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August 24, 2026

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Re: *Liederman-Molokotos v. Vardakas Molokotos et al.*,
C.A. No. 2025-0788-KSJM

Dear Counsel:

This letter resolves the June 5, 2026 request by defendant Diane Vardakas Molokotos (“Diane”) for leave to file a motion for summary judgment.¹

Plaintiff Polyxeni Liederman-Molokotos, also known as Lina Liederman, owns a 50% equity stake in nominal defendant Bramley Investment Limited and is one of its two directors.² Plaintiff’s brother and Diane’s husband, Thanasis Molokotos (“Thanasis”), owns the remaining 50% of Bramley and serves as its other director.³

Diane and Thanasis together manage the Molokotos Family Trust (the “Trust”).⁴ Plaintiff accuses Diane of abusing her position as Bramley’s sole officer to

¹ C.A. No. 2025-0788-KSJM, Docket (“Dkt.”) 40. This decision uses first names for clarity; no disrespect or familiarity is intended.

² Dkt. 1 ¶ 8.

³ *Id.* ¶¶ 8, 11.

⁴ *Id.* ¶ 20.

divert its assets to Kovac Corporation, a wholly owned entity of the Trust.⁵ Diane also serves as Kovac’s sole officer and sole director.⁶

Plaintiff claims that from at least 2009 through 2021, Kovac indicated on its books and in its tax filings that it was carrying a \$681,315 debt to Bramley without any corresponding notations on Bramley’s books.⁷ Plaintiff attributes this omission to Diane.⁸ Plaintiff accuses Diane of having taken “calculated action” in 2023 to erase any remaining evidence of the alleged debt from company records in attempts to avoid liability in separate litigation concerning the Trust in New York.⁹

On June 5, 2026, Diane filed a letter requesting leave to move for summary judgment, arguing that discovery has failed to yield any evidence that she had forgiven the alleged loan to Kovac, or that such a loan ever existed.¹⁰

Plaintiff opposes the request, asserting genuine disputes of material fact.¹¹ She also opposes the motion as premature because Diane first produced documents on May

⁵ *Id.* ¶¶ 1–2.

⁶ *Id.* ¶ 9.

⁷ *Id.* ¶¶ 29–30.

⁸ *Id.* ¶ 31.

⁹ *Id.* ¶¶ 34–35.

¹⁰ Dkt. 40 at 1.

¹¹ Dkt. 41 at 3.

13, 2026, and identified potential deponents as recently as June 2, 2026.¹² At the time Diane moved for leave to file for summary judgment, depositions had not yet begun.¹³

“There is no right to a summary judgment.”¹⁴ “Even where the facts are not in dispute, a court may decline to grant summary judgment where a more thorough exploration of the facts is needed to properly apply the law to the circumstances.”¹⁵ Motions for summary judgment require a court to dive deeply into a paper record without the benefit of live witnesses explaining the significance of that record. They require a tremendous investment of judicial resources.

The issues raised in this motion are factually rife. Material facts are in dispute—most fundamentally, whether \$681,315 was ever actually transferred from Bramley to Kovac; if such a transfer occurred, whether the transfer constituted a loan or not; and if it did constitute a loan, whether that loan was “forgiven,” improperly or otherwise. The request for leave to move for summary judgment is denied.

¹² *Id.*

¹³ *Id.*

¹⁴ *Stone & Paper Invs., LLC v. Blanch*, 2020 WL 6373167, at *1 (Del. Ch. Oct. 30, 2020) (internal quotation marks omitted) (quoting *Telxon Corp. v. Meyerson*, 802 A.2d 257, 262 (Del. 2002)).

¹⁵ *In re Tri-Star Pictures, Inc., Litig.*, 1995 WL 106520, at *5 (Del. Ch. Mar. 9, 1995). *See also In re El Paso Pipeline P’rs, L.P. Deriv. Litig.*, 2014 WL 2768782, at *9 (Del. Ch. June 12, 2014) (“[T]he court may, in its discretion, deny summary judgment if it decides upon a preliminary examination of the facts presented that it is desirable to inquire into and develop the facts more thoroughly at trial in order to clarify the law or its application.”).

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IT IS SO ORDERED.

Sincerely,

/s/ Kathaleen St. J. McCormick

Chancellor

cc: All counsel of record (by *File & ServeXpress*)