

**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 FOR FINDINGS OF CONTEMPT AND
APPLICATION FOR BENCH WARRANTS FOR ARREST AS TO
THE INDIVIDUAL JUDGMENT DEBTORS 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, Debtor/Judgment Creditor Eletson Holdings Inc. (“Holdings”) respectfully submits this motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), for findings of civil contempt and the issuance of bench warrants for civil arrest and incarceration, substantially in the form attached hereto as **Exhibit B** (the “Proposed Arrest Warrant”), as to judgment debtors Laskarina Karastamati, Vasilis Hadjieleftheriadis a/k/a Vassilis Chatzieftheriadis, Konstatinos Chatzieftheriadis, Ionannis Zilakos, Niki Zilakos, Adrianos Psomadakis-Karastamatis, Eleni Giannakopoulous, Panos Paxinoz, and Emmanuel Andreulaks (the “Individual Judgment Debtors”) for their repeated failures to appear for their properly noticed post-judgment depositions and their blatant disregard of this Court’s order compelling their appearances for such depositions.

PRELIMINARY STATEMENT

This motion arises from the Individual Judgment Debtors’ deliberate and continuing refusal to submit to this Court’s authority after having been lawfully subjected to its jurisdiction, ordered to comply with the judgments and orders entered against them, and afforded repeated notice and opportunities to be heard. Over a period of months, the Individual Judgment Debtors have chosen silence, nonappearance, and evasion at every stage of the instant post-judgment discovery proceedings against them. They have ignored the post-judgment deposition notices that Holdings properly served on them, refused to respond to Holdings’ good-faith meet and confer efforts (or acknowledge any outreach from Holdings at all), disregarded this Court’s clear and unambiguous order compelling them to appear for their properly noticed depositions, and altogether declined to recognize the post-judgment discovery proceedings against them. Leading up to the instant post-

judgment discovery proceedings, the Individual Judgment Debtors also demonstrated a willful defiance of this Court's orders, even in the face of increasing monetary sanctions.

The record in this case establishes that compulsion has failed; monetary sanctions have failed; and warnings, including clear notice of the consequences of continued nonappearance, have failed. It is thus clear that nothing short of coercive relief, including arrest and incarceration, will compel the Individual Judgment Debtors' compliance with this Court's order compelling them to appear for their post-judgment depositions or their recognition of the judgments entered against them.

The requested relief is not extraordinary. It is the only remaining option available to enforce this Court's lawful orders. Without such relief, the Individual Judgment Debtors continue to render the judgments against them practically ineffective and prevent Holdings from pursuing collection of the judgments rightfully entered in its favor. The requested relief is also narrowly tailored, fully purgeable, and designed solely to compel compliance with this Court's Orders, not to punish. Indeed, Holdings seeks the Individual Judgment Debtors' confinement only until such time as they comply with the Court's order and appear for a deposition or until such time as they satisfy the judgments against them. The Individual Judgment Debtors hold the keys to their own release, and their continued detention, if any, will result solely from their ongoing decision to defy this Court.

As a result of the Individual Judgment Debtors' repeated refusal to appear for their properly noticed post-judgment depositions and their willful disregard of this Court's order compelling their appearances for such depositions, Holdings respectfully requests that the Court enter an order for findings of contempt and the issuance of bench warrants for arrest and incarceration.

BACKGROUND

A. Entry of the Judgments and Commencement of Post-Judgment Discovery

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 (the “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.

B. Service of the October Notices on the Individual Judgment Debtors and their Refusal to Comply Therewith

The post-judgment discovery that Holdings initially served included, *inter alia*, deposition notices, served on October 27, 2025, 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 between November 11 through November 20, 2025. Dkt. No. 1907-1 (the “October 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.*

Holdings served the October Notices on each Individual Judgment Debtor pursuant to Fed. R. Civ. P. 30, made applicable by Fed. R. Bankr. P. 7030 and 9014, 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.² Dkt. No. 1907-2 (certificate of service); Dkt. No. 1907-3 (email chains with October 27, 2025 emails).

On November 4, 2025, after having not heard from any of the Individual Judgment Debtors (or any counsel that may represent them),³ 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* Dkt. No. 1907-3 (email chains with November 4, 2025 emails to the Individual Judgment Debtors and the 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 documented, on the record with a court reporter, each failure to appear. *See* Dkt. No. 1907-3 (deposition transcripts documenting the Individual Judgment Debtors' failures to appear).

C. November Meet and Confer Efforts and Subsequent Letter Request for Conference Pursuant to Applicable Rules

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* Dkt. No. 1907-3 (email chains with November 20, 2025 emails). In each email, Holdings stated that if it did not hear back by November 24, 2025, it would move to compel. *Id.*; *see* Dkt. No. 1907 ¶ 9 (attorney affirmation pursuant to Local Bankruptcy Rule 7037-1(a)

² 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.

³ 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.

certifying good faith effort to confer with opposing parties to resolve the issues raised in the instant motion without court intervention).

On November 25, 2025, having *still* not heard back from any of the Individual Judgment Debtors, Holdings filed a letter requesting a conference in anticipation of a motion to compel the Individual Judgment Debtors to appear for depositions or, alternatively, leave to file such a motion in compliance with the Court's Chambers' Rules and Local Bankruptcy Rule 7037-1. 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* Dkt. No. 1907-5 (email attaching conference letter requesting to file motion to compel). On December 1, 2025, the Court granted Holdings leave to file a motion to compel. Dkt. No. 1897.

D. The Motion to Compel, Order Granting the Motion to Compel, and the Individual Judgment Debtors' Failure to Respond or Appear

On December 8, 2025, Holdings filed its motion to compel (the "Motion to Compel"). Dkt. Nos. 1906-08. Holdings served the Motion to Compel on the Individual Judgment Debtors by both first-class mail and email. Dkt. No. 1914. In a notice that was filed and served with the Motion to Compel (Dkt. No. 1908) (the "Notice of Hearing"), Holdings notified the Individual Judgment Debtors that their deadline to oppose the Motion to Compel was December 22, 2025 and that a hearing on the Motion to Compel was set for January 12, 2026. The Individual Judgment Debtors failed to oppose the Motion to Compel, 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 to Compel.

On January 13, 2026, this Court granted the Motion to Compel, 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,” *i.e.*, by January 27, 2026 (Dkt. No. 1942) (the “Order to Compel”).

E. Service of the January Notices on the Individual Judgment Debtors and their Refusal to Comply Therewith

On January 14, 2026, pursuant to the Order to Compel, Holdings served new deposition notices on each Individual Judgment Debtor pursuant to Fed. R. Civ. P. 30 (the “January Notices”) along with a copy of the Order to Compel. *See* Koslof Decl. Ex. 1 (January Notices); Koslof Decl. Ex. 2 (certificate of service).⁴ Holdings properly served the January Notices and a copy of the Order to Compel 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.⁵ Koslof Decl. Ex. 2 (certificate of service); Koslof Decl. Ex. 3 (email chains with January 14, 2026 emails to Individual Judgment Debtors and Daniolos Law Firm attaching January Notices and Order to Compel). Holdings noticed the depositions for January 20 through January 27, 2026 during business hours at the offices of Goulston & Storrs P.C. in New York. *See* Koslof Decl. Ex. 1 (January 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.* In the emails Holdings sent attaching the January Notices, Holdings also asked the Individual Judgment Debtors to advise if they “have any concerns with respect to scheduling of [their] deposition.” Koslof Decl. Ex. 3 (email chains with January 14, 2026 emails to Individual Judgment Debtors and Daniolos Law Firm attaching January Notices and Order to Compel).

⁴ References to “Koslof Decl. Ex. ___” refer to exhibits to the Declaration of Nathaniel R.B. Koslof, dated February 11, 2026 (“Koslof Decl.”).

⁵ 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.

Once again, *none* of the Individual Judgment Debtors appeared for their properly noticed depositions nor did any Individual Judgment Debtor otherwise reach out to Holdings regarding the January Notices at all. Holdings again documented, on the record with a court reporter, each failure to appear. *See* Koslof Decl. Ex. 4 (deposition transcripts documenting the Individual Judgment Debtors' failures to appear).

F. January Meet and Confer Efforts, Subsequent Letter Request for Conference Pursuant to Applicable Rules, and Conference

On January 27, 2026, pursuant to the Court's Chambers' Rules and Local Bankruptcy Rule 7037-1, Holdings *once again* emailed the Individual Judgment Debtors, copying the Daniolos Law Firm, to schedule a meet and confer to resolve the issue of their failure to appear at their depositions in response to the January Notices. Koslof Decl. Ex. 3 (email chains with January 27, 2026 emails re-attaching the January Notices and Order to Compel); *see* Koslof Decl. ¶ 22 (attorney affirmation pursuant to Local Bankruptcy Rule 7037-1(a) certifying good faith effort to confer with opposing parties to resolve the issues raised in the instant motion without court intervention). In each email, Holdings warned that, if it did not hear back by January 28, 2026 at 5 pm EST, it would seek to file a motion for findings of civil contempt and application for bench warrants for civil arrest and incarceration as to each Individual Judgment Debtor. Koslof Decl. Ex. 3 (email chains with January 27, 2026 emails re-attaching the January Notices and Order to Compel). Holdings did not hear back, and still has not heard back, from the Individual Judgment Debtors (or any counsel that may represent them).

Thus, on January 28, 2026, in compliance with the Court's Chambers' Rules and Local Bankruptcy Rule 7037-1, Holdings filed a letter requesting a conference in anticipation of a motion for findings of civil contempt and application for bench warrants for civil arrest and incarceration as to each of the Individual Judgment Debtors or, alternatively, leave to file such a motion. Dkt.

No. 1948. That same day, Holdings emailed a copy of the letter to Chambers, the Entity Judgment Debtors' counsel, and the Individual Judgment Debtors and also served a copy of the letter on the Individual Judgment Debtors by first-class mail and priority mail. *See* Koslof Decl. Ex. 5 (email attaching conference letter requesting to file motion); Dkt. No. 1950 (affidavit of service of letter).

On January 29, 2026, the Court granted Holdings' request for a conference and set the conference for February 4, 2026. That same day, Holdings filed a notice of conference ("Notice of Conference") regarding its anticipated motion for contempt and arrest. Dkt. No. 1949. Holdings emailed a copy of the Notice of Conference to Chambers, the Entity Judgment Debtors' counsel, and the Individual Judgment Debtors and also served a copy of the Notice of Conference on the Individual Judgment Debtors by first-class mail and priority mail. *See* Koslof Decl. Ex. 6 (email attaching Notice of Conference); Dkt. No. 1951 (affidavit of service of Notice of Conference).

On February 4, 2026, at the conference, the Court granted Holdings leave to file the instant motion. The Individual Judgment Debtors did not appear at the conference.

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).

“[B]road 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).

The January 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. THE JANUARY NOTICES ARE PROPER UNDER APPLICABLE RULES

As an initial matter, the January 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”). The January Notices listed the date, time, and place of the depositions, along with known addresses of the deponents. *See* Koslof Decl. Ex. 1 (January 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 (email chain with January 14, 2026 emails to Individual Judgment Debtors attaching January Notices and Order to Compel); Koslof Decl.

Ex. 7 (January 16, 2026 email to Individual Judgment Debtors, copying Entity Judgment Debtors' counsel, attaching deposition notices).

Moreover, Holdings properly served the January 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 Background Section E, *supra*, Holdings properly served the January 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 (certificate of service).

This Court has previously confirmed 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.”). Thus, the January Notices are proper.

III. AN ORDER FINDING THE INDIVIDUAL JUDGMENT DEBTORS IN CONTEMPT OF COURT AND ISSUING WARRANTS FOR THEIR ARREST AND INCARCERATION IS PROPER

A. A Finding of Contempt Plainly is Appropriate

Federal courts “have inherent power to enforce compliance with their lawful orders through civil contempt.” *In re Markus*, 78 F.4th 554, 564 (2d Cir. 2023) (quoting *Shillitani v. United States*, 384 U.S. 364, 370 (1966)); *id.* at 563-65 (confirming bankruptcy court’s “inherent civil contempt authority” and “inherent sanctioning powers”). Further, 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* Fed. R. Civ. P. 37(b)(2)(A)(vii) (“If a party...fails to obey an order to provide or permit discovery..., the court where the action is pending may issue further just orders” including, *inter alia*, “treating as

contempt of court the failure to obey any order except an order to submit to a physical or mental examination.”); Fed. R. Civ. P. 37(b)(1) (“If the court where the discovery is taken orders a deponent to be sworn or to answer a question and the deponent fails to obey, the failure may be treated as contempt of court.”).

“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) (quoting *CBS Broad. Inc. v. FilmOn.com, Inc.*, 814 F.3d 91, 98 (2d Cir. 2016)). Here, these grounds plainly are satisfied.

First, the Order to Compel was “clear and unambiguous.” It plainly stated that “[t]he 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.” Dkt. No. 1942.

Second, proof of the Individual Judgment Debtors’ noncompliance is “clear and convincing.” As outlined in Background Sections E-F, *supra*, and as attested to in the Koslof Declaration at ¶¶ 13-21, the Individual Judgment Debtors failed to respond to the January Notices served on them and failed to appear for their properly noticed depositions in blatant defiance of the Order to Compel. The Individual Judgment Debtors’ failures to appear at their depositions were also documented on the record with a court reporter. *See* Koslof Decl. Ex. 4 (deposition transcripts documenting the Individual Judgment Debtors’ failures to appear). Moreover, the Individual Judgment Debtors have refused to respond to a single email or deposition notice sent to or served on them since the commencement of Holdings’ post-judgment discovery efforts in October. *See* Background Sections A-F, *supra* (outlining Holdings’ various and repeated efforts

to engage in post-judgment discovery with the Individual Judgment Debtors and citing to proof of such efforts in the form of emails, multiple deposition notices sent by email and mail, certificates of service of the same, and a motion to compel). Notably, the Individual Judgment Debtors also declined to respond to or oppose the Order to Compel and failed to appear at the hearing on the same, passing up yet another opportunity to satisfy their post-judgment discovery obligations and remedy their blatant non-compliance. Most recently, the Individual Judgment Debtors failed to appear at the February 4, 2026 conference this Court set to address Holdings' request to file the instant motion. The Individual Judgment Debtors have chosen silence and nonappearance at every step and their intentional and calculated conduct before this Court is well documented.

Third, Holdings has demonstrated the Individual Judgment Debtors' "failure to make reasonably diligent efforts to comply with order." In Background Sections E-F, *supra*, Holdings documented the Individual Judgment Debtors' willful disregard for—and failure to make even a single effort towards complying with—the Order to Compel. As also documented above, the Individual Judgment Debtors have failed to even respond to a single outreach or discovery request from Holdings since the commencement of post-judgment discovery in October nor have they attended the related hearings and conferences held by this Court despite repeated notice and multiple opportunities to be heard. "Such conduct comports with defendants' long history of abusing the discovery process and disregarding the Orders of this Court—it cannot be deemed 'reasonably diligent' in any way." *ACLI Gov. Secs. Inc., v. Rhoades*, 989 F. Supp. 462, 467 (S.D.N.Y. 1997) (defendants failed to make reasonably diligent efforts to comply with order and arrest warrant was issued where they failed to respond to document demands until after plaintiff sought to move to compel nor did defendants indicate where or how they may have searched for

any of the demanded documents, why those documents may have been difficult to locate, or what steps they plan to take to locate them).

B. Arrest is an Appropriate Sanction to Compel Compliance

It is clearly established that a court may enforce compliance with its orders through arrest and detention. *See ACLI*, 989 F. Supp. at 463, 465 (“The inherent power of all courts to order the confinement of a contemnor is firmly established.”) (cleaned up); *see also Avalon*, 2024 WL 4252058, at *2 (“District courts possess ‘broad discretion to design a remedy that will bring about compliance’ with the court’s orders.”) (quoting *Paramedics Electromedicina Comercial, Ltda v. GE Med. Sys. Info. Techs., Inc.*, 369 F.3d 645, 657 (2d Cir. 2004)). Indeed, “[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.” *Avalon*, 2024 WL 4252058, at *2 (cleaned up); *see ACLI*, 989 F. Supp. at 465 (“A civil contempt sanction typically involves confining a contemnor until he complies with an affirmative command,” ensuring the contemnor has the ability “to purge the contempt and obtain his release”) (cleaned up).

The relief Holdings seeks here is designed to compel compliance rather than to punish, as Holdings seeks the Individual Judgment Debtors’ confinement only until such time as they comply with the Order to Compel and appear for a deposition or until such time as they satisfy the Judgments against them. Courts in this district routinely have enforced compliance with orders to compel depositions and written discovery, including in the post-judgment discovery context, through similar orders of conditional arrest and detention. *See e.g., Avalon*, 2024 WL 4252058, at *2 (finding civil contempt for failure to respond to post-judgment discovery subpoenas or oppose motion to compel regarding same; ordering arrest and incarceration until party responded to subpoenas or until further court order); *ACLI*, 989 F. Supp. at 468 (finding civil contempt and directing issuance of arrest warrant and imposition of daily monetary fine until compliance for

failure to produce requested documents in connection with post-judgment discovery after issuance of order to compel); *Al-Bahar v. Lockhart*, Case No. 1:24-CV-00682, at Dkt. Nos. 61-62 (S.D.N.Y. Nov. 6, 2025) (finding civil contempt for failure to obey court order compelling post-judgment deposition and response to written discovery requests; ordering arrest until party purged contempt).

Arrest here is designed to compel compliance with court orders. The Individual Judgment Debtors have engaged in a long history of conduct preceding the instant post-judgment discovery that has demonstrated a blatant failure to comply with court orders, even in the face of increasing monetary sanctions. *See e.g.*, Dkt. No. 1537 (order finding contempt and issuing monetary sanctions against all Individual Judgment Debtors, except Laskarina Karastamati, for violations of the Bankruptcy Court's orders confirming and consummating the chapter 11 reorganization plan); Dkt. No. 1716 (order finding further contempt and issuing further monetary sanctions against all Individual Judgment Debtors, including Laskarina Karastamati, for continued violations of same Bankruptcy Court orders). Thus, it is clear from the record in this case that the imposition of monetary sanctions alone will not suffice to induce the Individual Judgment Debtors' compliance with court orders. *See EEOC v. Local 28, Sheet Metal Workers*, 247 F.3d 333, 336 (2d Cir. 2001) ("In a civil contempt proceeding, the district court has 'broad discretion to fashion an appropriate coercive remedy ... based on the nature of the harm *and the probable effect of alternative sanctions.*'") (cleaned up) (emphasis added). This is particularly so where the Individual Judgment Debtors have positioned themselves outside of the United States beyond practical reach and have refused to engage with Holdings or acknowledge this Court's judicial authority. Simply put, based on the Individual Judgment Debtors' conduct, nothing short of the threat of incarceration will compel them to appear for a deposition, respond to Holdings' post-judgment discovery efforts, or pay the Judgments against them.

Such relief here is warranted given the harm the Individual Judgment Debtors have caused Holdings. Through their conduct, the Individual Judgment Debtors have created a wholesale blockade on Holdings' ability to collect on the Judgments that were rightfully issued in Holdings' favor. By thwarting Holdings' ability to conduct post-judgment discovery, the Individual Judgment Debtors are preventing Holdings from gathering information essential to its collection efforts to which it is plainly entitled. This conduct is consistent with prior conduct of the Individual Judgment Debtors. Indeed, the sanctions underlying the Judgments against the Individual Judgment Debtors were issued because the Individual Judgment Debtors were engaging in conduct to impede the implementation of the chapter 11 plan of reorganization entered by this Court.

Additionally, contempt sanctions such as arrest are appropriate where, as here, there is "notice and an opportunity to be heard." *See ACLI*, 989 F. Supp. at 465. Here, the Individual Judgment Debtors have been given ample notice that they are the subject of contempt proceedings wherein their arrest and detention are being sought for their failure to comply with this Court's orders and appear for their properly noticed depositions. On January 27, 2026, Holdings emailed the Individual Judgment Debtors seeking a meet and confer regarding their deposition nonappearances and noting that, absent a response, it would be filing a motion for civil contempt and arrest. *See Koslof Decl. Ex. 3* (email chains with January 27, 2026 emails re-attaching the January Notices and Order to Compel); *Koslof Decl. ¶ 22* (attorney affirmation pursuant to Local Bankruptcy Rule 7037-1(a) certifying good faith effort to meet and confer with Individual Judgment Debtors). Then, Holdings sent by email, first-class mail, and priority mail with tracking a copy of the January 28, 2026 letter that Holdings filed requesting a conference in anticipation of the instant motion after it did not hear back from the Individual Judgment Debtors. *See Koslof Decl. Ex. 5* (email attaching conference letter requesting to file motion); *Dkt. No. 1950* (affidavit

of service of letter). Thereafter, when this Court granted Holdings' request for a conference, Holdings served copies of the Notice of Conference on the Individual Judgment Debtors by email, first-class mail, and priority mail, giving notice of the forthcoming conference on the anticipated motion for contempt and arrest. *See* Koslof Decl. Ex. 6 (email attaching Notice of Conference); Dkt. No. 1951 (affidavit of service of Notice of Conference). Upon filing the instant motion, Holdings will also serve a copy of the instant motion upon the Individual Judgment Debtors by first-class mail, priority mail, and email.

Any suggestion that the Individual Judgment Debtors lack actual notice of these proceedings is preposterous. The Individual Judgment Debtors are the principals and/or family members of other Judgment Debtors who have responded (through counsel) and thus they are undoubtedly aware of these proceedings, including the instant motion seeking warrants for their arrest. The Individual Judgment Debtors cannot selectively acknowledge the reach of this Court's jurisdiction when it suits them and then hide behind their empty shell entities when it does not.

Notably, after receiving the aforementioned forms of notice, the Individual Judgment Debtors could have purged their non-compliance or otherwise been heard, but instead they have chosen to remain noncompliant and nonresponsive, even failing to appear at the February 4, 2026 conference this Court set to address Holdings' request to file the instant motion. The Individual Judgment Debtors will have yet another opportunity to be heard in response to the instant motion by responding to the motion and appearing at the hearing on the motion noticed for March 3, 2026, as set forth in the notice of hearing accompanying this motion (the "Hearing Notice"). In fact, the Hearing Notice warns and provides notice that failure to appear at the hearing may result in arrest and imprisonment for contempt of court. The notice of motion accompanying this motion provides an identical warning. Additionally, as noted above, if arrested and incarcerated, the Individual

Judgment Debtors may purge their contempt and obtain release from confinement by complying with the Order to Compel and appearing for a deposition or by satisfying the Judgments against them.

It remains wholly within the Individual Judgment Debtors' power and ability to avoid arrest and detention. They "carry the keys of their prison in their own pockets." *See Shillitani*, 384 U.S. at 368 ("When the petitioners carry the keys of their prison in their own pockets, the action is essentially a civil remedy designed for the benefit of other parties and has quite properly been exercised for centuries to secure compliance with judicial decrees.") (cleaned up).

C. Monetary Sanctions are also Appropriate and Warranted

"The imposition of civil contempt sanctions may serve dual purposes: to secure future compliance with court orders and to compensate the party that has been wronged." *Paramedics*, 369 F.3d at 658. Fed. R. Civ. P. 37 provides that, when a party fails to comply with a court order, "the court must order the disobedient party, the attorney advising that party, or both to pay the reasonable expenses, including attorney's fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust." Fed. R. Civ. P. 37(b)(2)(C); *see also* Fed. R. Civ. P. 37(d)(3) (providing that, when a party fails to attend its own deposition, "the court must require the party failing to act, the attorney advising that party, or both to pay the reasonable expenses, including attorney's fees, caused by the failure"). While Fed. R. Civ. P. 37 provides express authority for a court to issue certain monetary sanctions, a court also may impose monetary sanctions pursuant to its inherent authority in order to both compensate a wronged party and coerce compliance with its orders. *See In re Markus*, 78 F.4th at 566-67, 570.

In the Proposed Order, to compensate Holdings, Holding seeks attorney's fees and costs incurred in connection with preparing and appearing for the depositions that the Individual Judgment Debtors failed to appear for, including the costs of the court reporter and attorney time;

and attorney's fees and costs incurred in making the instant motion, issued pursuant to the express authority provided under Fed. R. Civ. P. 37(b)(2)(C) and 37(d)(3).

In addition, to further secure compliance with future court orders, Holdings seeks an imposition of a \$5,000 per day fine on each Individual Judgment Debtor for each day they remain in violation of the Order to Compel, commencing on the date of the issuance of an order on the instant motion, issued pursuant to the Court's inherent authority to do so. *See In re Markus*, 78 F.4th at 566-67; *see e.g., ACLI*, 989 F. Supp. at 468 (ordering issuance of civil arrest warrant along with the imposition of a daily fine of \$1,000 until compliance with at-issue order).

CONCLUSION

For the foregoing reasons, Holdings' respectfully requests that the Court grant Holding's motion for findings of contempt and issuance of bench warrants for arrest and incarceration and enter an order, substantially in the form of the Proposed Order, finding the Individual Judgment Debtors in civil contempt for failing to appear for their properly noticed depositions and blatantly defying the Order to Compel and ordering their arrest and incarceration pursuant to arrest warrants substantially in the form of the Proposed Arrest Warrant, on the condition that they be released upon compliance with the Order to Compel and appearance for post-judgment depositions at the offices of Goulston & Storrs, P.C. located at 730 Third Avenue, New York, NY 10017, or until such time as they satisfy the Judgments against them.

Dated: February 11, 2026

/s/ Nathaniel R.B. Koslof

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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
	: Case No. 23-10322 (JPM)
Debtor/Judgment Creditor. ¹	:
-----X	

ORDER GRANTING ELETSON HOLDINGS INC.’S MOTION FOR FINDINGS OF CONTEMPT AND APPLICATION FOR BENCH WARRANTS FOR ARREST AS TO THE INDIVIDUAL JUDGMENT DEBTORS

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 for findings of contempt and issuance of bench warrants for arrest and incarceration as to judgment debtors Laskarina Karastamati, Vasilis Hadjieleftheriadis a/k/a Vassilis Chatzieftheriadis, Konstatinos Chatzieftheriadis, Ionannis Zilakos, Niki Zilakos, Adrianos Psomadakis-Karastamatis, Eleni Giannakopoulous, Panos Paxinoz, and Emmanuel Andreulaks (the “Individual Judgment Debtors”) for their repeated failures to appear for their properly noticed post-judgment depositions and their blatant disregard of this Court’s January 13, 2026 order compelling their appearances for such depositions (the “January 13 Order”), as well upon all the accompanying papers, and after a hearing on the motion held on March 3, 2026, it is HEREBY ORDERED THAT:

1. The motion is GRANTED;
2. The Individual Judgment Debtors are in contempt of this Court for their repeated failures to appear for their properly noticed post-judgment depositions and their disregard of the January 13 Order compelling their appearances for such depositions;

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.

3. The Individual Judgment Debtors have received through multiple independent channels actual notice of the post-judgment proceedings before the Court, of the January 13 Order compelling their appearances for their properly noticed depositions, and of the fact that they are the subject of contempt proceedings wherein their arrest and incarceration are being sought;
4. The Court has personal jurisdiction over the Individual Judgment Debtors and continuing jurisdiction to enforce its judgments and orders;
5. The Court has express authority under Fed. R. Civ. P. 37, made applicable by Fed. R. Bankr. P. 7037, to make the instant finding of contempt. The Court also has inherent authority to enforce compliance with its lawful orders through making findings of contempt and to design remedies that will bring about compliance with its orders;
6. To effectuate the Court's holding, the Court (i) orders the arrest and commitment of the Individual Judgment Debtors until and when they purge their contempt; and (ii) enters arrest warrants substantially in the form attached as Exhibit B to the motion, which counsel for Holdings shall submit to the Court within seven (7) days hereof;
7. The United States Marshals Service is directed to take all necessary measures to effect service and enforcement of this Order in any district of the United States where the Individual Judgment Debtors may be found;
8. The United States Marshals Service will be permitted to use the degree of non-deadly force necessary to arrest and detain the Individual Judgment Debtors and bring them before this Court, and will be permitted to enter any premises of the Individual Judgment Debtors if they are reasonably believed to be inside and if requested access to such premises is withheld;

9. If located by the United States Marshals in any district of the United States, the Individual Judgment Debtors shall be incarcerated until they purge their contempt by appearing for post-judgment depositions or satisfying the judgments against them at Dkt. Nos. 1836 and 1862 (the “Judgments”), or until further order of this Court;
10. This order for arrest and incarceration is not punitive in nature but rather is designed to compel compliance with the Court’s January 13 Order and Judgments by providing the Individual Judgment Debtors the ability to purge their contempt and obtain release by appearing for post-judgment depositions or satisfying the Judgments;
11. Holdings’ counsel shall deliver a copy of this order certified by the Clerk of Court to the United States Marshal Service and shall contact the United States Marshal Service to coordinate the execution of this Order. If Holdings so chooses, it will at its own expense file this Order and provide any other forms of payments necessary to facilitate the Marshals’ investigation and arrest of the Individual Judgment Debtors;
12. Pursuant to the Court’s inherent authority to impose coercive monetary sanctions, the Individual Judgment Debtors shall each pay a daily fine of \$5,000, commencing on the date of issuance of this order, until full compliance with the January 13 Order is made or until the Judgments are satisfied;
13. Pursuant to the Court’s express authority under Fed. R. Civ. P. 37 to award attorney’s fees and costs, the Individual Judgment Debtors shall pay Holdings’ attorney’s fees and costs incurred in preparing and appearing for the depositions that the Individual Judgment Debtors failed to appear for in November 2025 and in January 2026, including the costs of the court reporter and attorney time; and

14. Pursuant to the Court's express authority under Fed. R. Civ. P. 37 to award attorney's fees and costs, the Individual Judgment Debtors shall pay Holdings' attorney's fees and costs incurred in making the instant motion.

Dated: _____
New York, New York

Hon. John P. Mastando III
United States Bankruptcy Judge

EXHIBIT B

UNITED STATES BANKRUPTCY COURT

for the

Southern District of New York

In re: ELETSON HOLDINGS INC.,)
)
 Debtor/Judgment Creditor. ¹) Case No. 23-10322 (JPM)
)
)

WARRANT FOR THE ARREST OF A CONTEMNOR

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before this court (*name of person to be arrested*) _____, a person who has been ordered by this court to appear in this case and has failed to do so.

YOU ARE FURTHER COMMANDED to detain this person until this court orders discharge from custody.

Date: _____

CLERK OF COURT

City and state: _____

Signature of Clerk or Deputy Clerk

Return

This warrant was received on (*date*) _____ and the person was arrested on (*date*) _____
at (*city and state*) _____.

Date: _____

Arresting officer's signature

Printed name and title

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.

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of person:

Known aliases:

Last known residence:

Prior addresses to which person may still have ties:

Last known employment:

Last known telephone numbers:

Place of birth:

Date of birth:

Social Security number:

Height: Weight:

Sex: Race:

Hair: Eyes:

Scars, tattoos, other distinguishing marks:

History of violence, weapons, drug use:

Known family, friends, and other associates (name, relation, address, phone number):

FBI number:

Complete description of auto:

Investigative agency and address: