

**MCDERMOTT WILL & SCHULTE LLP**

Charles R. Gibbs (TX Bar No. 7846300)  
Marcus A. Helt (TX Bar No. 24052187)  
Grayson Williams (TX Bar No. 24124561)  
2801 North Harwood Street, Suite 2600  
Dallas, Texas 75201  
Telephone: (214) 295-8000  
E-mail: [crgibbs@mcdermottlaw.com](mailto:crgibbs@mcdermottlaw.com)  
[mhelt@mcdermottlaw.com](mailto:mhelt@mcdermottlaw.com)  
[gwilliams@mcdermottlaw.com](mailto:gwilliams@mcdermottlaw.com)

**MCDERMOTT WILL & SCHULTE LLP**

Darren Azman (admitted *pro hac vice*)  
Jared M. Gerber (admitted *pro hac vice*)  
One Vanderbilt Avenue  
New York, New York 10017-3852  
Telephone: (212) 547-5400  
E-mail: [dazman@mcdermottlaw.com](mailto:dazman@mcdermottlaw.com)  
[jmgerber@mcdermottlaw.com](mailto:jmgerber@mcdermottlaw.com)

**MCDERMOTT WILL & SCHULTE LLP**

Julia M. Beskin (admitted *pro hac vice*)  
919 Third Avenue  
New York, New York 10022  
Telephone: (212) 756-2000  
E-mail: [jbeskin@mcdermottlaw.com](mailto:jbeskin@mcdermottlaw.com)

*Counsel to the Chapter 7 Trustee*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

	)	
In re:	)	Chapter 7
	)	
TRICOLOR HOLDINGS, LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 25-33487 (MVL)
	)	
Debtors.	)	
	)	

**CHAPTER 7 TRUSTEE’S MOTION FOR ENTRY OF AN ORDER  
PURSUANT TO BANKRUPTCY RULE 2004 (I) DIRECTING EXAMINATION OF  
DELOITTE LLP AND CERTAIN AFFILIATES AND (II) DIRECTING THE  
PRODUCTION OF DOCUMENTS**

<sup>1</sup> The Debtors in these Chapter 7 cases are as follows: Tricolor Holdings, LLC, TAG Intermediate Holding Company, LLC, Tricolor Auto Group, LLC, Tricolor Auto Acceptance, LLC, Tricolor Insurance Agency, LLC, Tricolor Home Loans LLC dba Tricolor Mortgage, Tricolor Real Estate Services, LLC, TAG California Holding Company, LLC, Flexi Compras Autos, LLC, TAG California Intermediate Holding Company, LLC, Tricolor California Auto Group, LLC, Tricolor California Auto Acceptance, LLC, Risk Analytics LLC, Tricolor Tax, LLC, Tricolor Financial, LLC, Tricolor Auto Receivables LLC, TAG Asset Funding, LLC, and Apoyo Financial, LLC.



**NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT LOCATED IN THE EARLE CABELL FEDERAL BUILDING, 1100 COMMERCE STREET, ROOM 1254, DALLAS, TEXAS 75242, BEFORE CLOSE OF BUSINESS ON MAY 4, 2026, WHICH IS AT LEAST 24 DAYS FROM THE DATE OF SERVICE HEREOF.**

**ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.**

**IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.**

Anne Elizabeth Burns, Chapter 7 Trustee for the above-referenced Chapter 7 bankruptcy case (“Trustee”), hereby submits this motion (the “Motion”) pursuant to Rules 2004 and 9016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Section 105(a) of Title 11 of the Bankruptcy Code (the “Bankruptcy Code”), and Local Rule 2004-1 of the Local Rules of the United States Bankruptcy Court for the Northern District of Texas (the “Local Rules”), for entry of an order, substantially in the form attached hereto as Exhibit A (the “Proposed Order”), authorizing the Trustee to issue discovery without the need for further relief from this Court in the form of the production of documents responsive to the document requests set forth on Exhibit B attached hereto (the “Requests”) from Deloitte LLP (“Deloitte”). In support of this Motion, the Trustee respectfully represents as follows:

#### **JURISDICTION AND VENUE**

1. The Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Order of Reference of Bankruptcy Cases and Proceedings Nunc Pro Tunc* dated August 3, 1984, entered by the United States District Court for the Northern District of Texas. This

matter is a core proceeding under 28 U.S.C. § 157(b). Venue of these cases and the Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief requested herein are Section 105(a) of the Bankruptcy Code, and Rules 2004 and 9016 of the Bankruptcy Rules.

## **BACKGROUND**

### **I. The Chapter 7 Case**

3. On September 10, 2025 (the “Petition Date”), Tricolor Holdings, LLC, TAG Intermediate Holding Company, LLC, Tricolor Auto Group, LLC, Tricolor Auto Acceptance, LLC, Tricolor Insurance Agency, LLC, Tricolor Home Loans LLC dba Tricolor Mortgage, Tricolor Real Estate Services, LLC, TAG California Holding Company, LLC, Flexi Compras Autos, LLC, TAG California Intermediate Holding Company, LLC, Tricolor California Auto Group, LLC, Tricolor California Auto Acceptance, LLC, Risk Analytics LLC, Tricolor Tax, LLC, Tricolor Financial, LLC, Tricolor Auto Receivables LLC, TAG Asset Funding, LLC, and Apoyo Financial, LLC (collectively, the “Debtor” or “Tricolor”), commenced a case (the “Chapter 7 Case”) in the United States Bankruptcy Court for the Northern District of Texas, Dallas Division (the “Court”).

4. On the same day, a Notice of a Chapter 7 Bankruptcy Case was entered, appointing Anne Elizabeth Burns as the Chapter 7 trustee for Tricolor.

5. The Debtor’s petition indicated that it has more than 25,000 creditors and between \$1 and \$10 billion in liabilities.

6. Deloitte was a prepetition auditor for the Debtor.

7. Pursuant to the Trustee’s duties under the Bankruptcy Code to preserve property of the estate and maximize value for all creditors and stakeholders, the Trustee seeks to obtain certain

documents, communications, and other materials from Deloitte concerning its relationship with the Debtors, their businesses, and other matters set forth herein as stated in the Requests.

### **BASIS FOR RELIEF REQUESTED**

#### **I. Discovery Under Rule 2004**

8. Under Fifth Circuit law, a trustee or debtor-in-possession has a duty to investigate the financial affairs of the debtor and prepetition conduct. *See In re Red River Energy, Inc.*, 409 B.R. 163, 181 (Bankr. S.D. Tex. 2009). Bankruptcy Rule 2004 provides the Court with authority to order an examination of any entity or person if such examination relates “to the acts, conduct, or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of the debtors’ estate ... [and to] any other matter relevant to the case or to the formulation of a plan.” Fed. R. Bankr. P. 2004(b).

9. “The purpose of a Rule 2004 examination is to assist a party in interest in determining the nature and extent of the bankruptcy estate, revealing assets, examining transactions and assessing whether wrongdoing has occurred.” *In re Recoton Corp.*, 307 B.R. 751, 755 (Bankr. S.D.N.Y. 2004); *In re Ionosphere Clubs, Inc.*, 156 B.R. 414, 432 (S.D.N.Y. 1993). The scope of a Rule 2004 examination is broad. *See, e.g., In re Kipp*, 86 B.R. 490, 491 (Bankr. W.D. Tex. 1988); *In re Enron Corp. Sec. Litig.*, No. H-01-3624, 2004 WL 613091, at \*3 (S.D. Tex. Mar. 16, 2004); *In re Edic*, No. 05–41557, 2005 WL 6443541, at \*1 (Bankr. N.D. Tex. Oct. 7, 2005) (“Rule 2004 is very broad in scope”). Indeed, any third party that has a relationship with a debtor may be subject to examination. *See e.g., Ionosphere Clubs*, 156 B.R. at 432; *Recoton Corp.*, 307 B.R. at 755; *In re Cousins Barricades & Metal Prods.*, No. Civ.A. 99-2035, 2000 WL 245860 at \*3 (E.D. La. March 2, 2000).

10. Rule 2004 provides that, upon the motion of any party in interest, the Court may authorize the examination of any entity, through both document requests and depositions, relating “to the acts, conduct, or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of the debtor’s estate.” Fed. R. Bankr. P. 2004(b).

11. Specifically, Rule 2004 enables a party in interest to:

obtain information about the debtor’s financial condition, matters that may affect the administration of the debtor’s estate, right to a discharge, or operation of a business and the desirability of its continuance, sources of, and consideration for, money or property or consummate a plan, and other matters relevant to the case or formulation of a plan.

*In re Daisytek, Inc.*, 323 B.R. 180, 187 (N.D. Tex. 2005).

12. Rule 2004 is an investigatory tool and is extremely broad in scope. See *In re Correra*, 589 B.R. 76, 113 (Bankr. N.D. Tex. 2018); *In re Drexel Burnham Lambert Group, Inc.*, 123 B.R. 702, 711 (Bankr. S.D.N.Y. 1991) (same); see also *In re ECAM Publications, Inc.*, 131 B.R. 556, 559 (Bankr. S.D.N.Y. 1991).

13. In fact, courts repeatedly have compared Rule 2004 examinations to a “licensed fishing expedition.” *In re NE 40 Partners, Ltd. Partnership*, 440 B.R. 124, 129 (Bankr S.D. Tex. 2010); *In re French*, 145 B.R. 991, 992 (Bankr. D.S.D. 1992) (“Bankruptcy Rule 2004 is designed to be a quick ‘fishing expedition’ into general matters and issues regarding the administration of the bankruptcy case . . .”); *In re GHR Energy Corp.*, 33 B.R. 451, 453 (Bankr. D. Mass.1983) (“The scope of a Rule 2004 examination is broad. Indeed, some have compared it to a ‘fishing expedition.’”); *In re Duratech Industries, Inc.*, 241 B.R. 283, 289 (E.D.N.Y. 1999); *In re Bennett Funding Grp., Inc.*, 203 B.R. 24, 28 (Bankr. N.D.N.Y. 1996); see also *In re Kipp*, 86 B.R. 490, 491 (Bankr. W.D. Tex. 1988) (“Bankruptcy Rule 2004 authorizes examination of any entity and the scope of such examination is virtually unlimited.”).

14. To establish good cause for a Rule 2004 examination, the Trustee need only demonstrate that an examination is reasonably necessary to protect the estates' legitimate interests and if examination is necessary to establish a claim of the Trustee. *See In re McClain Feed Yard, Inc.*, 661 B.R. 136, 142 (Bankr. N.D. Tex. 2024).

## **II. Good Cause Exists for a Rule 2004 Examination**

15. Good cause exists for a Rule 2004 examination and the production of documents because the documents and information requested in the Motion are essential to the Trustee's efforts to maximize the value of the Debtors' estates and investigate potential claims and causes of actions that may exist which may inure to the benefit of the Debtors' creditors and stakeholders.

16. The Trustee believes that important records, documents, communications and other materials which relate to the Debtors' business and dealings with third parties prepetition are in the possession, custody, or control of Deloitte. Specifically, Deloitte played a significant role in the Debtors' prepetition business activities, including the Debtors' financial affairs and accounting. Based on such prepetition involvement, Deloitte, and those acting on its behalf, frequently corresponded with and engaged with the Debtors' management. The Trustee believes that the information sought in the Requests is pertinent to the Trustees' investigation of potential claims and causes of action belonging to the estate.

17. Accordingly, by this Motion, the Trustee seeks an order authorizing the Trustee to conduct a Rule 2004 examination of Deloitte and directing Deloitte to produce the documents listed in the Requests that will enable the Trustee to maximize the value of the estate and fully investigate potential claims and causes of action belonging thereto.

**NOTICE**

18. The Trustee will provide notice of the Motion to: (a) Deloitte; (b) the U.S. Trustee; and (c) all parties entitled to notice pursuant to Bankruptcy Rule 2002. The Trustee submits that no other or further notice is required.

**RESERVATION OF RIGHTS**

19. This Motion is submitted without prejudice to, and with a full reservation of, the Trustee's rights to request and conduct any other or further discovery, pursuant to Rule 2004 or other applicable law, from any person or entity, including seeking additional and further discovery from Deloitte.

**CONCLUSION**

WHEREFORE, for the reasons stated herein, the Trustee respectfully requests entry of the Proposed Order directing the examination of Deloitte pursuant to Bankruptcy Rule 2004 and directing the production of documents as set forth in the Rule 2004 Requests and granting such other and further relief as the Court deems just and proper.

*[Remainder of Page Intentionally Left Blank]*

WHEREFORE, the Trustee respectfully requests that the Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A** granting the relief requested herein and such other and further relief as may be just and proper.

Dated: April 10, 2026  
New York, New York

**MCDERMOTT WILL & SCHULTE LLP**

/s/ Julia M. Beskin

Charles R. Gibbs (TX Bar No. 7846300)  
Marcus A. Helt (TX Bar No. 24052187)  
Grayson Williams (TX Bar No. 24124561)  
2801 North Harwood Street, Suite 2600  
Dallas Texas 75201  
Telephone: (214) 295-8000  
E-mail: [crgibbs@mcdermottlaw.com](mailto:crgibbs@mcdermottlaw.com)  
[mhelt@mcdermottlaw.com](mailto:mhelt@mcdermottlaw.com)  
[gwilliams@mcdermottlaw.com](mailto:gwilliams@mcdermottlaw.com)

Darren Azman (admitted *pro hac vice*)  
Jared M. Gerber (admitted *pro hac vice*)  
One Vanderbilt Avenue  
New York, New York 10017-3852  
Telephone: (212) 547-5400  
E-mail: [dazman@mcdermottlaw.com](mailto:dazman@mcdermottlaw.com)  
[jmgerber@mcdermottlaw.com](mailto:jmgerber@mcdermottlaw.com)

Julia M. Beskin (admitted *pro hac vice*)  
919 Third Avenue  
New York, New York 10022  
Telephone: (212) 756-2000  
E-mail: [jbeskin@mcdermottlaw.com](mailto:jbeskin@mcdermottlaw.com)

*Counsel to the Chapter 7 Trustee*

**CERTIFICATE OF SERVICE**

I do hereby certify that on April 10, 2026, a true and correct copy of the foregoing motion was served (i) via CM/ECF for the United States Bankruptcy Court for the Northern District of Texas on all parties authorized to receive electronic notice in this case, and (ii) via Priority U.S. Mail and electronic mail on Deloitte.

Dated: April 10, 2026  
New York, New York

**MCDERMOTT WILL & SCHULTE LLP**

*/s/ Julia M. Beskin*

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Julia M. Beskin

Deloitte US  
c/o Ben Campbell  
30 Rockefeller Plaza  
41<sup>st</sup> Floor  
New York, NY 10112

**CERTIFICATE OF CONFERENCE**

In accordance with Local Rule 2004-1(A), in an attempt to try and resolve this issue without need for court intervention, the Trustee's counsel has emailed Deloitte's chief legal officer at his last known email address. Nonetheless, given Deloitte's relationship with the Debtor, the Trustee has an urgent need for the information it has in its possession that necessitates resolution of this Motion. Further, the Trustee understands that if she was able to get in contact with Deloitte they would not provide the requested information and that the Motion would have to be presented to the Court for determination.

Dated: April 10, 2026  
New York, New York

**MCDERMOTT WILL & SCHULTE LLP**

*/s/ Julia M. Beskin*

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Julia M. Beskin

**Exhibit A**

**Proposed Order**



1334 and the *Order of Reference of Bankruptcy Cases and Proceedings Nunc Pro Tunc* dated August 3, 1984, entered by the United States District Court for the Northern District of Texas; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article III of the United States Constitution; and due and sufficient notice of the Motion having been given under the particular circumstances; and the Court having reviewed the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and it appearing that no other or further notice is necessary; and it appearing that the relief requested in the Motion is in the best interests of the Trustee, the bankruptcy estate, the creditors, and other parties in interest; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby:

**ORDERED, ADJUDGED, AND DECREED that:**

1. The Motion is GRANTED as set forth herein.
2. Deloitte LLP shall produce the documents and other information set forth in the Requests to the offices of McDermott Will & Schulte LLP, 2801 N Harwood St., Suite 2600, Dallas, TX 75201, no later than thirty (30) days after service of service of the Order or by such other date as may be reasonably agreed upon by the parties.
3. The Trustee is authorized to take all such actions as are necessary or appropriate to implement the terms of this Order.
4. This Court shall retain jurisdiction to resolve any disputes arising under or related to this Order, including any discovery disputes that may arise between or among the parties, and to interpret, implement, and enforce the provisions of this Order.

5. This Order is without prejudice to the rights of the Trustee to apply for other or further discovery from Deloitte LLP, any party in interest, or other entity or person.

### END OF ORDER ###

Prepared and presented by

/s/ Julia M. Beskin

Charles R. Gibbs (TX Bar No. 7846300)  
Marcus A. Helt (TX Bar No. 24052187)  
Grayson Williams (TX Bar No. 24124561)  
**MCDERMOTT WILL & SCHULTE LLP**  
2801 N. Harwood Street, Suite 2600  
Dallas, Texas 75201-1574  
Telephone: (214) 295-8000  
Facsimile: (972) 232-3098  
Email: [crgibbs@mcdermottlaw.com](mailto:crgibbs@mcdermottlaw.com)  
[mhelt@mcdermottlaw.com](mailto:mhelt@mcdermottlaw.com)  
[gwilliams@mcdermottlaw.com](mailto:gwilliams@mcdermottlaw.com)

-and-

Darren Azman (admitted *pro hac vice*)  
Jared M. Gerber (admitted *pro hac vice*)  
**MCDERMOTT WILL & SCHULTE LLP**  
One Vanderbilt Avenue  
New York, New York 10017-3852  
Telephone: (212) 547-5400  
E-mail: [dazman@mcdermottlaw.com](mailto:dazman@mcdermottlaw.com)  
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919 Third Avenue  
New York, New York 10022  
Telephone: (212) 756-2000  
E-mail: [jbeskin@mcdermottlaw.com](mailto:jbeskin@mcdermottlaw.com)

*Counsel to the Chapter 7 Trustee*

**Exhibit B**

**Rule 2004 Requests For Production**

**MCDERMOTT WILL & SCHULTE LLP**

Charles R. Gibbs (TX Bar No. 7846300)  
Marcus A. Helt (TX Bar No. 24052187)  
Grayson Williams (TX Bar No. 24124561)  
2801 North Harwood Street, Suite 2600  
Dallas, Texas 75201  
Telephone: (214) 295-8000  
E-mail: [crgibbs@mcdermottlaw.com](mailto:crgibbs@mcdermottlaw.com)  
[mhelt@mcdermottlaw.com](mailto:mhelt@mcdermottlaw.com)  
[gwilliams@mcdermottlaw.com](mailto:gwilliams@mcdermottlaw.com)

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Darren Azman (admitted *pro hac vice*)  
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One Vanderbilt Avenue  
New York, New York 10017-3852  
Telephone: (212) 547-5400  
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[jmgerber@mcdermottlaw.com](mailto:jmgerber@mcdermottlaw.com)

**MCDERMOTT WILL & SCHULTE LLP**

Julia M. Beskin (admitted *pro hac vice*)  
919 Third Avenue  
New York, New York 10022  
Telephone: (212) 756-2000  
E-mail: [jbeskin@mcdermottlaw.com](mailto:jbeskin@mcdermottlaw.com)

*Counsel to the Chapter 7 Trustee*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	)	Chapter 7
TRICOLOR HOLDINGS, LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 25-33487 (MVL)
Debtors.	)	(Jointly Administered)

**REQUEST FOR PRODUCTION OF DOCUMENTS ON DELOITTE LLP**

Please take notice that, pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure, Anne Elizabeth Burns, Chapter 7 Trustee for the above-referenced Chapter 7 bankruptcy case (“Trustee”), hereby serves the following requests for production on Deloitte LLP (“Deloitte,” and together with the Trustee, the “Parties”), to be produced to the Trustee within

<sup>1</sup> The Debtors in these Chapter 7 cases are as follows: Tricolor Holdings, LLC, TAG Intermediate Holding Company, LLC, Tricolor Auto Group, LLC, Tricolor Auto Acceptance, LLC, Tricolor Insurance Agency, LLC, Tricolor Home Loans LLC dba Tricolor Mortgage, Tricolor Real Estate Services, LLC, TAG California Holding Company, LLC, Flexi Compras Autos, LLC, TAG California Intermediate Holding Company, LLC, Tricolor California Auto Group, LLC, Tricolor California Auto Acceptance, LLC, Risk Analytics LLC, Tricolor Tax, LLC, Tricolor Financial, LLC, Tricolor Auto Receivables LLC, TAG Asset Funding, LLC, and Apoyo Financial, LLC.

thirty (30) days of service, or at some such other time agreed upon by the Trustee and Deloitte, and in accordance with the Definitions and Instructions below (“Request(s)”).

### **DEFINITIONS**

1. “Communication(s)” means any written or oral Communication of any kind or character, including, by way of example and without limitation, e-mails, instant messages, text messages, voicemail or voice messages, audio recordings, recordings, transcripts or notes of in-person, video or telephone conversations, letters, meetings, memoranda, telegraphic and telex Communications or transmittals of Documents, whether such Communication was sent, received, or created, in final or in draft, and all Documents Concerning or memorializing such written or oral Communications.

2. “Concerning” means consisting of, reflecting, referring to, Concerning, related to, involving, evidencing, constituting, or having any legal, logical, evidential, or factual connection with (whether to support or rebut) the subject matter designated in any of these Requests. A request for Documents “Concerning” a specified subject matter always shall include Communications, notes, and memoranda (whenever prepared) Concerning the subject matter of the request.

3. “Document(s)” means, without limitation, the original and all copies, prior drafts, and translation of information in any written, typed, printed, recorded or graphic form, however produced or reproduced, of any type or description, regardless of origin or location, including without limitation, all electronically stored information, Communications, records, tables, charts, analyses, graphs, schedules, reports, memoranda, notes, lists, calendar and diary entries, letters (sent or received), contracts, statements, bills, checks, vouchers, video tapes, photographs, tape recordings, other mechanical records, transcripts or logs of any such recordings, and all other data compilations from which information can be obtained. The term “Document(s)” is intended to be

at least as broad in meaning and scope as the usage of the term in or pursuant to the Federal Rules of Civil Procedure.

3. “Debtor” or “Tricolor” means Tricolor Holdings, LLC, TAG Intermediate Holding Company, LLC, Tricolor Auto Group, LLC, Tricolor Auto Acceptance, LLC, Tricolor Insurance Agency, LLC, Tricolor Home Loans LLC dba Tricolor Mortgage, Tricolor Real Estate Services, LLC, TAG California Holding Company, LLC, Flexi Compras Autos, LLC, TAG California Intermediate Holding Company, LLC, Tricolor California Auto Group, LLC, Tricolor California Auto Acceptance, LLC, Risk Analytics LLC, Tricolor Tax, LLC, Tricolor Financial, LLC, Tricolor Auto Receivables LLC, TAG Asset Funding, LLC, Apoyo Financial, LLC, and any direct or indirect predecessors or successors in interest, parents, subsidiaries or affiliates of any of them, and any and all officers, directors, executives, employees, representatives, agents, advisors, attorneys, and all other persons and entities acting or purporting to act on behalf of any of the foregoing.

4. “GAAP” means the generally accepted accounting principles in the United States.

5. “GAAS” means the generally accepted auditing standards in the United States.

6. “Deloitte” means Deloitte LLP and any of its affiliates and subsidiaries, and any direct or indirect predecessors or successors in interest, parents, subsidiaries or affiliates of any of them, and any and all officers, directors, executives, employees, representatives, agents, advisors, attorneys, and all other persons and entities acting or purporting to act on behalf of any of the foregoing.

7. “IDMS” means Integrated Dealer Management System.

8. “Inventory Procedures” means any audit procedures that You performed or planned to perform Concerning Tricolor’s inventory and related internal controls.

9. “JPMorgan” means JPMorgan Chase Bank, N.A. and any of its affiliates and subsidiaries, and any direct or indirect predecessors or successors in interest, parents, subsidiaries or affiliates of any of them, and any and all officers, directors, executives, employees, representatives, agents, advisors, attorneys, and all other persons and entities acting or purporting to act on behalf of any of the foregoing.

10. “SPV” means special purpose vehicle created by or affiliated with Tricolor, including, but not limited to, Tricolor Funding SPV LLC, Tricolor Funding SPV 2 LLC, Tricolor Funding SPV 3 LLC, Tricolor Funding SPV 4 LLC, Tricolor Funding SPV 5 LLC, Tricolor Funding SPV 6 LLC, and Tricolor SPV 3 Holdings LLC.

11. “You” or “Your” means the entity or person responding to these Requests, and, if an entity, any direct or indirect predecessors or successors in interest, parents, subsidiaries or affiliates of any of any such entity, and any and all partners, officers, directors, executives, shareholders, members, employees, representatives, agents, advisors attorneys, and all other persons and entities acting or purporting to act on behalf of any of the foregoing.

### **INSTRUCTIONS**

1. Unless otherwise indicated, all Documents shall be produced for the relevant time period, which shall be January 1, 2018, until the date of service of these Requests, including any Documents having an earlier origin, if in use during the relevant time period.

2. The obligation to produce Documents responsive to these Requests shall be continuing in nature, and a producing party is required promptly to produce any Documents requested herein that it locates or obtains after responding to these Requests, up to the conclusion of the above-captioned Chapter 7 case.

3. You are requested to produce not only those Documents in Your physical possession, but also those Documents as to which have the legal right and/or practical ability to obtain (and that are thus within Your custody and/or control), including, without limitation, Documents in the possession of Your agents, employees, affiliates, advisors, or consultants and any other person or entity acting on Your behalf.

4. If You have no Documents responsive to a particular Request, or if for some other reason You are unable to produce responsive Documents, Your response to that Request should specifically state so. You must respond to each and every Request herein. Any objection to a Definition, Instruction or Request shall state with specificity all grounds for the objection. If You have certain Documents that are responsive to a Request, but believe that additional Documents not now available to You would also be responsive, You should provide the Documents You now have and specifically state when the remainder of the Documents will be provided.

5. Where a claim of privilege is asserted in objecting to the production of any Document and a Document called for by these Requests is withheld on the basis of such assertion, the objecting party shall identify the nature of the privilege (including work product) that is being claimed. In addition, the objecting party shall provide the following information with respect to any Document so withheld on its privilege log: (i) type of Document, e.g., letter or memorandum; (ii) general subject matter of the Document and basis for privilege; (iii) date of the Document; and (iv) author, addressee(s) or recipient(s) of the Document. Attachments to privileged emails shall be independently assessed for privilege claims and logged individually (i.e., separately from the email).

6. In the event that a requested Document has been lost, destroyed, discarded and/or otherwise disposed of, You shall identify the Document by identifying: (i) its author or preparer;

(ii) all persons to whom it was distributed or shown; (iii) date; (iv) subject matter; (v) attachments or appendices; (vi) date, manner, and reason for destruction or other disposition; (vii) person authorizing destruction or other disposition; and (viii) the Document request or requests to which the Document is responsive.

7. Instructions regarding the production of Documents and electronically stored information are attached as Appendix I.

8. You are required by the Federal Rules of Civil Procedure Rule 45, made applicable here by Bankruptcy Court Rules 2004 and 9016, to answer each Interrogatory set forth below separately and completely in writing and under oath.

9. Include in Your answer information which, even if not within Your own knowledge, is nonetheless within Your custody or control, or reasonably available to You or any other source from which it may be reasonably secured.

10. When referring to a person, to “identify” means to give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

11. When referring to Documents, to “identify” means to give, to the extent known, the (i) custodian; (ii) location; and (iii) general description of the subject matter of the Documents.

12. Each Interrogatory shall be answered fully unless it is objected to in good faith, in which event the reasons for Your objection shall be stated in detail. If an objection pertains to only a portion of an Interrogatory, or a word, phrase, or clause contained within it, You are required

to state Your objection to that portion only and to respond to the remainder of the Interrogatory, using Your best efforts to do so.

13. For any information withheld on the grounds that it is privileged or otherwise claimed to be excludable from discovery, identify the information or Document, describe its subject matter and date, identify all authors and all recipients (including copied and blind copied recipients), and specify a basis for the claimed privilege or other grounds of exclusion.

14. If You answer any of the Interrogatories by reference to Documents, You are requested to specify the production number of the Documents You reference.

15. If any Document responsive to the Interrogatories is no longer in existence, cannot be located, or is not in Your possession, custody, or control, identify it, describe its subject matter, and describe its disposition, including, without limitation, identifying the person having knowledge of the disposition.

16. The singular form of a word should be interpreted to include the plural as well. Any pronoun shall be construed to refer to the masculine, feminine, or neutral gender.

17. These Interrogatories are continuing in nature and Your responses to them are to be promptly supplemented or amended if, after the time of Your initial responses, You learn that any response is or has become, in some material respect, incomplete or incorrect.

18. Please take notice that these Interrogatories are submitted for the purposes of discovery and are not to be taken as waiving any objections that may be made at trial to the introduction of evidence on subjects covered by these Interrogatories or as to an admission at the trial of the relevance or materiality of any of the matters covered by these Interrogatories.

19. The Parties shall confer to develop search parameters, including custodians and search terms, to identify responsive Documents.

**DOCUMENTS REQUESTED**

1. All Documents and Communications Concerning the JPMorgan's engagement of Deloitte for services Concerning Tricolor, including, but not limited to, engagement letters, internal Communications regarding the engagement or agreed upon procedures, any pitches or other marketing materials provided to JPMorgan by Deloitte in connection with the engagement.

2. Documents and Communications sufficient to show the procedure and methodology CBIZ followed when conducting a review, audit or report Concerning Tricolor's samples for testing, including but not limited to samples of loans, deal jackets, payments, delinquencies, and collateral.

3. All Documents and Communications Concerning any and all services provided by Deloitte to JPMorgan Concerning Tricolor, including, but not limited to:

- a. invoices issued by Deloitte to JPMorgan;
- b. Documents and Communications Concerning any contemplated draft or final audits, reports, or financial analysis prepared by Deloitte;
- c. Documents and Communications Concerning suspected or actual red flags at Tricolor, including but not limited to inconsistencies within, between, or among Tricolor records, data, or Documents or the double pledging of collateral;
- d. Documents, analysis and Communications Concerning the tie-out or reconciliation of the general ledger to IDMS;
- e. Documents and Communications Concerning audit procedures, valuation analyses, audit & accounting standards group reviews, and Tricolor's fair value reporting of the loan portfolio;
- f. Documents and Communications Concerning the SPVs;



- b. planning and coordination for the Inventory Procedures;
- c. Your planned attendance at, or failure to attend, a Tricolor inventory count;
- d. any discovery of a failure to perform or adequately perform the Inventory Procedures specified in the reporting instructions;
- e. any proposed, planned, or performed procedures to redress the failure to perform or adequately perform the Inventory Procedures specified in the reporting instructions; and
- f. any analysis of the Inventory Procedures.

10. All insurance policies and indemnification agreements that cover or potentially apply to claims arising from Your service as accountants for work done for JPMorgan Concerning Tricolor.

11. All Documents and Communications produced to any federal regulator, prosecutor, or administrative agency in connection with any civil or criminal investigation of Tricolor or any of its officers, executives, board members, or employees at any point during the relevant time period.

12. All Documents and Communications produced by You to any third party in response to any discovery request, including but not limited to a Rule 2004 request, subpoena, or request for production.

13. All Board materials, minutes, presentations, resolutions and memoranda Concerning Tricolor and prepared, distributed, or reviewed by You, including any drafts thereof, and any hardcopy version containing any handwritten mark(s) or notation(s).

14. All Documents and Communications Concerning the due diligence procedures undertaken by you, your agents or any member of the underwriting syndicate of any Tricolor auto

securitization trust, including, but not limited to, any analysis of a schedule of receivables or any other portfolio listing of the securitized auto loans receivable, along with the results of such due diligence procedures.

15. All Documents and Communications Concerning Your monitoring, auditing, review, or investigation of any Debtor or Debtor's personnel (including, without limitation, Daniel Chu, Jerome Kollar, David Goodgame, and Ameryn Seibold), including, but not limited to, Debtors' compliance with the terms of any credit agreement and any financial irregularities, misconduct, misgivings, reservations, red flags, or negative assessments regarding Tricolor's creditworthiness, accounting, or internal controls.

#### **INTERROGATORIES**

1. Identify all collateral that Deloitte believed to be and/or reported to JPMorgan as double pledged, falsified, or inconsistent with representations made by Tricolor or identified in Tricolor's records.

Dated: New York, New York  
April 10, 2026

Respectfully submitted,

/s/ Julia M. Beskin

Charles R. Gibbs (TX Bar No. 7846300)  
Marcus A. Helt (TX Bar No. 24052187)  
Grayson Williams (TX Bar No. 24124561)  
**MCDERMOTT WILL & SCHULTE LLP**  
2801 North Harwood Street, Suite 2600  
Dallas Texas 75201  
Telephone: (214) 295-8000  
E-mail: [crgibbs@mcdermottlaw.com](mailto:crgibbs@mcdermottlaw.com)  
[mhelt@mcdermottlaw.com](mailto:mhelt@mcdermottlaw.com)  
[gwilliams@mcdermottlaw.com](mailto:gwilliams@mcdermottlaw.com)

Darren Azman (admitted *pro hac vice*)  
Jared M. Gerber (admitted *pro hac vice*)  
**MCDERMOTT WILL & SCHULTE LLP**  
One Vanderbilt Avenue  
New York, New York 10017-3852  
Telephone: (212) 547-5400  
E-mail: [dazman@mcdermottlaw.com](mailto:dazman@mcdermottlaw.com)  
[jmgerber@mcdermottlaw.com](mailto:jmgerber@mcdermottlaw.com)

Julia M. Beskin (admitted *pro hac vice*)  
**MCDERMOTT WILL & SCHULTE LLP**  
919 Third Avenue  
New York, New York 10022  
Telephone: (212) 756-2000  
E-mail: [jbeskin@mcdermottlaw.com](mailto:jbeskin@mcdermottlaw.com)

*Counsel to the Chapter 7 Trustee*

## APPENDIX I

### TECHNICAL SPECIFICATIONS FOR PRODUCTION

#### PRODUCTION OF DOCUMENTS ORIGINATING AS PAPER

For documents that have originated in paper format, the following specifications should be used for their production.

- Images should be produced as single page TIFF group IV format imaged at 300dpi.
- Each filename must be unique and match the Bates number of the page. The filename should not contain any blank spaces and should be zero padded (for example ABC00000001).
- Media may be delivered on CDs, DVDs, or External USB hard drives. Each media volume should have its own unique name and a consistent naming convention (for example ZZZ001 or SMITH001).
- Each delivery should be accompanied by an image cross reference file that contains document breaks.
- A delimited text file that contains available fielded data should also be included and at a minimum include Beginning Bates Number, Ending Bates Number, Custodian, and Number of Pages. The delimiters for that file should be:  
  
Field Separator, ASCII character 020: “`␠`”  
  
Quote Character, ASCII character 254 “`␣`”  
  
Multi-Entry Delimiter, ASCII character 059: “`;`”
- To the extent that documents have been run through an Optical Character Recognition (OCR) software in the course of reviewing the documents for production, full text should also be delivered for each document. Text should be delivered on a document level in an appropriately formatted text file (.txt) that is named to match the first Bates number of the document.
- A text cross reference load file should also be included with the production delivery that lists the beginning Bates number of the document and the relative path to the text file for that document on the production media.

## PRODUCTION OF EMAIL AND ELECTRONIC DOCUMENTS

Electronic documents should be produced in such fashion as to identify the location (*i.e.*, the network file folder, hard drive, back-up tape or other location) where the documents are stored and, where applicable, the natural person in whose possession they were found (or on whose hardware device they reside or are stored). If the storage location was a file share or work group folder, that should be specified as well.

Attachments, enclosures, and/or exhibits to any parent documents should also be produced and proximately linked to the respective parent documents containing the attachments, enclosures, and/or exhibits.

For standard documents, emails, and presentations originating in electronic form, documents should be produced as tiff images using the same specifications above with the following exceptions:

- Provide a delimited text file (using the delimiters detailed above) containing the following extracted metadata fields where they exist in the file being produced:

Beginning Production  
Number Ending Production  
Number Beginning  
Attachment Range Ending  
Attachment Range Custodian

Custodian\_ALL  
Confidentiality  
Designation Original  
Location Path Email  
Folder Path Document  
Type Edoc\_Author

Edoc\_Title  
Page Count  
File Name  
File  
Extension  
File Size  
MD5 Hash

Date Last Modified  
Time Last Modified  
[HH:MM:SS] Date Created  
Time Created [HH:MM:SS]  
Date Last Accessed  
Date Sent

Time Sent [HH:MM:SS]

Date Received

Time Received

[HH:MM:SS] From

Recipients

Copyees

Blind Copyees

Email Subject

Path to Native

File

Calendar Start Date

Calendar End Date

- Images shall be produced revealing any hidden text/content.
- Extracted full text (not OCR text) should also be delivered for each electronic document. The extracted full text should be delivered on a document level according to the specifications above similar to paper documents.
- Foreign language text files and metadata should be delivered with the correct encoding to enable the preservation of the documents' original language.
- All spreadsheets should be produced in their native format and in the order that they were stored in the ordinary course of business, *i.e.*, emails that attach spreadsheets should not be separated from each other and should be linked using the Attachment Range fields above. The extractable metadata and text should be produced in the same manner as other documents that originated in electronic form. A placeholder TIFF image shall be created, Bates numbered, and the produced Excel chart shall be renamed to match the Bates number on its corresponding placeholder page. The exception shall be for redacted spreadsheets which shall be produced in TIFF format. Images for the redacted spreadsheets shall display the content in the same manner as if it were printed. The parties agree to work out a future protocol governing the use and format of documents produced pursuant to this paragraph at trial, depositions, or hearings (such as converting to tiff images in accordance with the above protocol).
- Upon review, the requesting party may ask for certain other documents and/or databases that were initially produced in their tiff or pdf format to be produced in their native format in the event that the tiff or pdf version is not reasonably usable. If this is the case, the requesting party will submit a list of Bates numbers identifying the documents. The documents should be produced in their unaltered native format with an accompanying text delimited text file (using the delimiters above) that contains the following fields:

Beginning Production  
Number Ending Production  
Number Beginning  
Attachment Range Ending  
Attachment Range Path to  
Native File  
MD5 Hash Value

PRODUCTION OF DATABASES AND OTHER STRUCTURED DATA

Generally, databases should be produced in a mutually agreeable data exchange format. To determine the data that is relevant to the document requests, a list of databases and systems used to manage relevant data should be provided with the following information:

Database Name  
Type of Database  
Software Platform  
Software Version  
Business Purpose Users  
Size in Records Size in Gigabytes  
A List of Standard Reports  
Database Owner or Administrator's Name Field List  
Field Definitions (including field type, size, and use)

Upon review of the list, the parties agree to meet and confer regarding the data to be produced from each source, if any, and the form(s) of the production thereof.