Official Form 17A (12/14)

[Caption as in Form 16A, 16B, or 16D, as appropriate]

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): Reed Smith LLP

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ❑ Plaintiff
- ❑ Defendant
- ❑ Other (describe) _____

For appeals in a bankruptcy case and not in an adversary proceeding.

- ❑ Debtor
- ❑ Creditor
- ❑ Trustee
- ☒ Other (describe) Interested Party / Subject of Motion

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:
   Order Authorizing Turnover of Eletson Client Files and Confirming Transfer of Attorney-Client Privilege [Bankr. Dkt. No. 2117]
2. State the date on which the judgment, order, or decree was entered: September 15, 2026

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: See attached Attorney: _____
2. Party: _____ Attorney: _____

Official Form 17A (12/14)

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ❑ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

/s/ C. Lee Wilson

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Date: 9/29/2026

Name, address, and telephone number of attorney (or appellant(s) if not represented by an attorney):

Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, NY 10166-0193
212-351-2452

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

EXHIBIT A: PARTIES TO THE APPEAL

Appellant:

Reed Smith LLP (counsel listed below)

Gibson, Dunn & Crutcher LLP
Marshall R. King
Nancy E. Hart
C. Lee Wilson
200 Park Avenue
New York, NY 10166-0193
Telephone: 212.351.4000
Email: mking@gibsondunn.com
nhart@gibsondunn.com
clwilson@gibsondunn.com

Appellee:

Eletson Holdings Inc. (counsel listed below)

Herbert Smith Freehills Kramer (US) LLP
Kyle J. Ortiz
David E. Blabey Jr.
Michael C. Blackmon
Rebecca Polinsky
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9100
Email: kyle.ortiz@hsfkramer.com
david.blabey@hsfkramer.com
michael.blackmon@hsfkramer.com
rebecca.polinsky@hsfkramer.com

Other Parties to the Judgment Appealed From:

Riveron RTS LLC (counsel listed below)

Young Conaway Stargatt & Taylor, LLP
Michael R. Nestor
Michael S. Neiburg
Rockefeller Center
1270 Avenue of the Americas, Suite 2210
New York, New York 10020
Telephone: (212) 332-8840
Facsimile: (212) 332-8855

Email: mnestor@ycst.com
mneiburg@ycst.com

Skadden, Arps, Slate, Meaghor & Flom LLP (counsel unknown)

Investments and Finance Ltd. (counsel unknown)

Dr. Harold Furchtgott-Roth (counsel unknown)

EXHIBIT B – ORDER ON APPEAL

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	:	Chapter 11
ELETSON HOLDINGS INC.,[1]	:	Case No. 23-10322 (JPM)
Debtor.	:	

ORDER (I) AUTHORIZING TURNOVER OF THE ELETSON CLIENT FILES AND (II) CONFIRMING TRANSFER OF ATTORNEY-CLIENT PRIVILEGE

Upon the motion (the "Motion"),[2] dated August 14, 2026, Dkt. No. 2094, of Eletson Holdings Inc. ("Holdings") for entry of an order (this "Order") (i) authorizing the Former Professionals to turn over the Eletson Client Files pursuant to section 542(e) of the Bankruptcy Code, and (ii) confirming that the attorney-client privilege held by Holdings prepetition with respect to the Former Professionals remains with Holdings and is now controlled by its new management following the Effective Date; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and good and sufficient notice of the Motion having been given and no other or further notice of the Motion being necessary; and the Court having reviewed the Motion and heard the statements of counsel at a hearing on the Motion (the "Hearing") held on September 1, 2026; and the Court having determined that the relief requested in the Motion is in the best

[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 herein but not otherwise defined shall have the meanings ascribed to them in the Motion.

interests of Holdings, its estate, its creditors, and other parties in interest; and the Court having determined that the legal and factual basis set forth in the Motion and on the record of the Hearing establish just cause for the relief granted herein; and upon this Court's Memorandum Opinion And Order Granting Eletson Holdings Inc.'s Motion For An Order Authorizing Turnover Under § 542(e) Of The Bankruptcy Code And Confirming Transfer Of Attorney-Client Privilege, dated September 15, 2026, Dkt. No. 2116 ("Turnover Opinion and Order"); and all objections to the Motion, if any, having been withdrawn or overruled, including *Riveron, RTS LLC's (I) Limited Objection to Eletson Holdings Inc.'s Motion for an Order Authorizing Turnover Under §542(e) of the Bankruptcy Code and Confirming Transfer of Attorney-Client Privilege, and (II) Reservation of Rights*, dated August 25, 2026, Dkt. No. 2098, and *Reed Smith LLP's Opposition to Motion For an Order Authorizing Turnover Under §542(e) of the Bankruptcy Code and Confirming the Transfer of Attorney-Client Privilege*, dated August 25, 2026, Dkt. No. 2100; and after due deliberation and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. Pursuant to Bankruptcy Code § 542(e), the Motion is granted as set forth herein.

2. All objections to the Order to the extent not withdrawn, waived, settled or resolved are hereby overruled, including as set forth in the Turnover Opinion and Order.

3. The Former Professionals are authorized to turn over the Eletson Client Files to Holdings, through its counsel at Herbert Smith Freehills Kramer (US) LLP, 1177 Avenue of the Americas, New York, NY 10036, c/o Kyle J. Ortiz (kyle.ortiz@hsfkramer.com).

4. The attorney-client privilege held by Holdings prepetition with respect to the Former Professionals remains with Holdings and is now controlled by its new management following the Effective Date.

5. Skadden, Arps, Slate, Meagher & Flom LLP is authorized to turn over the Eletson Client File to Holdings.

6. Reed Smith LLP is authorized to turn over the Eletson Client File to Holdings.

7. Riveron RTS LLC is authorized to turn over the Eletson Client File to Holdings. For the avoidance of doubt, as to Riveron, the Eletson Client File is limited to the Deliverables, as defined in the engagement letter between Riveron and Holdings, and does not include Riveron internal email correspondence or other internal documents, drafts, working papers, or models that were used or relied on by Riveron to prepare the Deliverables. The confidentiality, use, and disclosure of any Deliverables provided to Holdings by Riveron pursuant to this Order shall be subject to Sections 3 and 6 of Schedule C to the engagement letter between Riveron and Holdings. Until the Second Circuit rules on the Vacatur Proceeding, Riveron need not collect, review, or produce any portion of the Eletson Client File consisting of email correspondence. Holdings reserves the right to seek any email correspondence that otherwise constitutes part of the Eletson Client File after the Second Circuit rules in the Vacatur Proceeding, subject to the findings and ruling of the Second Circuit to the extent applicable to the Motion and this Order. Riveron reserves its right to seek reimbursement of costs and expenses if Holdings later requests that Riveron collect, review, and produce emails in accordance with this Order. Holdings reserves the right to dispute any request for indemnification or reimbursement.

8. Investments and Finance Ltd. is authorized to turn over the Eletson Client File to Holdings.

9. Harold Furchtgott-Roth is authorized to turn over the Eletson Client File to Holdings.

10. For the avoidance of doubt, the Former Professionals are not obligated to turn over any documents not included in the Eletson Client File, as such term is defined in any relevant engagement letters by and between Holdings and the respective Former Professional.

11. The Former Professionals are not required to produce the Vacatur Documents within the Eletson Client Files, and Holdings shall hold enforcement of this Order in abeyance, solely as to the Vacatur Documents, pending the Second Circuit's decision in the Vacatur Proceeding.

12. 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 the Former Professionals and other parties entitled to receive notice pursuant to Bankruptcy Rule 2002.

13. Notwithstanding anything to the contrary herein or in the Motion, nothing in the Motion or this Order shall be, or shall be deemed to be or construed as any implication or suggestion that Holdings is required to seek this Court's authorization for the Eletson Client Files. Rather, the Motion was filed and this Order sought solely to provide the parties with comfort.

14. Except as otherwise provided in this Order, each Former Professional shall turn over the documents comprising the Eletson Client Files once either the time to appeal this Order has expired and the applicable Former Professional has not appealed, or the applicable Former Professional has appealed but has not obtained a stay pending appeal. If another Former Professional appeals this Order, and the appeal involves email correspondence or other documents that are Deliverables under the engagement agreement between Riveron and Holdings, then Riveron shall not be required to produce such Deliverables to Holdings while the appeal is pending.

15. Holdings is authorized to take all such actions as are necessary or appropriate to implement the terms of this Order.

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

Dated: September 15, 2026
New York, New York

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

JS 44C/SDNY
REV. 12/2025

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS	DEFENDANTS
Appellant - Reed Smith LLP	Appellee - Eletson Holdings Inc.
ATTORNEYS (Firm Name, Address, And Telephone Number)	ATTORNEYS (If Known)
Marshall R. King, Nancy E. Hart, C. Lee Wilson - Gibson, Dunn & Crutcher LLP; 200 Park Ave, New York, NY 10166; (212) 351-4000	Kyle J. Ortiz, David E. Blabley Jr., Michael C. Blackmon, Rebecca Polinsky - Herbert Smith Freehills Kramer LLP; 1177 Avenue of the Americas, New York, NY 10036; (212) 715-9100

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C § 158 - Appellant Reed Smith LLP appeals the Order (I) Authorizing Turnover of the Eletson Client Files and (II) Confirming Transfer of Attorney-Client Privilege [Bankr. Dkt. No. 2117] in In re Eletson Holdings, Inc.

Has this action, case, or proceeding, or one essentially the same, been previously filed in SDNY at any time? No ☒ Yes ☐ _____
(If yes, Judge Previously Assigned)

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

Is this an international arbitration case? Yes ☐ No ☒

NATURE OF SUIT *(PLACE AN [x] IN ONE BOX ONLY)*

Click here for: Nature of Suit Code Descriptions.

TORTS

Contract

- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery Of Overpayment & Enforcement Of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery Of Defaulted Student Loans (Excl Veterans)
- ☐ 153 Recovery Of Overpayment Of Veteran's Benefits
- ☐ 160 Stockholders Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

Torts

PERSONAL INJURY

- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY

- ☐ 365 Personal Injury Product Liability
- ☐ 367 Health Care/ Pharmaceutical
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY

- ☐ 370 Other Fraud
- ☐ 371 Truth In Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

Real Property

- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts To Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

Civil Rights

- ☐ 440 Other Civil Rights (Non-Prisoner)
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Americans With Disabilities - Employment
- ☐ 446 Americans With Disabilities - Other
- ☐ 448 Education

Prisoner Petitions

Habeas Corpus

- ☐ 463 Alien Detainee
- ☐ 510 Motions To Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other

- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions Of Confinement

ACTIONS UNDER STATUTES

Forfeiture/Penalty

- ☐ 625 Drug Related Seizure Of Property 21 USC 881
- ☐ 690 Other

Labor

- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act (FMLA)
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act (ERISA)

Immigration

- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

Bankruptcy

- ☒ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

Intellectual Property Rights

- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

Social Security

- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(G))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

Federal Tax Suits

- ☐ 870 Taxes (U.S. Plaintiff Or Defendant)
- ☐ 871 IRS-Third Party 26 USC 7609

Other Statutes

- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks & Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced & Corrupt Organization Act (Rico)
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Satellite TV
- ☐ 850 Securities/ Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom Of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/ Review or Appeal of Agency Decision
- ☐ 950 Constitutionality Of State Statutes

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND $_____ OTHER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

Do you claim this case is related to a civil case now pending in S.D.N.Y. as defined by Local Rule For Division of Business 13?
If so, state:

JUDGE Liman DOCKET NUMBER 1:23-cv-07331

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32) with an explanation as to why the cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ a. **all parties represented** ☐ b. **At least one party is pro se.** ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation (Transferred) ☐ 7 Appeal to District Judge from Magistrate Judge ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

☐ 1 U.S. Government Plaintiff ☐ 2 U.S. Government Defendant ☒ 3 Federal Question (U.S. Government NOT A PARTY) ☐ 4 Diversity

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	☐ 1	☐ 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	☐ 3	☐ 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	☐ 5	☐ 5
CITIZEN OF ANOTHER STATE	☐ 2	☐ 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	☐ 4	☐ 4	FOREIGN NATION	☐ 6	☐ 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Appellant - Reed Smith LLP
599 Lexington Ave., 22nd Floor
New York, NY 10022
County: New York County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Appellee - Eletson Holdings Inc.
C/o HSF Kramer LLP
1177 Avenue of the Americas
New York, NY 10036
County: New York County

DEFENDANT(S) ADDRESS UNKNOWN
Representation is hereby made that, at this time, I have been unable, with reasonable diligence, to ascertain the residence addresses of the following Defendants:

COURTHOUSE ASSIGNMENT

I have reviewed Rules 18(a) and 20(a) of the Rules for the Division of Business Among District Judges, Southern District of New York, and I hereby certify that this case should be assigned to the courthouse indicated below pursuant thereto.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: (DO NOT check either box if this a PRISONER PETITION.) ☐ WHITE PLAINS ☒ MANHATTAN

DATE 9/29/2026

SIGNATURE OF ATTORNEY OF RECORD

Wilson, C. Lee Digitally signed by Wilson, C. Lee Date: 2026.09.29 14:13:44 -04'00'

ADMITTED TO PRACTICE IN THIS DISTRICT
☐ NO
☒ YES (DATE ADMITTED Mo. 08 Yr. 2007)
Attorney Bar Code # 4524377

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Tammi M. Hellwig, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

IH-32 Rev: 2014-1

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Reed Smith LLP (Appellant)

Plaintiff	Case Number
vs.	
Eletson Holdings, Inc. (Appellee)	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Eletson Holdings, Inc. and Eletson Corp.

Plaintiff	Case Number
vs.	23-cv-7331 (LJL)
Levona Holdings Ltd.	
Defendant	

IH-32 Rev: 2014-1

Status of Earlier Filed Case:

☐ Closed (If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☑ Open (If so, set forth procedural status and summarize any court rulings.)

Relevant here, on February 14, 2025, the District Court issued an order and judgment (the "District Court Turnover Order") granting Reorganized Eletson Holdings' motion to displace Reed Smith LLP ("Reed Smith") as counsel of record in the action and ordering the turnover of the entire client file (the "Vacatur Documents") maintained by Reed Smith in any matter where it represented Eletson Corp. or Eletson Holdings in relation to the arbitration award at issue. Dkt. No. 270. On February 24, 2025, Reed Smith appealed that order and judgment (2d. Cir. Case. No. 25-445). On June 25, 2025 the Second Circuit stayed the District Court Turnover Order. [25-445, Dkt. No. 67.1]. The appeal remains pending in the Second Circuit.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both the earlier-filed case and the later-filed case involve similar parties, related issues, and overlapping underlying events. Both cases relate to the chapter 11 case In re Eletson Holdings Inc., No. 23-10322 (JPM) (Bankr. S.D.N.Y.) (the “Chapter 11 Case”). The reorganized debtors arising from the Chapter 11 Case are parties in the later-filed case, which is an appeal from the Bankruptcy Court's order, issued on September 15, 2026, ordering Reed Smith (among others) to turnover the client file it maintained in connection with its representation of the Debtors. That order (the "Bankruptcy Court Turnover Order"), however, exempts the Vacatur Documents from turnover.

The two cases involve similar adverse parties: Reed Smith and Reorganized Eletson Holdings are adversaries in both the earlier-filed case and later-filed case. The two cases also involve related issues. Specifically, one issue in the later-filed case is whether the Bankruptcy Court Turnover Order should be overturned or stayed given that the related District Court Turnover Order has been stayed and is on appeal in the Second Circuit. Finally, as both cases relate to the same bankruptcy case, involve the same parties, and involve the turn over of Reed Smith's client files, they share overlapping factual predicates.

Several other ongoing proceedings relating to the Chapter 11 Case involve the same parties. See, e.g., No. 1:25-ap-01120.

Signature: /s/ C. Lee Wilson Date: 9/29/2026

Gibson, Dunn & Crutcher LLP

Firm: _____