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March 3, 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,

We write on behalf of Eletson Holdings Inc. (“Holdings”). Pursuant to Your Honor’s Chambers’ Rules and Local Bankruptcy Rule 7037-1, Holdings respectfully requests a conference in anticipation of filing a motion to compel (the “Anticipated Motion”) the post-judgment deposition of judgment debtor Vassilis Kertsikoff (“Kertsikoff”). Alternatively, Holdings respectfully requests leave to file the Anticipated Motion without a conference.

***Kertsikoff Deposition***

On December 30, 2025, this Court entered a judgment in favor of Holdings against Kertsikoff. Dkt. No. 1933 (the “Judgment”). Upon entry of the Judgment, Holdings served post-judgment discovery, including on January 9, 2026, a notice of Kertsikoff’s deposition pursuant to Fed. R. Civ. P. 30. Holdings properly served the notice on Kertsikoff by both first-class mail and email at Kertsikoff’s known addresses and email addresses. Holdings noticed the deposition for January 30, 2026. On January 26, 2026, after having not heard from Kertsikoff, or any counsel that may represent him,<sup>1</sup> Holdings sent a follow-up email to Kertsikoff attaching the deposition notice; reiterating the date, time, and location of the noticed deposition; asking for confirmation of attendance at the deposition; and reserving all rights. On January 30, 2026, Kertsikoff failed to appear for his properly noticed deposition. Holdings documented, on the record with a court reporter, Kertsikoff’s failure to appear.

On February 26, 2026, pursuant to Your Honor’s Chambers’ Rules and Local Bankruptcy Rule 7037-1, Holdings emailed Kertsikoff, copying MoCo and GT, to schedule a meet and confer to resolve the issue of his non-appearance at his noticed deposition. In the email, Holdings stated that, if it did not hear back by March 2, 2026, at 2 PM EST, it would move to compel. To date, Holdings has not heard from Kertsikoff (or any counsel that may represent him on this matter).

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<sup>1</sup> Morrison Cohen LLP (“MoCo”) and Greenberg Traurig LLP (“GT”) have each disclaimed representation of Kertsikoff in connection with this post-judgment discovery.



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***Basis for Motion to Compel***

“In [the] 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.” Fed. R. Civ. P. 69(a)(2). A judgment creditor has “wide latitude in using the discovery devices provided by the Federal Rules in post-judgment proceedings” and “is entitled to a wide range of discovery concerning the assets and liabilities of a judgment debtor.” *Rep. of Guatemala v. IC Power Asia Dev. Ltd.*, 2023 WL 3294277, at \*2 (S.D.N.Y. May 5, 2023) (cleaned up).

Furthermore, Fed. R. Civ. P. 37(a), made applicable by Fed. R. Bankr. P. 7037, allows a judgment creditor to move for an order compelling discovery from a judgment debtor who fails to appear for a properly noticed deposition. *See, e.g., Al-Bahar v. Lockhart*, Case No. 1:24-CV-00682, at Dkt. No. 55 (S.D.N.Y. Mar. 20, 2025) (order granting motion to compel post-judgment deposition).

Accordingly, Holdings respectfully requests leave to file the Anticipated Motion to compel Kertsikoff’s deposition pursuant to Fed. R. Civ. P. 37 and 69 (made applicable by Fed. R. Bankr. P. 7037 and 7069). Holdings respectfully requests that the Court permit Holdings to notice the hearing for the Anticipated Motion at the Court’s earliest convenience.

Respectfully submitted,

*/s/ Nathaniel R.B. Koslof*

Nathaniel R.B. Koslof

cc: All Counsel (via ECF);  
Vassilis Kertsikoff (via email and first-class mail);  
Solomon B. Shinerock, Morrison Cohen LLP (via email)