

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

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In re: ELETSON HOLDINGS INC,

: Chapter 11

: Case No. 23-10322 (JPM)

: Debtor/Judgment Creditor.¹
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**ELETSON HOLDINGS INC.'S MOTION TO COMPEL THE ENTITY 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.



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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 Lassia Investment Company, Glafkos Trust Company, Family Unity Trust Company, and Elafonissos Shipping Corporation (the “Entity Judgment Debtors”).

PRELIMINARY STATEMENT

On September 22 and October 21, 2025, the Court entered judgments against the Entity Judgment Debtors as well as against 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” and, together with the Entity 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 Entity 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. Despite a good faith effort to meet and confer with counsel for the Entity Judgment Debtors, ***none*** of the Entity Judgment Debtors agreed to appear for their properly noticed depositions.

The Entity Judgment Debtors’ refusal to appear for their depositions interferes with Holdings’ ability to gather information essential to its collection efforts, information to which Holdings plainly is entitled. Furthermore, the Entity Judgment Debtors have offered no reasonable basis for refusing to appear for their properly noticed depositions.

As a result of the Entity Judgment Debtors’ refusal to appear for their properly noticed depositions, Holdings respectfully requests that the Court enter an order compelling the Entity Judgment Debtors to appear for their depositions.

BACKGROUND

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

On October 24, 2025, Holdings served Rule 30(b)(6) deposition notices on each Entity Judgment Debtor pursuant to Fed. R. Civ. P. 30, made applicable by Fed. R. Bankr. P. 7030 and 9014. *See* Koslof Decl. Ex. 1 (Entity Judgment Debtors’ deposition notices).² Holdings properly served the notices on each Entity Judgment Debtor care of their counsel, Rolnick Kramer Sadighi LLP (“RKS”), by first-class mail and email. Koslof Decl. Ex. 2 (certificate of service). Holdings noticed the depositions to occur on November 11 through November 13, 2025 during business hours at the offices of Goulston & Storrs P.C. in New York. *See* Koslof Decl. Ex. 1. The notices stated that Holdings would “take the oral deposition of [the Entity Judgment Debtor]” on the stated date, time, and place “or at another time and place as the parties may agree.” *Id.*

On November 12, 2025, pursuant to the Court’s Chambers’ Rules and Local Bankruptcy Rule 7037-1, Holdings met and conferred with RKS—counsel to the Entity Judgment Debtors—about the deposition notices served on the Entity Judgment Debtors. RKS refused to make the

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

Entity Judgment Debtors available for deposition and the parties were unable to reach an agreement. *See* Koslof Decl. ¶ 7 (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).

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. 3 (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 Entity Judgment Debtors’ refusal to appear for their properly noticed depositions, Holdings asks the Court to enter an order compelling the Entity Judgment Debtors to appear for their depositions. *See* Fed. R. Civ. P. 37.

ARGUMENT

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

“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 Entity Judgment Debtors for the purpose of obtaining information about the nature and location of Entity 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 ENTITY 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* Koslof Decl. Ex. 3 (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 certified that it has in good faith conferred with the Entity Judgment Debtors in an effort to resolve the issues raised herein. *See* Koslof Decl. ¶ 7 (certifying good faith meet and confer with Entity Judgment Debtors’ counsel on November 12, 2025).

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 Entity Judgment Debtors listed the date, time, and place of the depositions, along with any required information known about the deponents. *See* Koslof Decl. Ex. 1 (deposition notices). Moreover, the deposition notices described the matters for examination in accordance with Fed. R. Civ. P. 30(b)(6). *See* Fed. R. Civ. P. 30(b)(6) (deposition notice to an organization or entity “must describe with reasonable particularity the matters for examination”); Koslof Decl. Ex. 1 (Entity Judgment Debtors’ Rule

30(b)(6) deposition notices with Schedule A attached identifying, with reasonable particularity, topics for testimony). Holdings also provided written notice of each Entity Judgment Debtor's deposition. *See* Koslof Decl. Ex. 2 (certificate of service confirming service of deposition notices on Entity Judgment Debtors c/o counsel, RKS, by email and first class mail).

Holdings also properly served the deposition notices on the Entity Judgment Debtors in compliance with Fed. R. Civ. P. 5. *See* Fed. R. Civ. P. 5(b)(1) ("If a party is represented by an attorney, service under this rule must be made on the attorney"); 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 Entity Judgment Debtor care of their counsel, RKS, by first-class mail and email. Koslof Decl. Ex. 2 (certificate of service).

The Court also has approved the propriety of the aforementioned methods of service on the Entity 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 Entity 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 Entity 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 Entity 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*)

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Counsel for Eletson Holdings Inc.

EXHIBIT A

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

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

:

Chapter 11

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Case No. 23-10322 (JPM)

Debtor/Judgment Creditor.¹

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**ORDER GRANTING ELETSON HOLDINGS INC.’S MOTION TO COMPEL
THE ENTITY 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 Lassia Investment Company, Glafkos Trust Company, Family Unity Trust Company, and Elafonissos Shipping Corporation (the “Entity 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 Entity 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 Entity 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