

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
In re: : Chapter 11  
:  
ELETSON HOLDINGS INC.,<sup>1</sup> : Case No. 23-10322 (JPM)  
:  
: (Jointly Administered)  
Debtor. :  
:  
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**ORDER TO SHOW CAUSE FOR ENTRY OF AN ORDER AUTHORIZING  
AND DIRECTING MICROSOFT CORPORATION TO (I) SUSPEND  
EXISTING ACCOUNT ACCESS FOR ACCOUNTS MAINTAINED  
BY ELETSON CORPORATION AND (II) PROVIDE ADMINISTRATOR LEVEL  
ACCOUNT ACCESS TO ELETSON HOLDINGS, INC. AND ITS DESIGNEES**

Upon the declaration of Kyle J. Ortiz, dated May 29, 2025, and upon the pleadings and proceedings heretofore had in the above captioned matter, it is

ORDERED that Microsoft Corporation (“Microsoft”), or any other interested party show cause before the Court at a virtual and/or telephonic hearing (the “Hearing”) to be held before the Honorable John P. Mastando III, United States Bankruptcy Judge for the Southern District of New York, at One Bowling Green, Room 501, New York, New York 10004, on June 2, 2025 at 4:30 p.m., via Zoom for Government, why an order, substantially in the form annexed hereto as **Exhibit A**, should not be entered authorizing and directing Microsoft to (i) suspend all existing user accounts other than those belonging exclusively to employees or agents of Microsoft (collectively, the “Old Accounts”), including, but not limited to, the accounts of the former

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<sup>1</sup> 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 Togut, Segal & Segal LLP, One Penn Plaza, Suite 3335, New York, New York 10119.



management and employees of the Debtors and their affiliates and subsidiaries (collectively, with the Debtors' former management, the "Former Management") operating under the name Eletson (collectively, the "Company") through which Old Accounts Microsoft provides or provided access to the books and records (the "Books and Records") of Eletson Holdings, Inc. ("Holdings"), Eletson Corporation ("Corp."), and any of Holdings affiliates or subsidiaries maintained by Microsoft on its business-related applications, data platforms, and cloud-based computing services, among other types of services (collectively, the "Microsoft Services") and (ii) provide administrator level access to the Microsoft Services and the Books and Records by creating new accounts (the "New Accounts") for Holdings and its designees, as set forth in greater detail in the *Memorandum of Law in Support of the Entry of an Order Authorizing and Directing Microsoft Corporation to (I) Suspend Existing Account Access for Accounts Maintained by Eletson Corporation and (II) Provide Administrator Level Account Access to Eletson Holdings, Inc. and Its Designees*, filed concurrently herewith; and it is further

ORDERED that sufficient reason having been shown therefor, pending further order of the Court, Microsoft is authorized and directed to immediately (i) suspend, but not delete, all Old Accounts (*i.e.*, accounts by persons other than Microsoft and its agents,) including, without limitation, by suspending all such non-Microsoft login credentials in existence as of the entry of this Order to Show Cause that enable access to the Old Accounts, and (ii) preserve the Books and Records in their current state (including any information maintained on backup or other recovery systems) by preventing any deletions or modifications of any Books and Records; and it is further

ORDERED that those wishing to appear before the Court at the Hearing must register their appearance utilizing the Electronic Appearance portal located on the Court's website at

<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>. Appearances must be entered no later than 4:00 p.m. on the business day before the Hearing; and it is further

ORDERED that responses or objections, if any, must be filed with the Court electronically in accordance with Southern District of New York Local Rules (which can be found at <https://www.nysb.uscourts.gov>) no later than June 2, 2025 at 12:00 p.m. Eastern Standard Time (EST), and shall be served by e-mail and First Class Mail; and it is further

ORDERED that service of a copy of this Order to Show Cause and the papers upon which it was granted shall be made on or before May 29, 2025 at 11:59 p.m. Eastern Standard Time (EST) upon: 1) Microsoft by e-mail and nationally recognized overnight courier, and 2) upon the U.S. Trustee, and any other party that has requested notice pursuant to Bankruptcy Rule 2002, by e-mail and via First Class Mail, which shall be deemed good and sufficient service thereof; and it is further

ORDERED that in light of the nature of the relief requested, no other or further notice need be provided.

Dated: New York, New York  
May 29, 2025

/s/ John P. Mastando III  
HONORABLE JOHN P. MASTANDO III  
UNITED STATES BANKRUPTCY JUDGE

**Exhibit A**

**Proposed Order**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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**ORDER AUTHORIZING AND DIRECTING MICROSOFT CORPORATION TO  
(I) SUSPEND EXISTING ACCOUNT ACCESS FOR ACCOUNTS MAINTAINED  
BY ELETSON CORPORATION AND (II) PROVIDE ADMINISTRATOR LEVEL  
ACCOUNT ACCESS TO ELETSON HOLDINGS, INC. AND ITS DESIGNEES**

Upon the motion by order to show cause (the "Motion")<sup>2</sup> of Eletson Holdings Inc. ("Holdings"), for entry of an order (this "Order") authorizing and directing Microsoft Corporation ("Microsoft") (i) suspend all existing user accounts other than those belonging exclusively to employees or agents of Microsoft (collectively, the "Old Accounts"), including, but not limited to, the accounts of the former management and employees of the Debtors and their affiliates and subsidiaries (collectively, with the Debtors' former management, the "Former Management") operating under the name Eletson (collectively, the "Company") through which Old Accounts Microsoft provides or provided access to the books and records (the "Books and Records") of Holdings, Eletson Corporation ("Corp."), or any of Holdings affiliates or subsidiaries maintained by Microsoft on its business-related applications, data

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<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Motion.

platforms, and cloud-based computing services, among other types of services (collectively, the “Microsoft Services”) and (ii) provide administrator level access to the Microsoft Services and the Books and Records by creating new accounts (the “New Accounts”) for Holdings and its designees, all as set forth more fully in the Motion; and the Court having entered the Order to Show Cause [Docket No. \_\_\_\_] which, among other things, authorized and directed Microsoft to suspend the Old Accounts pending further order of this Court; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order, 11 U.S.C. §§ 105, 542 and 1142, and the Court’s inherent jurisdiction to interpret and enforce its own orders (including the Confirmation Order); and consideration of the Motion and the relief requested therein being a core proceeding under 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided, and no other or further notice need be provided; and it appearing that the relief requested in the Motion is in the best interests of Holdings, its estate, its creditors, and all parties in interest; and the Court having reviewed the Motion and heard the statements of counsel at a hearing on the Motion, if any (the “Hearing”); and the Court having determined that the legal and factual bases set forth in the Motion and at the record of the Hearing establish just cause for the relief granted herein; and the Court having determined that the relief requested is in the best interests of Holdings, the creditors, and all parties in interest; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor;

**ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is GRANTED as set forth herein.

2. This Order shall supersede the Order to Show Cause to the extent the Order to Show Cause authorized and directed Microsoft to suspend the Old Accounts and preserve the Books and Records in their then current state.

3. Pursuant to sections 105, 542 and 1142 of the Bankruptcy Code, Microsoft is authorized, required, and directed to:

- a. immediately suspend the Old Accounts including by, without limitation, suspending all such non-Microsoft login credentials in existence as of the entry of this Order; and
- b. provide administrator level access to the Microsoft Services and the Books and Records by creating New Accounts for Holdings and its designees, who shall include Mark Lichtenstein, by no later than seven (7) days following entry of this Order.

4. Holdings, its authorized designees, including Mark Lichtenstein, and Microsoft are authorized to take all such actions as are necessary or appropriate to comply with and to implement the terms of this Order.

5. By no later than three (3) business days following the entry of this Order, Holdings shall serve a copy of this Order, by first class mail and e-mail, upon Microsoft.

6. Nothing in this Order shall be construed to limit the right of Holdings to access the Old Accounts or the authority of Microsoft to provide such access.

7. The terms and conditions of this Order shall be effective immediately and enforceable upon its entry.

*[Concludes on the following page.]*

8. This Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

DATED: New York, New York  
\_\_\_\_\_, 2025

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HONORABLE JOHN P. MASTANDO III  
UNITED STATES BANKRUPTCY JUDGE