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UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
ELETSON HOLDINGS INC., ¹	:	Case No. 23-10322 (JPM)
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Debtor.	:	
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**MOTION OF ELETSON HOLDINGS INC. AND LEVONA HOLDINGS LTD.
 FOR AN ORDER (I) IMPOSING AND INCREASING SANCTIONS ON THE
 VIOLATING PARTIES AND (II) ENJOINING THE VIOLATING PARTIES
FROM EXERCISING CONTROL OVER ELETSON GAS**

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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Eletson Holdings Inc. (“Holdings”), by and through its undersigned counsel and Levona Holdings Ltd. (“Levona”), by and through its undersigned counsel, hereby jointly submit this motion (the “Motion”) pursuant to sections 105, 1141, and 1142 of title 11 of the United States Code (the “Bankruptcy Code”), and Rule 9020 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), against Apargo Limited, Desimusco Trading Limited, and Fentalon Limited (the “Cypriot Entities”) and Vassilis Kertsikoff and Laskarina Karastamati (collectively, the “Violating Parties”), increasing and imposing monetary sanctions upon the Violating Parties, as applicable.

In support of this Motion, Holdings and Levona submit the declarations of Kyle J. Ortiz (the “Ortiz Declaration”) and Isaac Nesser (the “Nesser Declaration”) and respectfully state:

JURISDICTION AND VENUE

1. This United States Bankruptcy Court for the Southern District of New York (this “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference M-431*, dated January 31, 2012 (Preska, C.J.) (the “Amended Standing Order”). Pursuant to Bankruptcy Rule 7008, Holdings confirms its consent to the Court’s exercise of jurisdiction to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

2. Venue in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. Pursuant to Section 11.1 of the Plan and Paragraph WW of the Confirmation Order, the Court retains exclusive jurisdiction over all matters arising out of, and related to, these chapter 11 cases, including the matters set forth in Article XI of the Plan and section 1142 of the

Bankruptcy Code. In particular, under Section 11.1(d) of the Plan, the Court retains jurisdiction to “enter such orders as may be necessary or appropriate to implement or consummate the provisions of this Plan . . .” Plan § 11.1(d).

PRELIMINARY STATEMENT

4. Since the Effective Date, Eletson’s former shareholders, directors and officers have refused to comply with the change of control dictated by the confirmed Plan, which has resulted in voluminous proceedings before this Court and around the world. In addition to seeking to retain control of Holdings, these same entities (through various shell companies) have also sought to exercise control of Eletson Gas, a valuable subsidiary of Holdings, destroying value obtained by the Plan Proponents under the Plan. Pursuant to the August 1, 2025 Contempt Order (defined below), the Cypriot Entities have already been ordered by the Court to rescind certain corporate actions by which they improperly changed the ownership and board composition of Eletson Gas in violation of the Stay Relief Order.

5. The Contempt Order was clear and unambiguous that the Cypriot Entities were required “to rescind their changes to the Eletson Gas share registry and board.” The Cypriot Entities appear not to have complied with that Order. Instead, they filed a letter on August 8, 2025 (the “August 8 Letter”), claiming that they “provided timely notice to Eletson Gas that they rescind the prior instructions covered by the [Contempt Order],” and arguing that the principals of the Cypriot Entities remain in control notwithstanding the Contempt Order because, in their view, a status quo injunction entered by the arbitrator in a JAMS proceeding between the undersigned parties gives the former managers corporate control over the Eletson Gas board.

6. The deficiencies in the August 8 Letter are many. **First**, the August 8 Letter on its face does not evidence compliance with the Contempt Order. The Contempt Order requires the

Cypriot Entities to rescind specific changes to the share registry and board—including by rescinding certain filings they made in the Marshall Islands—but the August 8 Letter does not state that those things have actually happened. Instead, the August 8 Letter merely asserts—vaguely, and without evidence or explanation—that the Cypriot Entities have sent a “notice” to Eletson Gas. If the Cypriot Entities have truly complied with the Order, it should be easy and non-controversial for them to provide documentary evidence of such compliance. Yet multiple follow up e-mails to counsel to the Cypriot Entities and Reed Smith (purporting to continue to be counsel to Eletson Gas) asking for such evidence have been met with bluster, deflection, or silence.

7. **Second**, the August 8 Letter puts forth a perspective on the ownership and control of Eletson Gas that ignores the Confirmation Order, the Stay Relief Order, and the Contempt Order. The August 8 Letter claims that the Cypriot Entities sent a notice to Eletson Gas, but the properly constituted board, and the management that the properly constituted board appointed, received no such notice. Instead, the Cypriot Entities at most have notified their representatives (and then still did not take the required action) based on their view of ownership and control that the Court rejected in the Contempt Order. Reliance on the status quo injunction, which the District Court has clarified is no longer in place, does nothing to change the authority of the properly constituted board. Claims that the Contempt Order does nothing to disturb the day-to-day management (by a management team that the properly constituted board displaced months ago) ignores the most basic principles of corporate law that management is accountable to the board.

8. **Finally**, it is black letter law that a party in contempt has the burden to demonstrate that they have purged their contempt with evidence of compliance. Conclusory statements by the contemnor of compliance are insufficient. The Cypriot Entities, through affiliated individuals (including the other Violating Parties), are still exercising control of management of Eletson Gas,

in violation and willful disregard of prior orders of this Court, including the Contempt Order. Holdings and Levona therefore jointly request sanctions against the Violating Parties and a clear directive for them to cease their efforts to exercise control over Eletson Gas.

BACKGROUND

9. Eletson Gas LLC (“Eletson Gas”) is a subsidiary of Holdings. Holdings holds the common shares of Eletson Gas and Levona holds the preferred shares of Eletson Gas.

10. Prior to the Petition Date, Holdings and Eletson Corporation (through its former shareholders) instituted an Arbitration¹ against Levona regarding ownership of the preferred shares.

11. On January 12, 2023, the arbitrator entered a preliminary injunction (the “Status Quo Injunction”). The Status Quo Injunction was subsequently vacated by the District Court for the Southern District of New York (the “District Court”). *See Eletson Holdings, Inc. and Eletson Corp. v. Levona Holdings Ltd.*, No. 23-cv-7331 (LJL) (S.D.N.Y. Feb. 9, 2024) (Docket No. 83).

12. During the course of the bankruptcy case, on April 17, 2023, the Court entered an order [Docket No. 48] (the “Stay Relief Order”) that allowed the Arbitration with respect to the ownership of the preferred shares of Eletson Gas to go forward, provided that “[a]ny Arbitration Award . . . shall be stayed,” meaning, *e.g.*, that no party could enforce any such Arbitration Award, “absent a further order of this Court.” *See* Docket No. 48, ¶¶ 3-4.

13. On January 16, 2025, Levona filed the *Motion to Enforce The Stipulated Stay Relief Order And For Sanctions Against (A) The Purported Preferred Nominees And (B) Reed Smith LLP Pursuant To Section 105(a) Of The Bankruptcy Code And Inherent Authority* (the “Stay Violation

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Stay Violation Motion or the Contempt Order (each as defined below).

Motion”) [Docket No. 1367]. Levona argued that Reed Smith and the Cypriot Entities had violated the Stay Relief Order by, *inter alia*, improperly purporting to change the share registry and board of Eletson Gas without getting permission to do so by the Court. Docket No. 1367, ¶ 35. Holdings filed a joinder on January 27, 2025 [Docket No. 1387]. The Cypriot Entities purported to amend Eletson Gas’s share registry to remove Levona’s interest in the preferred shares and transfer those shares to the Cypriot Entities—the relief they believe the arbitrator granted in the Arbitration Award. *See* Docket No. 1367, ¶¶ 2, 5. The Cypriot Entities also purported to reconstitute Eletson Gas’s board by claiming to remove Levona’s four appointed directors and attempting to replace them with representatives of the Cypriot Entities. *Id.* ¶ 5. The purported corporate governance changes were filed with the Trust Company of the Marshall Islands, Inc. without any disclosure to Levona or this Court. *Id.*

14. On August 1, 2025, the Court granted the Stay Violation Motion, in part [Docket No. 1759] (the “Contempt Order”):

- i. Finding that the Cypriot Entities were in contempt of the Stay Relief Order;
- ii. Ordering them, within five (5) business days, to rescind their changes to the Eletson Gas share registry and board;
- iii. Prohibiting them from taking any further actions in violation of the Stay Relief Order; and
- iv. Ordering that if they did not comply as directed, the Court would impose on them coercive monetary sanctions in the amount of \$1,000 per day per party until they complied.

Contempt Order ¶¶ 1-3.

15. A week later, the Cypriot Entities sent the August 8 Letter to the Court [Docket No. 1771], claiming that they had “provided timely notice to Eletson Gas that they rescind the prior instructions covered by the [Contempt Order].” August 8 Letter at 1. The Cypriot Entities also

stated that “the current management of Eletson Gas remains in place consistent with the rationale of the Status Quo Injunction No part of the [Contempt Order] . . . addresses, let alone disturbs, the mechanics of the daily operations of Eletson Gas consistent with the Status Quo Injunction or the identity of the day-to-day management team, including Mr. Kertsikoff (President/Treasurer) and Ms. Karastamati (Secretary).” *Id.* at 2.

16. On August 8, 2025 (and again on August 20, 2025), counsel to Levona emailed counsel to the Cypriot Entities asking for confirmation and documentation that the Cypriot Entities had complied with the Contempt Order. Counsel to Levona did not receive a response to these inquiries. Nesser Declaration, Ex. A.

17. On August 11, 2025, Floyd Zadkovich LLP (“Floyd Zadkovich”), counsel for Eletson Gas, filed a letter [Docket No. 1773] (the “August 11 Letter”), informing the Court that the “lawful board of Eletson Gas *has not received any notice or evidence that the Contempt Order has been complied with*. The same applies to Eletson Gas’s shareholders. We understand Holdings has not received any notice or evidence. Levona’s lawyers have confirmed the same.” August 11 Letter at 1.

18. On August 20, 2025, Floyd Zadkovich also emailed counsel to the Cypriot Entities, requesting copies of the notices referenced in the August 8 Letter that allegedly demonstrate the Cypriot Entities’ compliance with the Contempt Order. Ortiz Declaration, Ex. A. The Cypriot Entities responded without providing any such copies and stated, in part, “As you know, while not required but seemingly appropriate practice, we wrote to Judge Mastando on August 8, 2025, advising that the Preferred Nominees transmitted notices rescinding subject items in compliance with the Court’s directives.” *Id.* at 1.

19. At no time have the Cypriot Entities provided any evidence that they have rescinded their purported changes to the share registry or the Eletson Gas board, including by making appropriate changes to their corporate filings in the Marshall Islands, as the Court had ordered them to do.

20. Then, on August 12, 2025, the Cypriot Entities filed another letter [Docket No. 1777] (the “August 12 Letter”), in which they argued that the Eletson Gas entity represented by Floyd Zadkovich is a “fictitious [sic] construct aligned with Levona” that “grossly overreads and misapplies this Court’s Memorandum and Opinion Order dated August 1, 2025.” August 12 Letter at 1. “Given the status of the still ongoing dispute over ownership of the preferred shares of Eletson Gas, it is entirely justified for the management of Eletson Gas to continue consistent with the Status Quo Injunction We believe consistent with the Status Quo Injunction, the rationale underlying the [Stay Relief Order] similarly sought to preserve parties’ rights, not determine the outcome beforehand[.]” *Id.* at 1-2.

21. On August 19, 2025, Judge Liman held a status conference in *Eletson Holdings Inc., et al. v. Levona Holdings Ltd.*, No. 23-cv-7331 (LJL) (S.D.N.Y.). See Docket No. 1796, Ex. A (the “Aug. 19 S.D.N.Y. Hr’g Tr.”). During that conference, counsel for the Cypriot Entities stated:

I explained to the bankruptcy court that we do not represent Gas, and it is our understanding that while we have—my clients have rescinded those prior board and registry notices, that the management of Gas continues, I think I wrote, consistent with the status quo order.

Aug. 19 S.D.N.Y. Hr’g Tr., at 19:4-9. Counsel for the Cypriot Entities continued:

We don’t see any reason to disturb the ongoing management of the company [Gas]. We do believe that in terms of rationale, Justice Belen had it right. Whatever the corporate governance disputes that are happening, let us separate that from the ongoing day-to-day business operations of the company [Gas]. And until disturbed, those rulings by Justice Belen also do provide at least a binding contract between the parties, whatever effect they may or may not have with respect to third parties.

Id. at 20:7-15.

22. Judge Liman responded by stating that the “status quo injunction by the arbitrator is no longer in effect. The arbitrator is *functus officio*.” *Id.* at 21:13-18. Referring to his prior orders on the issue, Judge Liman reiterated that “plainly, my orders should not be misrepresented. I try to be quite clear. My view is the status quo injunction is no longer in effect.” *Id.* at 18:8-11.

23. Following this hearing, Floyd Zadkovich sent a letter to Reed Smith, reiterating Judge Liman’s statement that the Status Quo Injunction had been vacated, and requesting confirmation by Reed Smith that it would cease any further attempts to act on behalf of Eletson Gas or any of its subsidiaries. Ortiz Declaration, at Ex. B. Floyd Zadkovich sent various follow-up emails on this to Reed Smith. *See* Ortiz Declaration, Exs. C, D. Reed Smith responded by continuing to purport to represent Eletson Gas both on behalf of the common shares (*see* Ortiz Declaration, Ex. E (“*First*, it is our client Gas’s position that . . . Reorganized Holdings has not succeeded in taking over the Common Shares of Gas as determined by the three-judge panel in Greece”)) and the preferred shares in reliance on the defunct Status Quo Injunction. *See id.* (“Holdings also cannot assert that its actions, i.e., designating you as purported counsel to Gas, were validly effectuated with the consent of the holders of the Preferred Shares because . . . (2) the Status Quo Injunction . . .—maintaining day-to-day management of Gas by Laskarina Karastamati and Vassilis Kertsikoff As we have been advised, the managers of Gas have been Laskarina Karastamati and Vassilis Kertsikoff. To our knowledge, there has been no judgment entered by any court or tribunal modifying that.”).²

² Holdings also has concerns that Reed Smith’s insistence on Eletson Gas continuing to be controlled by former Eletson management is motivated by their own desire to be paid. Despite claiming to still be the proper counsel of Eletson Holdings in these proceedings, Reed Smith has an undisclosed payment agreement with Eletson Gas and the former principal shareholders of Holdings to continue its efforts to obstruct consummation of the Plan. *See* Ortiz Declaration, Ex. F.

RELIEF REQUESTED

24. The Cypriot Entities have failed to comply with the Contempt Order. Moreover, they and the other Violating Parties continue to violate the Stay Relief Order, the Contempt Order and the Confirmation Order in seeking to continue their improper control of Eletson Gas. As a result of their non-compliance with the Contempt Order, the Cypriot Entities are subject to automatic sanctions in the amount of \$1,000 per day effective August 8, 2025. Contempt Order ¶ 3. Holdings and Levona request, however, that the Court increase those sanctions on each of the Cypriot Entities to \$5,000 per day, effective as of one day after a ruling on the hearing on this Motion and running until the Court has determined that they have complied with the Contempt Order. In addition, Holdings and Levona request that the Court impose monetary sanctions in the amount of \$1,000 per day per party against Vassilis Kertsikoff and Laskarina Karastamati³ effective as of one day after a ruling on the hearing on this Motion and running until the Court has determined that they have complied with the Contempt Order and the Proposed Order, including by ceasing and desisting from acting or purporting to act as officers of Eletson Gas. Holdings and Levona also request that the Violating Parties and their representatives and agents be enjoined from exercising or purporting to exercise any control in any capacity over Eletson Gas.

³ Any sanctions issued pursuant to this Motion against Laskarina Karastamati is in addition to sanctions issued against her pursuant to the *Order in Further Support of Confirmation and Consummation of the Court-Approved Plan of Reorganization* [Docket No. 1716] (“Further Foreign Sanctions Order”).

THE BASIS FOR THE RELIEF REQUESTED

A. The Cypriot Entities Have Not Proven Their Compliance with the Contempt Order

25. The Cypriot Entities, as the contemnors, bear the burden of proving that their contempt has been purged. *See In re Jenkins*, No. 05-73127, 2011 WL 2619317, at *7 (Bankr. N.D.N.Y. July 1, 2011) (citing *Renwick v. Bennett (In re Bennett)*, 298 F.3d 1059, 1069 (9th Cir.2002) and *F.T.C. v. Affordable Media*, 179 F.3d 1228, 1229 (9th Cir.1999)); *see also United States v. Bright*, No. Civ 07-00311ACK-KSC, 2009 WL 529153, at *5 (D. Haw. Feb. 27, 2009) (“This requirement that the contemnor produce evidence showing that he has taken all reasonable steps to comply illustrates why his explanation for noncompliance must be categorical and detailed: If his explanation for noncompliance is not articulated with adequate breadth or particularity, a court simply cannot determine with any real certainty whether he has carried his burden[.]”). The Cypriot Entities have not presented a single piece of evidence demonstrating their compliance with the Contempt Order. Their self-serving, vague, and conclusory statements of supposed compliance are not evidence.

26. This Court has the power to increase sanctions if its prior sanctions orders have not resulted in actual compliance and has already increased sanctions for non-compliance in this case. *See Further Foreign Sanctions Order*, ¶ 3; *BOC Aviation Ltd. v. Air Bridge Cargo Airlines, LLC*, Case No. 22-cv-2070 (LJL), 2022 WL 17581775, at *17 (S.D.N.Y. Dec. 12, 2022) (awarding sanctions that would double per day if defendants failed to comply after four weeks).

27. The Cypriot Entities’ statement that they provided a “notice” to Eletson Gas is also problematic. *See* August 8 Letter (“[T]he three entities, in compliance with the [Contempt Order], today provided timely notice to Eletson Gas that they rescind the prior instructions covered by the [Contempt Order][.]”). That is because the Cypriot Entities improperly consider *themselves*

to be Eletson Gas, and thus, apparently only informed their representatives that they had allegedly rescinded the prior instructions covered by the Contempt Order.

28. Their letters underscore how the Cypriot Entities have not complied with the specific directives of the Contempt Order. All they stated is that they sent a notice “rescind[ing] the prior instructions.” August 8 Letter; Ortiz Declaration, Exs. A, E. There is no indication what the notice said, or if it was implemented; had those things happened, it would have been simple to provide the documents evidencing them. The Cypriot Entities were also required to rescind the prior filings in the Marshall Islands, and they should be required to provide evidence of what the current registry states with respect to the shares and board of Eletson Gas.

29. Moreover, as noted above, counsel to Gas requested copies of the alleged notices and, at most, received a non-answer. *See* Ortiz Declaration, Ex. A. Levona also requested copies of such documents and did not receive any response. *See* Nesser Declaration, Ex. A.

30. Until the Cypriot Entities actually rescind their purported changes to the Eletson Gas share registry and board, make appropriate filings in the Marshall Islands, and provide documentary evidence thereof, their contempt persists.

**B. The Violating Parties’ Attempt to Still Control Eletson Gas
Is Another Violation of the Stay Relief Order and the Confirmation Order**

31. The Violating Parties try to render the Court’s orders moot in asserting that they control Eletson Gas as officers. *See* Ortiz Declaration, Ex. E. They incorrectly rely on the “status quo injunction” in the underlying Arbitration and allege that the Contempt Order does not result in any change to the management of Eletson Gas. *See* August 8 Letter; August 11 Letter; Ortiz Declaration, Ex. E. But Judge Liman has made clear that the status quo injunction is no longer in place. *See* Aug. 19 S.D.N.Y. Hr’g Tr. at 18:8-10; 21:13-18. This Court has also recognized that the status quo injunction is no longer in place. *See* Docket No. 1797 (Aug. 20 Hr’g

Tr.) at 54:18-20. Thus, the Violating Parties have no authority to act on behalf of Eletson Gas under the status quo injunction or otherwise.

32. Holdings and Levona collectively control Eletson Gas. Holdings owns the common shares of Eletson Gas by operation of the Plan (section 5.02(c)).⁴ Levona owns the preferred shares of Eletson Gas at least until there is a further ruling from the District Court with respect to the Arbitration award and a further ruling from this Court on the Stay Relief Order. Contempt Order, at 5-7, 10; *see also Eletson Holdings, Inc. and Eletson Corp. v. Levona Holdings Ltd.*, No. 23-cv-7331 (LJL) (S.D.N.Y. Feb. 9, 2024) (Docket No. 83).

33. Through its corporate ownership, Levona has appointed four directors of Eletson Gas and Holdings has appointed one director. *Id.*; Docket No. 1367, ¶ 5.

34. The Violating Parties and their representatives and agents have repeatedly ignored Eletson Gas's governing LLC agreement (the "LLCA") that the current shareholders appoint directors and control the management of the company. *See Eletson Holdings, Inc. and Eletson Corp. v. Levona Holdings Ltd.*, No. 23-cv-7331 (LJL) (S.D.N.Y. Aug. 20, 2024) (Docket No. 559-91) (LLC Agreement of Eletson Gas); Nesser Declaration, Ex. B.

35. Even following the hearings on August 18 and August 20, the former officers and directors of Eletson Gas have refused to acknowledge that they have no authority to control Eletson Gas. *See Ortiz Declaration*, Ex. E; August 8 Letter, at 2. The Cypriot Entities

⁴ Holdings is also concerned that the former management of Eletson Gas may purport to have transferred the common shares. In an appellate brief filed by Reed Smith LLP ("Reed Smith") and Proskauer Rose before the Second Circuit, they stated that "Holdings *was* a shareholder in a shipping joint venture called Eletson Gas, LLC." *Eletson Holdings Inc., Eletson Corporation v. Levona Holdings Ltd.*, No. 25-1313-cv (Sept. 2, 2025 2d Cir.), Docket No. 50, at 1 (emphasis added). Counsel to Holdings sent an email to Reed Smith to ask if this was a typo or if it was Reed Smith's position that Holdings is not currently a shareholder of Gas. As of the date of this filing, Reed Smith had not responded.

purport to assert that Vassilis Kertsikoff and Laskarina Karastamati, in their capacities as officers, are continuing to control Eletson Gas. *Id.*

36. The Violating Parties and their representatives and agents should be directed to cease exercising or purporting to exercise any control (in any capacity) over Eletson Gas, as a violation of the Confirmation Order and the Stay Relief Order.

RESERVATION OF RIGHTS

37. Holdings and Levona reserve all rights in connection with this Motion, including the right to seek additional sanctions against the Violating Parties.

NOTICE

38. Notice of this Motion will be given to the following parties or their counsel: (a) the Violating Parties; (b) Reed Smith; (c) U.S. Trustee; and (d) any party that has requested notice pursuant to Bankruptcy Rule 2002. Holdings and Levona submit that, in light of the nature of the relief requested, no other or further notice need be provided.

[Remainder of page left blank intentionally]

CONCLUSION

For the foregoing reasons, Holdings and Levona respectfully request that the Court (a) grant the Motion and enter the Proposed Order and (b) grant such other and further relief as it deems just and proper.

DATED: September 8, 2025
New York, New York

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Exhibit A

Proposed Order

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:
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ELETSON HOLDINGS INC., ¹	:
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Debtor.	:
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Chapter 11

Case No. 23-10322 (JPM)

ORDER APPROVING MOTION OF ELETSON HOLDINGS INC. AND LEVONA HOLDINGS LTD. FOR AN ORDER (I) IMPOSING AND INCREASING SANCTIONS ON THE VIOLATING PARTIES AND (II) ENJOINING THE VIOLATING PARTIES FROM EXERCISING CONTROL OVER ELETSON GAS

Upon the *Motion of Eletson Holdings Inc. and Levona Holdings Ltd. for Entry of an Order (I) Imposing and Increasing Sanctions on the Violating Parties and (II) Enjoining the Violating Parties from Exercising Control Over Eletson Gas* [Docket No. ____] (the “Motion”)² for entry of an order (this “Order”) approving the Motion imposing sanctions against the Violating Parties; and the Court having jurisdiction to consider the Motion and relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order, 11 U.S.C. §§ 105 and 1142, and the Court’s inherent jurisdiction to interpret and enforce its own orders; and the Motion and relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b) and the Court having the authority to enter a final order consistent with Article III of the United States Constitution; and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and sufficient notice of

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.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion as applicable.

the Motion having been provided; and it appearing that no other or further notice need be provided; and it appearing that the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors, and all parties in interest; and the Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED;
2. The Cypriot Entities and their representatives and agents are authorized, required, directed and ordered to provide documentary evidence to the Court, Holdings and Levona of their full compliance with the Contempt Order.
3. The Violating Parties are enjoined from taking any actions seeking to impose or undermine the Confirmation Order, the Stay Relief Order or the Contempt Order.
4. Absent further ruling of this Court or the District Court, the Violating Parties and their representatives and agents are enjoined from exercising or purporting to exercise any control in any capacity over Eletson Gas, including as purported officers of Eletson Gas.
5. As a result of the Cypriot Entities' violations of this Court's orders, each of the Cypriot Entities (Desimusco Trading Ltd., Apargo Ltd., and Fentalon Ltd.) were sanctioned in the amount of \$1,000 per party per day, which accrued from August 8, 2025 (*see* Contempt Order, at ¶ 3) through the date of the hearing ruling on the Motion and such sanctions are hereby increased to \$5,000 per party per day, which shall begin accruing from one day after the date of a ruling on the Motion and shall continue until the Court has determined that they have complied with the Stay Relief Order and the Contempt Order.

6. Vassilis Kertsikoff and Laskarina Karastamati are sanctioned in the amount of \$1,000 per party per day, which shall begin accruing from one day after the date of the ruling on this Motion and running until the Court has determined that they have complied with the Stay Relief Order, the Contempt Order, and the Proposed Order.

7. Should any of the Violating Parties fail to pay the sanctioned amounts within fourteen (14) days of entry of this Order, then (a) Levona and/or Holdings are entitled to and may submit to this Court, with notice to the applicable Violating Party (email notice being sufficient), a proposed judgment for any and all amounts due and owing from the applicable Violating Party, (b) the applicable Violating Party may respond by filing a letter in opposition to entry of the proposed judgment no later than three (3) days after such proposed judgment is submitted to the court, (c) in any response to the proposed judgment, the applicable Violating Party will have the burden to establish by clear and convincing evidence that they have paid the amounts they owe under this Order, and (d) the Court may enter the proposed judgment four (4) days after it is submitted absent a showing by an applicable Violating Party—by clear and convincing evidence—that they have satisfied their obligations under this Order.

8. Holdings' and Levona's rights are expressly reserved to seek additional coercive and compensatory monetary sanctions in to-be-determined amounts, including without limitation, to pay for Holdings' and Levona's fees and expenses in connection with the Motion.

9. This Order shall be immediately effective and enforceable upon its entry.

10. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: _____, 2025

HONORABLE JOHN P. MASTANDO III
UNITED STATES BANKRUPTCY JUDGE