

Hearing Date and Time: May 8, 2024 at 10:00 a.m. (prevailing Eastern Time)
Objection Deadline: May 1, 2024 at 4:00 p.m. (prevailing Eastern Time)

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: : Chapter 11
: :
ELETSON HOLDINGS INC., et al., : Case No. 23-10322 (JPM)
: :
: (Jointly Administered)
Debtors.¹ :
: :
-----X

NOTICE OF DISCLOSURE STATEMENT HEARING

TO ALL PARTIES IN INTEREST:

PLEASE TAKE NOTICE THAT on March 26, 2024, the Petitioning Creditors filed (a) the *Petitioning Creditors' Joint Chapter 11 Plan of Reorganization of Eletson Holdings Inc. and its Affiliated Debtors* [Docket No. 531] (as it may be amended, modified, and/or supplemented from time to time, the "Plan") and (b) the related disclosure statement [Docket No. 532] (as it may be amended, modified, and/or supplemented from time to time, the "Disclosure Statement").²

PLEASE TAKE FURTHER NOTICE THAT on April 10, 2024, the Petitioning Creditors filed the *Petitioning Creditors' Motion for Entry of an Order (I) Approving Certain Key Dates Relating to Confirmation of the Petitioning Creditors' Plan, Including Scheduling a Hearing to Consider Approval of Petitioning Creditors' Plan; (II)*

¹ The Debtors in these cases are: Eletson Holdings Inc., Eletson Finance (US) LLC, and Agathonissos Finance LLC. The address of the Debtors' corporate headquarters is 118 Kolokotroni Street, GR 185 35 Piraeus, Greece. The Debtors' mailing address is c/o Eletson Maritime, Inc., 1 Landmark Square, Suite 424, Stamford, Connecticut 06901.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Plan or Disclosure Statement, as applicable.



*Approving the Form and Manner of the Confirmation Hearing Notice; (III) Approving Petitioning Creditors' Disclosure Statement and Notice Thereof; (IV) Approving (A) Procedures for Solicitation; (B) Forms of Ballots; (C) Procedures for Tabulation of Votes; and (D) Procedures for Objections; and (V) Establishing Notice and Objection Procedures for the Confirmation of the Plan [Docket No. 574] (the "Disclosure Statement Motion"). Pursuant to the Disclosure Statement Motion, the Petitioning Creditors are seeking entry of an order, substantially in the form attached as **Exhibit A** to the Motion (the "Proposed Solicitation Order"), (a) for a determination that the Disclosure Statement contains "adequate information" within the meaning ascribed to such term in section 1125 of the Bankruptcy Code and (b) approving the Disclosure Statement and the procedures, dates, and deadlines related to confirmation of the Plan.*

PLEASE TAKE FURTHER NOTICE THAT a hearing (the "Hearing") to consider approval of the Motion and entry of the Proposed Solicitation Order will be held before the Honorable John P. Mastando III, United States Bankruptcy Judge in the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004-1408 (the "Court") **on May 8, 2024 at 10:00 a.m. (prevailing Eastern Time)** to consider entry of an order approving the Motion.

PLEASE TAKE FURTHER NOTICE THAT the Hearing will take place virtually via Zoom. Those wishing to participate in the Hearing in person may appear before the Court. For those wishing to participate remotely, in accordance with General Order M-543 dated March 20, 2020, the Hearing will be conducted remotely using Zoom for Government. Parties wishing to appear at the Confirmation Hearing, whether making a "live" or "listen only" appearance before the Court, need to make an electronic appearance (an "eCourtAppearance") through the Court's website at <https://ecf.nysb.uscourts.gov/cgibin/nysbAppearances.pl>. Electronic appearances (eCourtAppearances) need to be made by **4:00 p.m. (prevailing Eastern Time) the business day before the Hearing (i.e., on May 7, 2024)**.

PLEASE TAKE FURTHER NOTICE THAT in accordance with the Disclosure Statement Order, objections, if any, to the Disclosure Statement Motion must be made in writing and filed with the Court and served so as to be actually received by the following parties no later than **May 1, 2024, at 4:00 p.m. (prevailing Eastern Time) (the "Objection Deadline")** by the following parties (collectively, the "Notice Parties"):

- (i) counsel to the Petitioning Creditors, Togut, Segal & Segal LLP, One Penn Plaza, Suite 3335, New York, New York 10119, Attn: Kyle J. Ortiz, Esq. (kortiz@teamtogut.com) and Bryan M. Kotliar, Esq. (bkotliar@teamtogut.com);
- (ii) the U.S. Trustee, Office of the United States Trustee, Alexander Hamilton Custom House, One Bowling Green, New York, NY 10004, Attn.: Daniel Rudewicz, Esq. (Daniel.Rudewicz@usdoj.gov);
- (iii) counsel to the Creditors' Committee, Dechert LLP, 1095 Avenue of Americas, New York, NY 10036, Attn: David

Herman, Esq. (david.herman@dechert.com) and Stephen Zide, Esq. (stephen.zide@dechert.com); and

- (iv) any other party which has filed a request for notice in these Chapter 11 Cases.

PLEASE TAKE FURTHER NOTICE THAT IF AN OBJECTION TO THE DISCLOSURE STATEMENT IS NOT FILED AND SERVED STRICTLY AS PRESCRIBED HEREIN, THE OBJECTING PARTY MAY BE BARRED FROM OBJECTING TO THE DISCLOSURE STATEMENT MOTION AND MAY NOT BE HEARD AT THE HEARING.

PLEASE TAKE FURTHER NOTICE THAT the Hearing may be adjourned from time to time without further notice to parties in interest other than by an announcement in the Court of such adjournment or as indicated in any notice of agenda of matters scheduled for the Hearing filed by the Petitioning Creditors with the Court.

PLEASE TAKE FURTHER NOTICE THAT an electronic copy of the Disclosure Statement and the Plan (and all of the exhibits thereto) may be obtained free of charge by visiting the Case Website <https://www.kccllc.net/Eletson>. In addition, copies of the Disclosure Statement and Plan are on file with the Office of the Clerk of the Court (One Bowling Green, New York, NY 10004-1408) for review during normal business hours. Parties may also obtain copies of any pleadings filed in these Chapter 11 Cases for a fee via PACER at: <http://www.nysb.uscourts.gov>. Note that a PACER password and login are needed to access documents on the Bankruptcy Court's website. A PACER password can be obtained at: www.pacer.psc.uscourts.gov.

Dated: April 10, 2024
New York, New York

Respectfully submitted,

TOGUT, SEGAL & SEGAL LLP

/s/ Kyle J. Ortiz

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