

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X Civil Action No. 16-6596  
ADAM MEISLIK, AS THE RECEIVER OF  
AIRFASTTICKETS, INC.

Plaintiff,

**NOTICE OF REMOVAL**

-against-

FRANK FERRO, NIKOLAOS KOKLONIS, AND  
ELENI VARELI

Defendants.  
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Pursuant to 28 U.S.C. §§ 1452 and 1334, Defendant Eleni Vareli (the “Removing Party”), by and through her undersigned attorney, hereby submits this Notice of Removal, and respectfully states as follows:

- 1) Airfasttickets, Inc. (the “Debtor”) is a debtor-in-possession in the chapter 11 bankruptcy case In re Airfasttickets, Inc., case no. 15-11951 (the “Bankruptcy Case”) that is currently pending before the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”).
- 2) On information and belief, Plaintiff is the court-appointed receiver for the Debtor.
- 3) On May 4, 2016, Plaintiff commenced the above-captioned action (the “Civil Action”) against Frank Ferro (“Defendant Ferro”), Nikolaos Koklonis (“Defendant Koklonis”) and the Removing Party in the Supreme Court of the State of New York, County of New York, Commercial Division (the “State Court”), and the Civil Action is currently pending.
- 4) The Removing Party wishes to remove the Civil Action from the State Court to the Bankruptcy Court, and for it to proceed as an adversary proceeding within the Bankruptcy Case.

5) The Southern District of New York includes the county in which the Civil Action is pending.

6) The Civil Action is related to the Bankruptcy Case because, among other reasons, Plaintiff seeks to recover damages from the defendants for the benefit of the Debtor's creditors within the Bankruptcy Case, and the Debtor has already commenced an adversary proceeding within the Bankruptcy Case against Defendant Koklonis, which adversary proceeding is currently pending.

7) The grounds for removal of this action is: removal of claims related to bankruptcy case, pursuant to 28 U.S.C. §§ 1452 and 1334. The Removing Party is party to the Civil Action, and thus has the right, pursuant to 28 U.S.C. §§ 1452, to remove the Civil Action to the district court for the district where the Civil Action is pending, if such district court has jurisdiction over such cause of action under 28 U.S.C. § 1334. This District Court is the district court for the district where the Civil Action is pending, and it has original but not exclusive jurisdiction over the Civil Action, pursuant to 28 U.S.C. § 1334, because a Bankruptcy Case with respect to Plaintiff is pending in this District, and the Civil Action is related to the Bankruptcy Case. Accordingly, removal is proper under 28 U.S.C. §§ 1452 and 1334.

8) As of the date of this Notice of Removal, none of the Defendants have appeared in the Civil Action, and no answers or other moving papers have been filed by any of the Defendants.

9) On information and belief, as of the date hereof, the Removing Party has not been served with, or received a copy of, the summons and complaint filed by Plaintiff in the Civil Action.<sup>1</sup>

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<sup>1</sup> On information and belief, Plaintiff attempted to serve a copy of the summons and complaint on the doorman of a building in which the Removing Party does not reside, and has never resided.

10) On July 29, 2016, counsel to Plaintiff delivered a copy of the summons and complaint from the Civil Action to the undersigned counsel to Removing Party, via email.

11) Counsel to the Removing Party did not agree to receive service on behalf of the Removing Party, and has not delivered a copy of the summons and complaint to the Removing Party.<sup>2</sup>

12) Defendants Ferro has indicated to the undersigned counsel to the Removing Party that he consents to removal of the Civil Action. Defendant Koklonis has indicated his consent though his counsel in Greece.

13) Upon removal of the Civil Action to the Bankruptcy Court it shall be a core proceeding.

14) To the extent it is determined that the Bankruptcy Court, absent consent of the parties, cannot enter final orders or judgment consistent with Article III of the United States Constitution, the Removing Party hereby consent to the entry of final orders or judgment by the Bankruptcy Court; provided, however, that the Removing Party does not waive her rights to object to a lack of person jurisdiction and all of her rights and defenses are hereby reserved.

15) Copies of the summons and complaint from the Civil Action as well as all other state-court papers at the time of removal are attached and annexed hereto at Exhibit A.

16) Notice of filing of this Notice of Removal will be given to Plaintiff and Defendants Ferro and Koklonis, and a copy will be filed in the State Court.

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<sup>2</sup> The Removing Party as not consented to service upon her counsel, and hereby reserves all of her rights and defenses.

17) In filing this Notice of Removal, the Removing Party does not waive any defenses and objections that may be available to her.

Dated: New York, New York  
August 20, 2016

THE LAW OFFICES OF JEREMY S. SUSSMAN

By: /s/ Jeremy S. Sussman  
Jeremy S. Sussman  
225 Broadway, Suite 3800  
New York, NY 10007  
(646) 322-8373

*Counsel for Eleni Vareli*