UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

CARTWHEEL ROBOTICS, INC.,

Debtor.

Case No. BK-S-26-50278-HLB
Chapter 7

SUPPLEMENT TO MOTION FOR RULE 2004 EXAMINATION REGARDING PREPETITION VALUE LOSS, GENE WONG / RSF, FAILED FINANCING AND ACQUISITION PATHS, PRIOR COUNSEL CONDUCT, NOTEHOLDER AUTHORITY, AND THIRD-PARTY RECORDS

Scott LaValley, appearing pro se individually, as a secured creditor and party in interest, respectfully submits this Supplement to his Motion for Rule 2004 Examination and Document Production.

This Supplement is not submitted to reargue Petitioning Creditors' allegations concerning Cartwheel's final months, wind-down activity, UCC timing, bank records, payroll records, Engineered Arts communications, or alleged insider conduct. Mr. LaValley has responded separately to those characterizations.

The docket to date reflects substantial attention to Cartwheel's final wind-down, including turnover issues, responsible-person designation, schedules, bank records, payroll records, UCC timing, Engineered Arts communications, and alleged insider conduct. Those issues are part of the current docket posture, but they do not answer the separate estate question presented by this Supplement: whether prepetition investor-side conduct, disputed governance rights, failed financing paths, failed acquisition paths, prior counsel conduct, noteholder authority, creditor coordination, or third-party conduct caused recoverable estate value to be lost before the wind-down occurred.

This Supplement addresses a different estate question:

Petitioning Creditors are focused on the collapse. Rule 2004 discovery should examine the period when enterprise value could still have been preserved.

The question is not merely how Cartwheel collapsed. The question is whether actions by investors, directors, creditors, counsel, or other parties contributed to the destruction of enterprise value before the collapse occurred.

Mr. LaValley recognizes that the Chapter 7 Trustee controls estate claims. This Supplement is not submitted to ask the Court to decide those claims now or to substitute Mr. LaValley's judgment for the Trustee's. It is submitted because the record identifies potential estate claims and third-party recovery sources that cannot be evaluated without discovery.

If Gene Wong / RSF used disputed governance rights, investor leverage, creditor leverage, or litigation threats to impair financing or acquisition paths that could have preserved enterprise value, the estate may hold claims against solvent third parties or insured professionals. Rule 2004 discovery is necessary to determine whether those claims exist, what records support them, who possesses those records, and whether any recoverable estate value was lost before Cartwheel's final wind-down.

This Supplement does not ask the Court to decide the merits of any claim, avoidance issue, lien issue, professional-liability issue, governance issue, fiduciary-duty issue, or bad-faith issue at this time. It seeks targeted Rule 2004 discovery because there are substantial unresolved factual questions concerning prepetition value loss, failed financing paths, failed acquisition paths, disputed governance rights, prior counsel conduct, noteholder authority, creditor coordination, and third-party records.

I. APPARENT TRANSACTION VALUE AND REALIZABLE ESTATE VALUE ARE NOT THE SAME THING

1. Cartwheel was a high-risk robotics startup attempting to build a full-stack humanoid robot.

2. It had employees, technology, investors, financing efforts, strategic interest, acquisition discussions, and potential value-preservation paths.

3. Cartwheel's value was not limited to hard assets, isolated files, or equipment.

4. Cartwheel's value depended on the team, CEO/founder continuity, technical continuity, financing, investor confidence, governance stability, clean transaction authority, and the ability to survive diligence.

5. The existence of acquisition interest, strategic discussions, or financing term sheets does not end the estate-value inquiry.

6. It makes the inquiry more important.

7. Those opportunities may show that Cartwheel had apparent value-preservation paths before collapse.

8. But acquisition interest and term sheets are not the same thing as realized estate value.

9. They depend on diligence, governance stability, investor confidence, transaction authority, absence of unresolved litigation threats, technical continuity, and the willingness of investors, employees, founders, and counterparties to proceed.

10. If prospective investors or acquirers perceived Cartwheel as burdened by unresolved governance disputes, litigation threats, disputed authority, or investor-side conflict, then apparent transaction value could become unrealizable during diligence.

11. Rule 2004 discovery should therefore examine not only whether proposals or term sheets existed, but why those opportunities did not survive diligence, negotiation, governance review, investor review, team-continuity review, or transaction execution.

12. Petitioning Creditors' current narrative focuses on visible end-stage assertions: family relationships, UCC timing, wind-down transactions, bank records, payroll records, Engineered Arts communications, and alleged selective disclosures.

13. Mr. LaValley disputes those assertions and believes they are false or materially misleading.

14. More importantly, those assertions do not answer causation.

15. The central estate-value question is what caused Cartwheel's financing, acquisition, investor-confidence, team-continuity, and value-preservation paths to fail before the wind-down.

16. Without Rule 2004 discovery, the estate risks mistaking disputed end-stage allegations for the cause of value loss, rather than investigating whether value-preservation paths had already been impaired by prepetition investor-side conduct, disputed governance rights, litigation threats, failed financing paths, failed acquisition paths, prior counsel conduct, or creditor coordination.

II. GENE WONG / RSF SITS AT THE CENTER OF MULTIPLE UNRESOLVED ESTATE QUESTIONS

17. Gene Wong / RSF was not a passive creditor.

18. Mr. Wong was an investor-side actor involved in governance, financing, strategic alternatives, investor communications, and later creditor strategy.

19. Mr. LaValley does not contend that Mr. Wong was prohibited from expressing views as an investor, board member, creditor, or governance participant.

20. The issue is whether Mr. Wong used threats of litigation, disputed authority, investor leverage, governance leverage, or creditor leverage in ways that affected Cartwheel's financing, acquisition discussions, diligence, runway, team continuity, investor confidence, or enterprise value.

21. Mr. LaValley has personal knowledge of communications in which Gene Wong / RSF asserted disputed governance rights, raised litigation threats, applied investor-side pressure, and later participated in creditor-side strategy during live financing and acquisition periods.

22. The Trustee and Court need not decide now whether that conduct was proper or improper.

23. The present point is narrower: Mr. Wong sits at the center of multiple unresolved factual questions directly relevant to estate value.

24. Those questions include:

a. what role Mr. Wong / RSF played in Cartwheel's financing efforts;

b. what role Mr. Wong / RSF played in acquisition or strategic-transaction discussions;

c. what governance rights Mr. Wong / RSF asserted;

d. what threats of litigation or demand communications were made;

e. what communications Mr. Wong / RSF had with Petitioning Creditors, BBG-related parties, corporate counsel, prior corporate counsel, investors, noteholders, employees, and transaction counterparties;

f. whether disputed governance rights affected investor confidence, diligence, team continuity, or transaction authority;

g. whether financing or acquisition opportunities were impaired by investor-side pressure, creditor-side strategy, or litigation threats; and

h. whether Petitioning Creditors' bankruptcy narrative was shaped by Mr. Wong / RSF's prepetition governance, financing, creditor, or noteholder-related posture.

III. GENE WONG'S AUGUST 18, 2025 EMAIL IS A CONCRETE, DOCUMENT-SUPPORTED BASIS FOR RULE 2004 DISCOVERY

25. One concrete document makes Rule 2004 discovery particularly appropriate.

26. On August 18, 2025, Mr. LaValley emailed Gene Wong to clarify a statement Mr. Wong had made during an August 8, 2025 call. Mr. LaValley wrote that Mr. Wong had said that if the parties could not "work things out," Mr. Wong would "tank the deal," and asked whether Mr. Wong meant that if agreement was not reached regarding Mr. LaValley's concerns with the Amended Certificate of Incorporation, Mr. Wong would block financing that Mr. LaValley brought to the table.

27. Mr. Wong responded: "Yes, that is what I meant." Mr. Wong then stated that RSF's protective provisions "stay in force," and added that, other than those items, he had no interest in "tanking the deal."

28. Attached as Exhibit A is a true and correct copy of an email Mr. LaValley received from Gene Wong on August 18, 2025. Mr. LaValley contemporaneously forwarded the email from his Cartwheel Robotics email account to his personal Gmail account for preservation and personal defense. The copy attached as Exhibit A is the preservation copy available to Mr. LaValley.

29. This email is not submitted to ask the Court to decide, at this stage, whether Mr. Wong acted improperly, whether the ACOI was valid, or whether any claim exists against Mr. Wong, RSF, or any Petitioning Creditor.

30. It is submitted for the narrower purpose of showing that disputed ACOI and protective-provision issues were being asserted in connection with Cartwheel's financing path during a live value-preservation period.

31. This exhibit shows a concrete basis for discovery. It links Mr. Wong's own written response to disputed ACOI and protective-provision issues during a live financing period. That is sufficient to justify investigation; it does not require the Court to decide liability now.

32. The email therefore supports Rule 2004 discovery into whether Gene Wong / RSF, Petitioning Creditors, BBG-related parties, counsel, or other investor-side actors used disputed governance rights, protective provisions, litigation threats, investor leverage, or creditor leverage in a manner that impaired financing, chilled diligence, affected investor confidence, reduced runway, disrupted acquisition or strategic alternatives, impaired team or CEO continuity, or contributed to enterprise-value loss before Cartwheel's collapse.

IV. DISPUTED GOVERNANCE RIGHTS MAY HAVE AFFECTED FINANCING, DILIGENCE, TEAM CONTINUITY, AND STRATEGIC ALTERNATIVES

33. The governance issue is central to estate value.

34. Cartwheel's financing and strategic alternatives depended on a stable and credible governance structure.

35. Mr. LaValley understands that disputed governance rights, board rights, veto rights, consent rights, and protective provisions became central issues during Cartwheel's financing and transaction efforts.

36. Mr. LaValley further understands that Fenwick later concluded that the operative governance documents creating or purporting to create certain disputed rights were defective or invalid.

37. The Trustee need not decide the validity of those governance positions now.

38. The relevant discovery question is whether Gene Wong / RSF asserted governance rights that were later disputed or found defective, and whether those assertions affected financing, diligence, acquisition discussions, investor confidence, runway, team continuity, CEO/founder continuity, or enterprise value.

39. The practical estate issue is whether disputed investor-side veto/protective-right assertions impaired Cartwheel's ability to present investors or strategic counterparties with clear board-majority transaction authority consistent with the financing term sheet.

40. Rule 2004 discovery should determine:

a. what governance rights were asserted;

b. who asserted them;

c. what documents were relied upon;

d. what approvals were obtained or omitted;

e. what investors, noteholders, employees, or counterparties were told;

f. what counsel advised; and

g. whether disputed governance positions impaired Cartwheel’s ability to raise capital, complete a strategic transaction, retain the team, retain founder/CEO continuity, or survive diligence.

V. RULE 2004 SHOULD EXAMINE WHY CARTWHEEL’S FINANCING PATHS FAILED

41. Cartwheel pursued multiple financing paths before collapse.

42. Those paths included bridge financing, seed financing, strategic financing, Murata-related financing, BBG-related financing, and other investor discussions.

43. Rule 2004 discovery should examine why those paths failed.

44. The relevant questions include:

a. what prospective investors were told about governance disputes, litigation threats, investor disputes, board rights, veto rights, protective provisions, or control issues;

b. what communications Gene Wong / RSF had with prospective investors;

c. what communications BBG-related parties had with Gene Wong / RSF, Petitioning Creditors, counsel, noteholders, or prospective investors;

d. what role demand communications played in financing diligence;

e. whether threatened litigation or unresolved governance disputes chilled investor willingness to proceed;

f. whether existing investors refused to support financing while also asserting control or blocking rights;

g. whether disputed governance rights affected Cartwheel's ability to close financing;

h. whether prospective investors raised concerns about management continuity, team continuity, litigation risk, governance risk, or transaction authority; and

i. whether communications exist showing that financing failed because apparent enterprise value became unrealizable due to investor-side conflict rather than lack of technical or commercial potential.

VI. RULE 2004 SHOULD EXAMINE WHY ENGINEERED ARTS AND OTHER STRATEGIC PATHS DID NOT PROCEED

45. Engineered Arts is central because it may show whether there was a value-preserving transaction opportunity and why that opportunity failed.

46. Engineered Arts was not merely a post-collapse talking point.

47. Engineered Arts appears in the record as a potential financing, acquisition, asset transaction, lease, creditor-payment, or continued-business path.

48. Mr. LaValley also believes Gene Wong / RSF opposed an earlier Engineered Arts financing or acquisition path before the later governance dispute fully crystallized.

49. According to Mr. LaValley's personal recollection, Mr. Wong threatened to sue Mr. LaValley if Mr. LaValley did not reject or handle that opportunity as Mr. Wong instructed.

50. Again, the issue is not whether Mr. Wong was permitted to express views.

51. The issue is whether litigation threats or investor pressure were used to control or impair Cartwheel's financing and strategic alternatives.

52. Mr. LaValley also understands from a direct conversation with Nick Desmarais that Engineered Arts' willingness to proceed may have been affected by trust concerns involving Gene Wong / RSF, including concerns relating to the recording of a meeting.

53. Mr. LaValley does not ask the Court to decide that issue now. It is included because it provides another concrete reason why Rule 2004 discovery should examine why Engineered Arts did not proceed, what concerns were raised, what communications exist, and whether investor-side conduct or trust-related diligence concerns impaired a potential value-preserving transaction path.

54. Rule 2004 discovery should determine:

a. what Engineered Arts proposed;

b. what diligence occurred;

c. what concerns were raised;

d. who communicated with Engineered Arts;

e. what Gene Wong / RSF knew, said, or demanded;

f. what communications occurred with investors, noteholders, employees, or counsel;

g. whether Engineered Arts or any other strategic counterparty was affected by governance disputes, litigation threats, disputed authority, creditor demands, demand letters, investor-side pressure, team-continuity issues, CEO/founder-continuity issues, trust concerns, meeting-recording concerns, or diligence concerns; and

h. why the opportunity did not proceed.

VII. PRIOR CORPORATE COUNSEL CRAIG MACY IS A CENTRAL FACT WITNESS AND RECORD CUSTODIAN

55. Prior corporate counsel Craig Macy is one of the most important Rule 2004 targets.

56. Mr. Macy and/or prior corporate counsel may possess documents and communications concerning governance documents, financing documents, investor rights, board structure, disputed veto or consent rights, secured note documentation, UCC issues, compensation documentation, and conflict issues.

57. Prior counsel’s role is estate-relevant because counsel-side conduct may connect the governance dispute, financing impairment, UCC-perfection issues, secured-note documentation, and potential estate claims.

58. Rule 2004 discovery should determine:

a. what governance documents were drafted;

b. what financing documents were drafted;

c. what investor rights were negotiated or inserted;

d. what approvals were required;

e. what approvals were obtained or omitted;

f. what disclosures were made to Cartwheel, directors, stockholders, investors, or noteholders;

g. what conflict disclosures or waivers existed;

h. whether prior counsel represented both Cartwheel and investor-side interests;

i. what communications prior counsel had with Gene Wong / RSF;

j. what communications prior counsel had with Petitioning Creditors or investor-side parties;

k. what advice was given concerning board rights, veto rights, consent rights, and protective provisions;

l. what advice was given concerning secured notes, security agreements, UCC filings, perfection, and priority;

m. what advice was given concerning founder compensation or deferred salary;

n. what advice was given concerning Engineered Arts or other strategic alternatives; and

o. whether any estate claims exist arising from those events.

59. Petitioning Creditors have emphasized UCC timing, governance, insider transactions, and alleged control.

60. Those issues cannot be evaluated fairly without reviewing prior counsel's role in the documents, advice, omissions, approvals, communications, and conflict issues that preceded the bankruptcy.

61. Mr. LaValley does not ask the Court to decide any malpractice, conflict, lien, priority, governance, or avoidance issue through this Supplement.

62. He seeks discovery because prior counsel's records may reveal facts directly relevant to estate value, estate claims, disputed governance rights, and the failure of financing or acquisition paths.

VIII. PETITIONING CREDITOR, BBG-RELATED, AND NOTEHOLDER COORDINATION SHOULD BE TESTED THROUGH DISCOVERY

63. Petitioning Creditors appear to have entered this bankruptcy case with a preexisting narrative concerning insider transfers, family relationships, control, UCC timing, Engineered Arts, records, D&O insurance, and alleged selective disclosures.

64. Mr. LaValley does not believe that narrative was first developed during the 341 process.

65. Mr. LaValley believes the 341 process, ECF No. 80 proceedings, and the June 9 hearing were used to advance a preexisting narrative shaped by Gene Wong / RSF's prepetition governance, financing, creditor, and litigation posture.

66. Rule 2004 discovery should examine how that narrative was developed, who developed it, what records were relied upon, what contrary records were ignored, and what communications occurred among Petitioning Creditors, Gene Wong / RSF, BBG-related parties, counsel, and convertible noteholders before and after the involuntary petition was filed.

67. Discovery should also determine whether Gene Wong / RSF claimed, implied, or allowed others to believe that he represented the interests of the convertible noteholder body as a whole, and whether that representation was accurate.

68. Mr. LaValley understands that not all convertible noteholders were notified of, consulted about, or asked to authorize the involuntary bankruptcy strategy, Petitioning Creditors' bankruptcy narrative, or any representation that Gene Wong / RSF or aligned Petitioning Creditors were acting for or speaking on behalf of the noteholder body.

69. This issue is especially important because, to Mr. LaValley's knowledge, Nick Desmarais personally and Engineered Arts were each convertible noteholders and together represented approximately $500,000 of the convertible-note financing, or two of the ten noteholder positions. Engineered Arts also appears in the record as a potential financing, acquisition, asset transaction, lease, creditor-payment, or continued-business path.

70. To Mr. LaValley's knowledge, neither Nick Desmarais personally nor Engineered Arts has filed a proof of claim or joined the Petitioning Creditors' active claim posture to date.

71. The absence of those claim filings is not submitted as proof of any conclusion. It is submitted as an additional reason why Rule 2004 discovery should test whether Petitioning Creditors' narrative reflects a broad noteholder position or only the position of a subset of aligned creditor/investor-side parties.

72. Rule 2004 discovery should determine whether Nick Desmarais, Engineered Arts, or any other non-participating noteholder was notified, consulted, asked to authorize any bankruptcy position, declined to participate, disagreed with the narrative, possessed contrary information, or had information regarding why financing or acquisition paths did not proceed.

73. This issue is directly relevant because Petitioning Creditors' narrative appears to be presented as a broader creditor or noteholder concern, while the record to date reflects active participation by only a subset of the convertible noteholder body. To Mr. LaValley's understanding, two of the three Petitioning Creditors — RSF Robotics I and the Wong Family Revocable Trust — are controlled by or affiliated with Gene Wong / RSF. Rule 2004 discovery should therefore determine whether the Petitioning Creditors' position reflects a broader noteholder consensus or primarily the position of Gene Wong / RSF, aligned Petitioning Creditors, and BBG-related parties.

74. Rule 2004 discovery should determine which noteholders were notified, what they were told, which noteholders authorized Gene Wong / RSF or any Petitioning Creditor to speak or act on their behalf, whether any noteholders disagreed or declined to participate, and whether any contrary noteholder views were omitted from the narrative presented to the Trustee, the Court, creditors, or other parties.

75. This inquiry is relevant to creditor coordination, petition strategy, bad faith, estate value, noteholder authority, claim strategy, and whether the bankruptcy process is being used as a neutral estate process or as a continuation of a prepetition investor-control and creditor-pressure dispute.

IX. THIRD-PARTY RECORD CUSTODIANS SHOULD BE IDENTIFIED

76. Many of the records necessary to evaluate the issues raised in this Supplement are held by third parties, not by Mr. LaValley or Samantha Conway.

77. Rule 2004 discovery should identify third-party records necessary to evaluate the issues raised in this Supplement, including records held by:

a. Gene Wong / RSF;

b. Petitioning Creditors;

c. BBG-related parties;

d. Petitioning Creditors’ counsel;

e. prior corporate counsel Craig Macy;

f. corporate counsel;

g. Engineered Arts-related parties;

h. accounting and payroll providers;

i. banks;

j. technical custodians;

k. source-code custodians;

l. CAD custodians;

m. cloud-service providers; and

n. former employees.

78. Relevant records may include demand letters, litigation-threat communications, governance communications, financing diligence, investor communications, acquisition communications, Engineered Arts communications, BBG-related communications, noteholder communications, Petitioning Creditor coordination communications, prior counsel communications, corporate counsel communications, accounting records, payroll records, bank records, source-code custody records, CAD records, cloud-service records, communications concerning D&O

insurance or bankruptcy strategy, communications concerning team continuity, CEO/founder continuity, diligence concerns, trust concerns, or meeting-recording concerns.

X. REQUESTED EXAMINATIONS AND DOCUMENT PRODUCTION

79. To avoid any unnecessary privilege dispute, the requested discovery concerning Petitioning Creditors' counsel is limited to non-privileged communications, documents transmitted to or received from third parties, and documents sufficient to show communications among Petitioning Creditors, Gene Wong / RSF, BBG-related parties, noteholders, Engineered Arts-related parties, prior counsel, corporate counsel, or other non-privileged third parties.

80. Mr. LaValley requests authority to examine and obtain documents from Gene Wong / RSF concerning:

a. governance rights, board rights, veto rights, consent rights, and protective provisions;

b. financing efforts, investor communications, demand letters, and litigation threats;

c. Engineered Arts and other acquisition or strategic transaction discussions;

d. communications with BBG-related parties, Petitioning Creditors, Petitioning Creditors' counsel, corporate counsel, prior corporate counsel Craig Macy, prospective investors, transaction counterparties, employees, or convertible noteholders;

e. communications concerning whether any financing, acquisition, or strategic transaction would be supported, blocked, opposed, impaired, or "tanked";

f. all communications concerning the August 8, 2025 call, the August 18, 2025 "clarification needed" email, any statement that a financing, acquisition, transaction, or deal would be blocked, opposed, impaired, or "tanked," including native copies, metadata, headers, attachments, calendar entries, notes, and related communications concerning the August 8, 2025 call and August 18, 2025 email, and any communications concerning the ACOI, protective provisions, board rights, veto rights, consent rights, investor rights, or governance rights asserted in connection with Cartwheel's financing, acquisition, diligence, or strategic alternatives;

g. communications with or concerning any convertible noteholder regarding the involuntary bankruptcy petition, petitioning-creditor strategy, proofs of claim, claim deadlines, creditor coordination, alleged insider transfers, Engineered Arts, foreclosure, asset recovery, D&O insurance, governance disputes, litigation threats, or any representation that Gene Wong / RSF, Petitioning Creditors, or their counsel were acting for or speaking on behalf of the convertible noteholders;

h. documents or communications sufficient to show whether any convertible noteholder authorized Gene Wong / RSF, Petitioning Creditors, or Petitioning Creditors' counsel to act, speak, negotiate, communicate, or pursue bankruptcy strategy on that noteholder's behalf;

i. communications concerning team continuity, CEO/founder continuity, employee willingness to continue, investor diligence, acquirer diligence, or whether unresolved governance disputes, litigation threats, disputed authority, or investor-side conflict affected any investor's, acquirer's, employee's, founder's, or technical contributor's willingness to proceed with a financing, acquisition, continued-operation path, or strategic transaction; and

j. communications concerning any meeting with Engineered Arts or Nick Desmarais, any recording or alleged recording of such meeting, any objection or concern raised by Engineered Arts or Nick Desmarais concerning trust, confidentiality, investor-side conduct, governance disputes, or Gene Wong / RSF's involvement in any financing, acquisition, asset transaction, creditor-payment structure, lease, continued-operation path, or other strategic alternative.

81. Mr. LaValley requests authority to examine and obtain documents from Craig Macy and/or prior corporate counsel concerning:

a. governance documents, financing documents, investor rights, board rights, veto rights, consent rights, and protective provisions;

b. conflicts of interest, dual representation, conflict disclosures, and waivers;

c. communications with Gene Wong / RSF, Petitioning Creditors, or investor-side parties;

d. secured notes, security agreements, UCC filings, perfection, priority, deferred rent, founder loans, and compensation documentation; and

e. board approvals, stockholder approvals, disputed control rights, Engineered Arts, demand communications, and any advice relevant to estate claims.

82. Mr. LaValley requests authority to examine and obtain documents from Engineered Arts-related parties, including Nick Desmarais, concerning:

a. acquisition proposals, financing proposals, lease proposals, asset-purchase proposals, creditor-payment proposals, or continued-operation proposals;

b. communications with Gene Wong / RSF, BBG-related parties, Petitioning Creditors, Petitioning Creditors' counsel, corporate counsel, or prior corporate counsel;

c. diligence, asset valuation, employee continuation, founder/CEO continuity, source code, CAD, and technical continuity;

d. reasons Engineered Arts did not proceed, including whether litigation, governance disputes, investor disputes, creditor pressure, team-continuity issues, founder/CEO-continuity issues, or diligence concerns affected willingness to proceed;

e. communications concerning Nick Desmarais's or Engineered Arts' status as convertible noteholders, whether either was notified of, consulted about, authorized, declined to participate in, or disagreed with the involuntary bankruptcy strategy, Petitioning Creditors' claim posture, Petitioning Creditors' bankruptcy narrative, or any representation that Gene Wong / RSF, Petitioning Creditors, BBG-related parties, or Petitioning Creditors' counsel were speaking or acting on behalf of the convertible noteholder body; and

f. communications concerning any trust concerns, meeting-recording concerns, diligence concerns, investor-side conduct, governance disputes, or communications involving Gene Wong / RSF that affected Engineered Arts' willingness to proceed with any financing, acquisition, asset transaction, creditor-payment structure, lease, continued-operation path, or other strategic alternative.

83. Mr. LaValley requests authority to examine and obtain documents from BBG-related parties and Petitioning Creditors concerning non-privileged communications and documents, including documents transmitted to or received from third parties, concerning:

a. communications with Gene Wong / RSF;

b. communications with Petitioning Creditors' counsel, to the extent non-privileged or involving third parties;

c. communications with Engineered Arts, corporate counsel, prior corporate counsel, investors, transaction counterparties, employees, or convertible noteholders;

d. investor diligence, financing decisions, refusal or failure to fund, governance disputes, threatened litigation, bankruptcy strategy, petitioning-creditor coordination, claimed noteholder authority, and alleged insider conduct;

e. communications concerning Cartwheel's financing, acquisition, or strategic alternatives;

f. communications sufficient to show whether any convertible noteholder authorized Gene Wong / RSF, Petitioning Creditors, BBG-related parties, or Petitioning Creditors' counsel to act, speak, negotiate, communicate, or pursue bankruptcy strategy on that noteholder's behalf; and

g. communications and documents sufficient to show who authorized, controlled, approved, or directed each Petitioning Creditor's participation in the involuntary petition, petitioning-creditor strategy, bankruptcy narrative, claim posture, and any representation that Petitioning Creditors were acting for or speaking on behalf of the convertible noteholder body; and

h. communications concerning whether team continuity, CEO/founder continuity, unresolved governance disputes, litigation threats, disputed authority, investor-side conflict, trust concerns, meeting-recording concerns, or diligence concerns affected Cartwheel's ability to close financing, survive diligence, complete a strategic transaction, or preserve enterprise value.

84. Mr. LaValley also requests authority to examine and obtain records from accounting, payroll, banking, tax, and technical custodians, including Deane Albright, QuickBooks/Intuit, Gusto, banks, tax agencies, GitHub/source-code administrators, CAD custodians, former employees, and other system custodians.

XI. PURPOSE AND LIMITATION OF REQUEST

85. Mr. LaValley does not seek Rule 2004 discovery to harass Petitioning Creditors or third parties.

86. He seeks discovery because there are substantial unresolved factual questions concerning prepetition value loss, Gene Wong / RSF's conduct, failed financing paths, failed acquisition paths, disputed governance rights, prior counsel conduct, creditor coordination, noteholder authority, team continuity, diligence issues, and third-party records.

87. The requested discovery is designed to determine:

a. what caused Cartwheel's financing path to fail;

b. what caused Cartwheel's acquisition and strategic-transaction paths to fail;

c. whether Gene Wong / RSF or related investor-side actors impaired financing, chilled acquisition discussions, disrupted diligence, reduced runway, damaged enterprise value, impaired team or CEO/founder continuity, or contributed to Cartwheel's collapse;

d. whether disputed governance rights were used to impair financing or acquisition opportunities;

e. whether prior counsel conflicts or omissions contributed to governance, perfection, financing, or asset-recovery issues;

f. why Engineered Arts did not proceed;

g. whether Petitioning Creditors entered the bankruptcy with a preexisting narrative shaped by Gene Wong / RSF's prepetition conduct;

h. whether Petitioning Creditors or investor-side parties coordinated claims, creditor positions, petition strategy, or claimed noteholder authority;

i. what records may exist with third-party custodians; and

j. whether estate claims exist against Petitioning Creditors, investor-side parties, prior counsel, or other third parties.

88. Mr. LaValley does not ask the Court to decide these issues now.

89. He asks only that discovery be allowed so that the estate, the Trustee, and the Court can evaluate the complete record rather than a narrative focused primarily on the company's final months.

XII. CONCLUSION

90. Petitioning Creditors ask the estate to focus on Cartwheel's collapse.

91. Mr. LaValley asks the estate to investigate what happened before the collapse, when enterprise value could still have been preserved.

92. Acquisition interest, strategic discussions, and financing term sheets do not eliminate the need for discovery. They make discovery more important because they show apparent value-preservation paths that may have depended on diligence, governance stability, investor confidence, technical continuity, team participation, and CEO/founder continuity.

93. The estate should determine whether those apparent value-preservation paths became unrealizable because of unresolved governance disputes, disputed authority, litigation threats, investor-side pressure, creditor-side strategy, diligence concerns, trust concerns, meeting-recording concerns, or communications involving Gene Wong / RSF or aligned parties.

94. Gene Wong / RSF sits at the center of that inquiry.

95. Mr. LaValley has personal knowledge of communications in which Gene Wong / RSF asserted disputed governance rights, raised litigation threats, applied investor-side pressure, and later participated in creditor-side strategy during live financing and acquisition periods.

96. Mr. LaValley has also identified a specific August 18, 2025 email from Mr. Wong confirming a clarification concerning whether a financing, acquisition, transaction, or deal would be "tanked" in connection with disputed ACOI and protective-provision issues.

97. That document is concrete, discoverable, and directly relevant to whether disputed governance rights or protective provisions were asserted during a live value-preservation period.

98. Prior corporate counsel Craig Macy is also a central fact witness and record custodian because prior counsel may possess documents and communications concerning governance documents, investor rights, board structure, secured-note documentation, UCC issues, compensation documentation, and conflict issues.

99. Engineered Arts-related discovery is also necessary because it may reveal whether a value-preserving transaction path existed and why it did not proceed, including whether trust concerns, meeting-recording concerns, diligence concerns, governance disputes, investor-side conduct, or communications involving Gene Wong / RSF affected Engineered Arts' willingness to proceed.

100. The scope of Gene Wong / RSF's claimed authority to speak for or act on behalf of other noteholders should also be tested. If Petitioning Creditors' narrative is being presented as a broad noteholder or creditor-body position, discovery should determine whether that representation is accurate, who authorized it, who was notified, and whether contrary or non-participating noteholder positions were omitted.

101. The noteholder-authority issue is also important because Nick Desmarais and Engineered Arts appear to be material convertible noteholders with direct knowledge of the Engineered Arts transaction path. If those noteholders have not joined the Petitioning Creditors' claim posture,

discovery should determine whether they were notified, consulted, asked to authorize any position, declined to participate, disagreed with the narrative, or possessed information concerning why financing or acquisition paths failed.

102. The purpose of this requested discovery is not to relitigate investor disputes in the abstract. The purpose is to determine whether the estate has recoverable claims arising from prepetition conduct that impaired financing, acquisition opportunities, diligence, runway, investor confidence, team continuity, CEO/founder continuity, or enterprise value.

103. Mr. LaValley respectfully requests that the Court grant supplemental Rule 2004 discovery and authorize examination and document production sufficient to investigate Gene Wong / RSF, Petitioning Creditors, BBG-related parties, prior corporate counsel Craig Macy, corporate counsel, Engineered Arts-related parties, accounting/payroll custodians, technical custodians, and other third parties regarding prepetition value loss, investor-side conduct, governance pressure, failed financing and acquisition paths, counsel-side conduct, noteholder authority, record custody, team continuity, diligence issues, and bankruptcy narrative issues described above.

Dated: June ___, 2026

Respectfully submitted,

/s/ Scott LaValley
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EXHIBIT A

August 18, 2025 Email from Gene Wong Confirming “Tank the Deal” Clarification and Tying the Issue to ACOI Protective Provisions

[Attach Exhibit A]