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January 28, 2026

VIA ECF

The Honorable John P. Mastando III
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004

Re: *In re Eletson Holdings, Inc., et al., Case No. 23-10322 (JPM)*

Dear Judge Mastando,

Pursuant to Your Honor's Chambers' Rules and Local Bankruptcy Rule 7037-1, Eletson Holdings Inc. ("Holdings") respectfully requests a conference in anticipation of filing a motion for a finding of civil contempt and application for a bench warrant for civil arrest and incarceration (the "Contempt and Arrest Motion") as to 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") based upon their repeated failures to appear for their properly noticed post-judgment depositions and blatant disregard of this Court's orders.

The Individual Judgment Debtors' Serial Noncompliance

As this Court is aware, the Individual Judgment Debtors failed to respond to the post-judgment deposition notices that Holdings initially served on them on October 27, 2025 (Dkt. No. 1907-1) (the "October Notices") following the judgments this Court entered in favor of Holdings and against the Individual Judgment Debtors (Dkt. Nos. 1836, 1862) (the "Judgments"). As Holdings has previously documented for this Court, on November 4, 2025, after having not heard from any of the Individual Judgment Debtors, Holdings sent follow-up emails to each Individual Judgment Debtor, attaching the deposition notices; reiterating the date, time, and location of each noticed deposition, which spanned November 11 through November 20, 2025; asking for confirmation of attendance at the depositions; and reserving all rights (Dkt. No. 1907-3). Holdings *never* heard from any of the Individual Judgment Debtors and *none* of them appeared for their properly noticed depositions. On November 20, 2025, pursuant to Your Honor's Chambers' Rules and Local Bankruptcy Rule 7037-1, Holdings once again emailed the Individual Judgment Debtors, this time to schedule a meet and confer to resolve the issue of their non-appearances at their noticed depositions. On November 25, 2025, having received no response, Holdings requested a conference in anticipation of a motion to compel. Dkt. No. 1894 (the "PMC Letter"). Holdings emailed a copy of the PMC Letter to the Individual Judgment Debtors. Dkt. No. 1907-5. On December 1, 2025, the Court granted Holdings leave to file the motion. Dkt. No. 1897.

On December 8, 2025, Holdings filed the motion (Dkt. Nos. 1906-08) (the "Motion"). Holdings served the Motion on the Individual Judgment Debtors by both first-class mail and email. Dkt. No. 1914. By notice filed and served with the Motion (Dkt. No. 1908), Holdings notified the



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Individual Judgment Debtors that their deadline to oppose the Motion was December 22, 2025 and that a hearing on the Motion was set for January 12, 2026. The Individual Judgment Debtors failed to oppose the Motion, so on January 9, 2026, Holdings filed a Certificate of No Objection. Dkt. No. 1938. The Individual Judgment Debtors also failed to appear at the hearing on the Motion. On January 13, 2026, this Court granted the Motion, ordering the Individual Judgment Debtors to appear for post-judgment depositions at the New York offices of Goulston & Storrs P.C. “within fourteen (14) days of the entry of th[e] order” (Dkt. No. 1942) (the “Order”). On January 14, 2026, pursuant to the Order, Holdings served new deposition notices on each Individual Judgment Debtor (the “January Notices”) along with a copy of the Order. Holdings properly served the January Notices on each Individual Judgment Debtor by both first-class mail and email, as well as on the Daniolos Law Firm. Holdings noticed the depositions for January 20 through 27, 2026. Once again, *none* of the Individual Judgment Debtors appeared for their depositions. On January 27, 2026, Holdings emailed the Individual Judgment Debtors, copying the Daniolos Law Firm, to schedule a meet and confer. In the email, Holdings provided that, if it did not hear back within 24 hours, it would seek to file the Contempt and Arrest Motion. They have not responded.

Basis for the Contempt and Arrest Motion

Fed. R. Civ. P. 37 (made applicable by Fed. R. Bankr. P. 7037) permits courts to treat as contempt a party’s failure to obey an order compelling discovery, including an order directing depositions. *See* FRCP 37(b)(1), (2)(A)(vii). “A court may hold a party in contempt if (1) the order the party failed to comply with is clear and unambiguous, (2) the proof of noncompliance is clear and convincing, and (3) the party has not diligently attempted to comply in a reasonable manner.” *Avalon Holdings Corp. v. Gentile*, 2024 WL 4252058, at *1 (S.D.N.Y. Sept. 20, 2024) (cleaned up). As outlined above, and as will be demonstrated in further detail in the Contempt and Arrest Motion, these grounds plainly are satisfied here. The Individual Judgment Debtors have not responded to a single email or deposition notice sent to or served on them since the outset of the instant post-judgment discovery efforts nor did they respond to the Order. Moreover, “[a]rrest may be an appropriate sanction for civil contempt, so long as it is designed to compel the party to comply with the court’s orders, rather than to punish.” *Id.* at *2 (finding contempt for failure to respond to post-judgment subpoenas or oppose motion to compel regarding same; ordering arrest and incarceration until party responded to post-judgment subpoenas); *Al-Bahar v. Lockhart*, Case No. 1:24-CV-00682 (S.D.N.Y. Nov. 6, 2025), at Dkt. Nos. 61-62 (finding contempt for failure to obey court order compelling post-judgment deposition and respond to written discovery requests and ordering civil arrest until party purged contempt). Here, Holdings intends to seek confinement only until such time as they comply with the Order and appear for a deposition. Accordingly, Holdings respectfully requests leave to file the Contempt and Arrest Motion pursuant to Fed. R. Civ. P. 37 and 69 (made applicable by Fed. R. Bankr. P. 7037 and 7069) and serve the Contempt and Arrest Motion on the Individual Judgment Debtors by first-class mail, priority mail, and email.

Respectfully submitted,
/s/ Nathaniel R.B. Koslof
Nathaniel R.B. Koslof

cc: All Counsel (via ECF);
All Individual Judgment Debtors (email, first-class mail and priority mail)