

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
In re: ELETSON HOLDINGS INC,

: Chapter 11

: Case No. 23-10322 (JPM)

: Debtor/Judgment Creditor.¹
-----X

**ELETSON HOLDINGS INC.'S MOTION TO COMPEL THE INDIVIDUAL
JUDGMENT DEBTORS' DEPOSITIONS IN AID OF JUDGMENT ENFORCEMENT**

¹ Prior to November 19, 2024, the Debtors in these cases were: Eletson Holdings Inc., Eletson Finance (US) LLC, and Agathonissos Finance LLC. On March 5, 2025, the Court entered a final decree and order closing the chapter 11 cases of Eletson Finance (US) LLC and Agathonissos Finance LLC. Commencing on March 5, 2025, all motions, notices, and other pleadings relating to any of the Debtors shall be filed in the chapter 11 case of Eletson Holdings Inc. The Debtor's mailing address is c/o Herbert Smith Freehills Kramer (US) LLP, 1177 Avenue of the Americas, New York, New York 10036.



TABLE OF CONTENTS

	Page
PRELIMINARY STATEMENT	1
BACKGROUND	2
A. Service of the Deposition Notices on the Individual Judgment Debtors and their Refusal to Comply Therewith.....	2
B. Letter Request for Conference Pursuant to Applicable Rules	4
ARGUMENT	4
I. HOLDINGS IS ENTITLED TO DEPOSE THE INDIVIDUAL JUDGMENT DEBTORS IN AID OF ENFORCEMENT AND EXECUTION OF THE JUDGMENT.....	4
II. AN ORDER COMPELLING THE INDIVIDUAL JUDGMENT DEBTORS TO APPEAR FOR DEPOSITIONS IS PROPER	5
CONCLUSION.....	7

TABLE OF AUTHORITIES

Cases

<i>Al-Bahar v. Lockhart</i> , Case No. 1:24-CV-00682, at Dkt. No. 55 (S.D.N.Y. Mar. 20, 2025).....	5
<i>Banco Cent. De Paraguay v. Paraguay Humanitarian Found., Inc.</i> , 2006 WL 3456521 (S.D.N.Y. Nov. 30, 2006).....	5
<i>EM Ltd. v. Republic of Argentina</i> , 695 F.3d 201 (2d Cir. 2012)	4, 5
<i>Gibbons v. Smith</i> , 2010 WL 582354 (S.D.N.Y. Feb. 11, 2010).....	4, 5
<i>Libaire v. Kaplan</i> , 760 F. Supp. 2d 288 (E.D.N.Y. 2011)	4
<i>Republic of Guatemala v. IC Power Asia Dev. Ltd.</i> , 2023 WL 3294277 (S.D.N.Y. May 5, 2023)	5

Federal Rules

Fed. R. Bankr. P. 7030.....	2
Fed. R. Bankr. P. 7037.....	1, 5
Fed. R. Bankr. P. 7069.....	1, 4
Fed. R. Bankr. P. 9014.....	1, 2, 4, 5
Fed. R. Civ. P. 5.....	7
Fed. R. Civ. P. 30.....	2, 6
Fed. R. Civ. P. 37.....	1, 4, 5, 6, 7
Fed. R. Civ. P. 69.....	1, 4, 5

Pursuant to Federal Rules of Civil Procedure (“Fed. R. Civ. P.”) 37 and 69, made applicable by Federal Rules of Bankruptcy Procedure (“Fed. R. Bankr. P.”) 7037, 7069, and 9014, Judgment Creditor Eletson Holdings Inc. (“Holdings”) respectfully submits this motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (“Proposed Order”), compelling the depositions of judgment debtors Laskarina Karastamati, Vasilis Hadjieleftheriadis a/k/a Vassilis Chatzieleftheriadis, Konstatinos Chatzieleftheriadis, Ionannis Zilakos, Niki Zilakos, Adrianos Psomadakis-Karastamatis, Eleni Giannakopoulous, Panos Paxinoz, and Emmanuel Andreulaks (the “Individual Judgment Debtors”).

PRELIMINARY STATEMENT

On September 22 and October 21, 2025, the Court entered judgments against the Individual Judgment Debtors as well as against Lassia Investment Company, Glafkos Trust Company, Family Unity Trust Company, and Elafonissos Shipping Corporation (the “Entity Judgment Debtors” and, together with the Individual Judgment Debtors, the “Judgment Debtors”) in favor of Holdings (“Judgments”). Dkt. Nos. 1836, 1862. The Judgments ordered the Judgment Debtors to pay Holdings amounts ranging from \$150,000 to \$1,931,548.12. *See id.*

Upon entry of the Judgments, Holdings served post-judgment discovery to obtain information about the nature and location of the Judgment Debtors’ assets and identify assets to satisfy the Judgments. The post-judgment discovery that Holdings served included, *inter alia*, deposition notices commanding each of the Individual Judgment Debtors to appear for a deposition at the offices of Goulston & Storrs P.C. in New York during business hours on a specified date in November 2025. ***None*** of the Individual Judgment Debtors appeared for their properly noticed depositions. In fact, the Individual Judgment Debtors have failed to respond to the deposition notices and subsequent outreach from Holdings all together.

The Individual Judgment Debtors' failure to appear for their depositions interferes with Holdings' ability to gather information essential to its collection efforts, information to which Holdings plainly is entitled.

As a result of the Individual Judgment Debtors' failure to respond to the deposition notices served on them and appear for their properly noticed depositions, Holdings respectfully requests that the Court enter an order compelling the Judgment Debtors to appear for their depositions.

BACKGROUND

A. Service of the Deposition Notices on the Individual Judgment Debtors and their Refusal to Comply Therewith

On October 27, 2025, Holdings served deposition notices on each Individual Judgment Debtor pursuant to Fed. R. Civ. P. 30, made applicable by Fed. R. Bankr. P. 7030 and 9014. *See* Koslof Decl. Ex. 1 (Individual Judgment Debtors' deposition notices).² Holdings properly served the notices on each Individual Judgment Debtor by both first-class mail and email at each Individual Judgment Debtor's known address and email address, as well as on the Daniolos Law Firm by both first-class mail and email.³ Koslof Decl. Ex. 2 (certificate of service); Koslof Decl. Ex. 3 (email chains with October 27, 2025 emails to Individual Judgment Debtors and Daniolos Law Firm attaching notices). Holdings noticed the depositions for November 11 through November 20, 2025 during business hours at the offices of Goulston & Storrs P.C. in New York. *See* Koslof Decl. Ex. 1 (deposition notices). The deposition notices stated that Holdings would "take the deposition upon oral examination of [the Individual Judgment Debtor]" on the stated date, time, and place "or at such other time and place as may be agreed upon by counsel." *Id.*

² References to "Koslof Decl. Ex. ___" refer to exhibits to the Declaration of Nathaniel R.B. Koslof, dated December 8, 2025 ("Koslof Decl.").

³ Holdings was unable to ascertain individual email addresses for two of the Individual Judgment Debtors, Eleni Giannakopoulous and Niki Zilakos. Therefore, Holdings served these two individuals at their known address as well as at the known address and email address of the Daniolos Law Firm.

On November 4, 2025, after having not heard from any of the Individual Judgment Debtors (or any counsel that may represent them),⁴ Holdings sent follow-up emails to each Individual Judgment Debtor, with the Daniolos Law Firm copied, attaching the deposition notices; reiterating the date, time, and location of each noticed deposition; asking for confirmation of attendance at the depositions; and reserving all rights. *See* Koslof Decl. Ex. 3 (email chains with November 4, 2025 emails to Individual Judgment Debtors and Daniolos Law Firm). Holdings did not—and, to date, still has not—heard back from any Individual Judgment Debtor.

None of the Individual Judgment Debtors appeared for their properly noticed depositions. Holdings again documented, on the record with a court reporter, each failure to appear. *See* Koslof Decl. Ex. 4 (deposition transcripts documenting Individual Judgment Debtors’ failures to appear).

On November 20, 2025, pursuant to the Court’s Chambers’ Rules and Local Bankruptcy Rule 7037-1, Holdings *again* emailed the Individual Judgment Debtors, copying the Daniolos Law Firm, to schedule a meet and confer to resolve the issue of their non-appearances at their noticed depositions. *See* Koslof Decl. Ex. 3 (email chains with November 20, 2025 emails to Individual Judgment Debtors and Daniolos Law Firm). In each email, Holdings stated that, if it did not hear back by November 24, 2025, it would move to compel. *Id.*; *See* Koslof Decl. ¶ 9 (attorney affirmation pursuant to Local Bankruptcy Rule 7037-1(a) certifying good faith effort to confer with opposing counsel to resolve the issues raised in the instant motion without court intervention). To date, Holdings still has not heard from the Individual Judgment Debtors (or any counsel that may represent them).

⁴ Rolnick Kramer Sadighi LLP and Greenberg Traurig LLP have both disclaimed representation of the Individual Judgment Debtors. Additionally, Holdings inquired with the Individual Judgment Debtors and Daniolos Law Firm as to whether Daniolos Law Firm, or any other law firm, represents the Individual Judgment Debtors but did not, and still has not, received a response.

B. Letter Request for Conference Pursuant to Applicable Rules

On November 25, 2025, in compliance with the Court's Chambers' Rules and Local Bankruptcy Rule 7037-1, Holdings filed a letter requesting a conference in anticipation of the instant motion or, alternatively, leave to file the instant motion. Dkt. No. 1894. That same day, Holdings emailed a copy of the letter to Chambers, the Entity Judgment Debtors' counsel, and the Individual Judgment Debtors. *See* Koslof Decl. Ex. 5 (email attaching pre-motion conference letter requesting to file motion to compel). On December 1, 2025, the Court granted Holdings leave to file the instant motion. Dkt. No. 1897.

As a result of the Individual Judgment Debtors' failure to appear for their properly noticed depositions, Holdings asks the Court to enter an order compelling the Individual Judgment Debtors to appear for their depositions. *See* Fed. R. Civ. P. 37.

ARGUMENT

I. HOLDINGS IS ENTITLED TO DEPOSE THE INDIVIDUAL JUDGMENT DEBTORS IN AID OF ENFORCEMENT AND EXECUTION OF THE JUDGMENT

"Post-judgment discovery is governed by Federal Rule of Civil Procedure 69, which provides that '[i]n aid of the judgment or execution, the judgment creditor...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.'" *EM Ltd. v. Republic of Argentina*, 695 F.3d 201, 207 (2d Cir. 2012) (quoting Fed. R. Civ. P. 69(a)(2)). Fed. R. Civ. P. 69, made applicable by Fed. R. Bankr. P. 7069 and 9014, permits judgment creditors "wide latitude in using the discovery devices provided by the Federal Rules in post-judgment proceedings,...and depositions are proper tools under the Rules." *Gibbons v. Smith*, 2010 WL 582354, at *3 (S.D.N.Y. Feb. 11, 2010); *see Libaire v. Kaplan*, 760 F. Supp. 2d 288, 293 (E.D.N.Y. 2011) ("A [judgment creditor] is entitled to a very thorough examination of a judgment debtor with respect to its assets.") (cleaned up).

In fact, “broad post-judgment discovery in aid of execution is the norm in federal and New York state courts.” *EM Ltd.*, 695 F.3d at 207. “Under Rule 69(a), a judgment creditor is entitled to a wide range of discovery concerning the assets and liabilities of a judgment debtor.” *Republic of Guatemala v. IC Power Asia Dev. Ltd.*, 2023 WL 3294277, at *2 (S.D.N.Y. May 5, 2023) (quoting *Banco Cent. De Paraguay v. Paraguay Humanitarian Found., Inc.*, 2006 WL 3456521, at *8 (S.D.N.Y. Nov. 30, 2006)). This includes “seek[ing] disclosure related to assets held outside the jurisdiction of the court where the discovery request is made.” *EM Ltd.*, 695 F.3d at 208 (collecting cases permitting broad discovery into judgment debtors’ assets regardless of location).

Holdings’ deposition notices served upon the Individual Judgment Debtors for the purpose of obtaining information about the nature and location of Individual Judgment Debtors’ assets plainly are proper under Fed. R. Civ. P. 69 and are essential to the enforcement and execution of the Judgments.

II. AN ORDER COMPELLING THE INDIVIDUAL JUDGMENT DEBTORS TO APPEAR FOR DEPOSITIONS IS PROPER

Under Fed. R. Civ. P. 37(a), made applicable by Fed. R. Bankr. P. 7037 and 9014, a judgment creditor may move for an order compelling discovery from a judgment debtor who fails to appear for a properly noticed deposition. *See e.g., Gibbons*, 2010 WL 582354, at *3 (granting motion to compel post-judgment deposition); *Al-Bahar v. Lockhart*, Case No. 1:24-CV-00682, at Dkt. No. 55 (S.D.N.Y. Mar. 20, 2025) (same). “Further, under Rule 37(a), if the court grants the motion to compel, the court also may require the non-compliant party to pay the attorney’s fees and costs incurred by the moving party in making the motion to compel.” *Banco Cent. De Paraguay*, 2006 WL 3456521, at *8. Fed. R. Civ. P. 37(a)(1) requires that the movant provide “notice to other parties and all affected persons” of the motion and that the motion include “a certification that the movant has in good faith conferred or attempted to confer with the person or

party failing to make disclosure or discovery in an effort to obtain it without court action.” *See* Fed. R. Civ. P. 37(a)(1).

As set forth in Section B, *supra*, Holdings provided the requisite notice of the instant motion to all parties. *See e.g.*, Koslof Decl. Ex. 3 (emails to Individual Judgment Debtors on November 20, 2025 noting that “if we do not hear back from you by November 24, 2025, *we will take the necessary steps to move to compel your compliance*”) (emphasis added); Koslof Decl. Ex. 5 (email attaching pre-motion conference letter requesting to file motion to compel, copying Individual Judgment Debtors and counsel for the Entity Judgment Debtors). Holdings also has certified its good faith efforts to confer with the Individual Judgment Debtors. *See* Koslof Decl. ¶ 9 (certifying good faith effort to meet and confer with Individual Judgment Debtors); *see also* Koslof Decl. Ex. 3 (emails to Individual Judgment Debtors on November 20, 2025 requesting to meet and confer).

Furthermore, Holdings’ deposition notices comply with Fed. R. Civ. P. 30’s notice requirements. *See* Fed. R. Civ. P. 30(b)(1) (requiring “reasonable written notice to every other party” with a notice that states “the time and place of the deposition and, if known, the deponent’s name and address”). Holdings’ deposition notices to the Individual Judgment Debtors listed the date, time, and place of the depositions, along with known addresses of the deponents. *See* Koslof Decl. Ex. 1 (deposition notices). Holdings also provided written notice of each Individual Judgment Debtor’s deposition to every Judgment Debtor. *See e.g.*, Koslof Decl. Ex. 2 (certificate of service confirming service of deposition notices on Individual Judgment Debtors); Koslof Decl. Ex. 3 (October 27, 2025 email to Individual Judgment Debtors, copying counsel for Entity Judgment Debtors, attaching Individual Judgment Debtors’ deposition notices).

Holdings also properly served the deposition notices on the Individual Judgment Debtors in compliance with Fed. R. Civ. P. 5. *See* Fed. R. Civ. P. 5(b)(2)(C) (permitting service of a discovery paper by “mailing it to the person's last known address—in which event service is complete upon mailing”). As set forth in Section A, *supra*, Holdings properly served the notices on each Individual Judgment Debtor by both first-class mail and email at each Individual Judgment Debtor’s last known addresses. *See* Koslof Decl. Ex. 2 (certificates of service).

This Court has previously approved the propriety of the aforementioned methods of service on the Individual Judgment Debtors. *See* Dkt. No. 1505 at 92:3-6 (finding “service...by direct mail and email to former directors, shareholders, and their respective attorneys to be sufficient notice.”).

In light of the Individual Judgment Debtors’ failures to appear for their properly noticed depositions, Holdings’ motion to compel their attendance under Fed. R. Civ. P. 37(a) is proper.

CONCLUSION

For the foregoing reasons, Holdings’ respectfully requests that the Court grant Holding’s motion to compel and enter an order, substantially in the form of the Proposed Order, compelling the Individual Judgment Debtors to appear for post-judgment depositions at the offices of Goulston & Storrs, P.C. located at 730 Third Avenue, New York, NY 10017 within fourteen (14) days after entry of an order directing the Individual Judgment Debtors to appear for depositions and such other relief as the Court deems necessary.

Dated: December 8, 2025

/s/ Nathaniel R.B. Koslof

Jennifer B. Furey (admitted *pro hac vice*)

Nathaniel R.B. Koslof (admitted *pro hac vice*)

GOULSTON & STORRS PC

One Post Office Square, 28th Floor

Boston, MA 02109

jfurey@goulstonstorrs.com

nkoslof@goulstonstorrs.com

Tel: (617) 574-3575

Jaclyn Grodin

Rae Berger

GOULSTON & STORRS PC

730 Third Avenue, 12th Floor

New York, NY 10017

jgrodin@goulstonstorrs.com

rberger@goulstonstorrs.com

Tel: (212) 878-5065

Counsel for Eletson Holdings Inc.

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
In re: ELETSON HOLDINGS INC,

: Chapter 11

: Case No. 23-10322 (JPM)

Debtor/Judgment Creditor.¹
-----X

**ORDER GRANTING ELETSON HOLDINGS INC.’S MOTION TO COMPEL
THE INDIVIDUAL JUDGMENT DEBTORS’ DEPOSITIONS
IN AID OF JUDGMENT ENFORCEMENT**

Upon the motion of Eletson Holdings Inc. (“Holdings”), pursuant to Fed. R. Civ. P. 37 and 69, made applicable by Fed. R. Bankr. P. 7037, 7069, and 9014, for entry of an order compelling the depositions of judgment debtors Laskarina Karastamati, Vasilis Hadjieleftheriadis a/k/a Vassilis Chatzieleftheriadis, Konstatinos Chatzieleftheriadis, Ionannis Zilakos, Niki Zilakos, Adrianos Psomadakis-Karastamatis, Eleni Giannakopoulous, Panos Paxinoz, and Emmanuel Andreulaks (the “Individual Judgment Debtors”), as well upon all the accompanying papers, and after a hearing on the motion held on January 12, 2026, it is HEREBY ORDERED THAT:

1. The motion is GRANTED;
2. The Individual Judgment Debtors are ordered to appear for post-judgment depositions at the offices of Goulston & Storrs, P.C. located at 730 Third Avenue, New York, NY 10017 within fourteen (14) days of the entry of this order; and
3. The Individual Judgment Debtors shall pay Holdings’ attorney’s fees and costs incurred in making the instant motion.

¹ Prior to November 19, 2024, the Debtors in these cases were: Eletson Holdings Inc., Eletson Finance (US) LLC, and Agathonissos Finance LLC. On March 5, 2025, the Court entered a final decree and order closing the chapter 11 cases of Eletson Finance (US) LLC and Agathonissos Finance LLC. Commencing on March 5, 2025, all motions, notices, and other pleadings relating to any of the Debtors shall be filed in the chapter 11 case of Eletson Holdings Inc. The Debtor’s mailing address is c/o Herbert Smith Freehills Kramer (US) LLP, 1177 Avenue of the Americas, New York, New York 10036.

Dated: _____
New York, New York

Hon. John P. Mastando III
United States Bankruptcy Judge