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**VIA ECF AND EMAIL**

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”) in response to the Court’s Order [Dkt. No. 1701] directing the parties to address the impact of the Supreme Court’s decision in *Fuld v. Palestine Liberation Org.*, 606 U.S. \_\_\_, 2025 WL 1716140 (June 20, 2025).

Nothing in *Fuld* should cause the Court to reconsider its prior exercise of personal jurisdiction over Elafonissos Shipping Corporation (“Elafonissos”). As a threshold matter, it is important to appreciate what *Fuld* did, and did not, address with regard to due process. In *Fuld*, the Supreme Court “decline[d] to import the Fourteenth Amendment minimum contacts standard into the Fifth Amendment,” reasoning that “the Due Process Clause of the Fifth Amendment necessarily permits a more flexible jurisdictional inquiry commensurate with the Federal Government’s broader sovereign authority.” *Fuld*, 2025 WL 1716140, at \*9. But the Court did not purport to alter the traditional minimum contacts standard applicable under the Fourteenth Amendment. Here, Elafonissos lost under that traditional minimum contacts standard. Thus, if *Fuld* applied here, it would only operate to expand the Court’s jurisdiction, not constrict it. Accordingly, this Court’s ruling finding personal jurisdiction over Elafonissos was amply supported by the facts and the law at the time of its issuance, and remains so now.

This Court, however, need not consider the applicability of *Fuld*. As explained in Holdings’ objection to Elafonissos’s motion for reconsideration (the “Objection”) [Dkt. No. 1622], there are threshold legal reasons for denying the motion even before reaching the merits (or lack thereof) of the due process issues raised by Elafonissos.

For these reasons and those stated in the Objection, as well as those provided to the Court at the April 30, 2025 hearing, Holdings respectfully requests that the Court deny Elafonissos’s motion for relief.



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Respectfully submitted,

/s/ Kyle J. Ortiz

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