a judgment. Fed. R. Civ. P. 69(a)(2). “[B]road post-judgment discovery in aid of execution is the norm in federal . . . courts.” *EM Ltd. v. Republic of Arg.*, 695 F.3d 201, 207 (2d Cir. 2012). “Discovery of a judgment debtor’s assets is conducted routinely under the Federal Rules of Civil Procedure.” *First City, Texas Houston, N.A. v. Rafidain Bank*, 281 F.3d 48, 54 (2d Cir. 2002). “A judgment creditor is entitled to discover the identity and location of any of the judgment debtor’s assets, wherever located.” *Id.* (quoting *Nat’l Serv. Indus., Inc. v. Vafla Corp.*, 694 F.2d 246, 250 (11th Cir. 1982)).

Upon review, the Court finds that the post-judgment discovery requests are appropriate and proper within the scope of Federal Rule of Civil Procedure 69(a)(2) and applicable law. *See, e.g., Hoyte v. Recheck Funding LLC*, No. 3:11-cv-0927 (CSH), 2013 WL 1196575, at *1-2 (D. Conn. Mar. 25, 2013) (plaintiff filed action alleging FDCPA violations, defendant failed to appear and answer, court entered default judgment, defendant failed to answer post-judgment discovery requests, and court granted plaintiff's motion to compel). Therefore, under the Court's authority to compel disclosure or discovery under Federal Rule of Civil Procedure 37, the Court hereby ORDERS Defendant to answer Plaintiff's post-judgment discovery requests on or before February 24, 2016. Plaintiff is directed to serve Defendant with a copy of this Order.

SO ORDERED at Bridgeport, Connecticut this twenty-fifth day of January, 2016.

/s/ Victor A. Bolden
VICTOR A. BOLDEN
UNITED STATES DISTRICT JUDGE