

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:

WELLMADE FLOOR COVERINGS
INTERNATIONAL, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 25-58764

(Jointly Administered)

**WELLMADE’S OPPOSITION TO LABOR PLAINTIFFS’ MOTION FOR RULE
2004 EXAMINATION AND PRODUCTION OF DOCUMENTS BY DEBTORS**

The above-captioned debtors and debtors in possession (collectively, the “Debtors” or “Wellmade”), hereby submit their opposition to the *Labor Plaintiffs’ Motion for Rule 2004 Examination and Production of Documents by Debtors and Allen Chen* [Docket No. 244] (the “Motion”). In opposition to the Motion, the Debtors respectfully state as follows:

I. INTRODUCTION

The Labor Plaintiffs contend that they need two Rule 2004 examinations on an emergency basis before the November 21 bar date to determine whether they have claims against the Debtors and, if so, timely fill out their proof of claim forms. But that is mere pretext because the Labor Plaintiffs already sued Debtors on a “kitchen sink” collective and putative class action basis in the United States District Court for the Northern District of Georgia alleging precisely what their claims are.² Thus, either the Labor Plaintiffs violated Rule 11 in that filing or the Labor Plaintiffs already have the information they need to take the basic step of filing proofs of claim.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Wellmade Industries MFR. N.A. LLC (1058) and Wellmade Floor Coverings International, Inc. (8425). The mailing address for the Debtors for purposes of these chapter 11 cases is: 1 Wellmade Drive, Cartersville, GA 30121.

² A copy of the Complaint has been filed at ECF No. 242, Ex. 2.



What the Labor Plaintiffs are actually doing is attempting to gather voluminous discovery about the merits of their stayed federal court litigation because “Rule 2004 is broad in scope, often likened to a ‘fishing expedition,’ in contrast to the more stringent nature and available protections of discovery under the Federal Rules of Civil Procedure.” *In re Gaime*, 2018 Bankr. LEXIS 4136, at *6 (Bankr. M.D. Fla. Dec. 18, 2018). The Labor Plaintiffs admitted as much in a *draft* motion that they shared with Debtors (but not with this Court) where they admitted that “the Labor Plaintiffs **specifically seek information on . . . (1) the merits of the Labor Claimants’ wage and hour, trafficking, RICO, unjust enrichment, and other claims against Debtors.**” See Exhibit 1 (Draft Motion) at 2 (emphasis added). The pending proceeding rule bars the use of Rule 2004 examinations for that purpose.

Specifically, the pending proceeding rule bars the Labor Plaintiffs from using “Rule 2004 to obtain discovery relevant to outside litigation,” *i.e.*, to obtain discovery for their stayed federal court litigation. *In re Sanomedics, Inc.*, No. 16-21659-RAM, 2018 Bankr. LEXIS 2187, 2018 WL 3816772, *6 (Bankr. S.D. Fla. July 24, 2018). Indeed, the “**textbook cause** for application of the pending proceeding rule” is where a party is trying to use the Rule 2004 examinations to seek “the same documents that it would seek to obtain” in a pending district court case. *Id.* at *5. That is precisely what the Labor Plaintiffs are trying to do here as shown not only by the admission cited above but also by the proposed topics of the Rule 2004 examination, which include (1) “the merits of the Labor Claimants’ wage and hour, trafficking, RICO, unjust enrichment, and other claims against Debtors” and (2) “the appropriateness and desirability of proceeding via a class action mechanism.” See D.E. 244 at 2-3. Of course, the Labor Plaintiffs do *not* need emergency Rule 2004 examinations on “the merits” of their claims and “the appropriateness . . . [of the] class action mechanism” to complete their claim forms. Rather, they need that information to try to obtain class

certification and win their underlying claims. Rule 2004 cannot be used for such purposes. *See, e.g., In re Brown*, 2018 Bankr. LEXIS 3138, at *14 (Bankr. S.D.N.Y. Oct. 11, 2018) (denying Rule 2004 discovery where it was being used as “a ‘back door’” through which the movant “could circumvent the oversight and procedural protections” of the separate proceeding).

There is more. Although this Court has explicitly instructed the Labor Plaintiffs’ counsel that they cannot use Rule 2004 discovery to obtain information about claimants other than their clients to try to solicit new business, that is precisely what the Labor Plaintiffs’ counsel is trying to do. For example, the Labor Plaintiffs’ counsel has served document requests seeking “[a]ll Documents concerning any salaries, wages, bonuses, reimbursements, and other compensation . . . to the Labor Claimants,” with “Labor Claimants” being defined as “any individual who performed work at the Cartersville Facility.” *See* D.E. 244-2 at 7-8. Thus, through this request the Labor Plaintiffs’ counsel is seeking private financial information about scores of people they do not even represent and whose information is entirely irrelevant to their clients’ proofs of claim. The only reason that the Labor Plaintiffs’ counsel seek private financial information is so they can contact the Debtors’ employees and solicit them for business. Such conduct is an abuse of the Rule 2004 process and a direct violation of this Court’s clear instructions.

Last, as discussed below, the Court should also deny the Motion because the requested discovery is overbroad, seeks legal conclusions, and seeks privileged documents and information. It is also unreasonable. As just one example, the Labor Plaintiffs purport to require Debtors to gather, review, and produce years of voluminous data in a matter of days. If the Labor Plaintiffs truly believed they needed this information and could properly obtain it, they should have sought it long ago.

For these and other reasons discussed below, the Court can and should easily deny the

Motion.

II. STATEMENT OF THE RELEVANT FACTS

The Debtors are two related corporate entities specializing in the design, production, and distribution of hard surface flooring collections, including through a manufacturing facility located in Cartersville, Georgia. The Labor Plaintiffs are a small number of individuals who claim to have previously worked for Wellmade, either directly or through a staffing agency, at the Cartersville Facility.

On May 27, 2025, before the Debtors declared bankruptcy, the Labor Plaintiffs filed a broad “kitchen sink” Complaint in the U.S. District Court for the Northern District of Georgia, *Liu, et al. v. Wellmade Industries Mfr. N.A. LLC, et al.*, Case No. 4:25-cv-001340-WMR (the “Stayed Lawsuit”) asserting a litany of individual and putative class claims against the Debtors, including (i) a collective action (opt-in) claim under the Fair Labor Standards Act (“FLSA”) for alleged unpaid overtime on behalf of all individuals who worked at the Cartersville Facility for more than 40 hours in a workweek and (ii) putative class action claims for all Chinese nationals who worked at the Cartersville Facility for alleged violations of the Trafficking Victims Protection Act (“TVPA”), Georgia Racketeer Influenced and Corrupt Organizations Act (“RICO”), Unjust Enrichment, and *Quantum Meruit*.

On August 4, 2025, the Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code, resulting in an automatic stay of the above-referenced litigation in the United States District Court for the Northern District of Georgia.

On October 9, 2025, the Court issued an Order Setting a Bar Date for Filing Proofs of Claim and other related relief, *see* Dkt. No. 222, which set a bar date of November 21, 2025 for filing proofs of claim.

The Labor Plaintiffs first raised the issue of Rule 2004 examinations on Sunday, October

26, 2025, and the Notices of Rule 2004 Examinations for Wellmade and for Mr. Chen are dated Friday, October 31, 2025. Nothing prevented the Labor Plaintiffs from seeking Rule 2004 examinations months earlier.

III. ARGUMENT AND CITATION OF AUTHORITY

The Court should deny the Labor Plaintiffs' Motion because (1) the Labor Plaintiffs are improperly attempting to use Rule 2004 examinations to obtain discovery for the Stayed Lawsuit in violation of the pending proceeding rule, (2) the Labor Plaintiffs' counsel are seeking private and confidential financial information about people who are not their clients in an improper effort to use Rule 2004 discovery to solicit new business, and (3) the proposed topics seek legal opinions and conclusions, are overly broad, and fail to define the information sought with the requisite specificity.

A. The Labor Plaintiffs are Improperly Attempting to Use Rule 2004 Examinations to Obtain Discovery for Their Stayed Lawsuit in Violation of the Pending Proceeding Rule.

1. The Labor Plaintiffs are Trying to Use Rule 2004 Discovery to Advance the Stayed Lawsuit.

While discovery under Rule 2004 is broad it is not without its limits. *See, e.g., In re Kelton*, 389 B.R. 812, 820 (Bankr. S.D. Ga. 2008) (“[T]here are limits to Rule 2004 examinations.”). One key limitation is the pending proceeding rule, which provides that “Rule 2004 examinations are limited after . . . other litigation is filed because ‘a litigant might receive an unfair advantage in litigation because requests for production and examinations under Rule 2004 lack some of the procedural safeguards that exist for discovery conducted in pending litigation’.” *In re Moseley*, 2025 Bankr. LEXIS 1741, at *5 (Bankr. M.D. Ala. July 22, 2025) (quoting *In re Combs*, 668 B.R. 896, 906 (Bankr. M.D. Fla. Apr. 14, 2025)) (citations omitted). Indeed, **“once an adversary proceeding or contested matter has been commenced,” discovery must be made through that**

adversarial proceeding “rather than by a [Rule] 2004 examination.” *In re Washington Mut., Inc.*, 408 B.R. 45, 50 (Bankr. D. Del. 2009); *see also In re Blinder, Robinson, & Co.*, 127 B.R. 267, 275 (D. Colo. 1991) (“if an adversary proceeding or contested matter is pending, the discovery devices provided for in Rules 7026-37, which adopt various discovery provisions of the Federal Rules of Civil Procedure, apply and Rule 2004 should not be used”); *In re Sanomedics, Inc.*, 2018 WL 3816772, *6 (Bankr. S.D. Fla. July 24, 2018); *In re Enron Corp.*, 281 B.R. 836, 842 (Bankr. S.D.N.Y. 2002). Consequently, “[t]his Court has long held that the application of the Federal Rules of Bankruptcy Procedure 7026 through 7037 mandatorily supplant[s] the applicability of Rule 2004 by triggering the discovery system found in the Federal Rules of Civil Procedure.” *Akins v. Akins (In re Akins)*, 2013 Bankr. LEXIS 5061, 2013 WL 6211809, *3 (Bankr. N.D. Ga. Aug. 14, 2013).

Under the pending proceeding rule, the Labor Plaintiffs are not permitted to “[use] Rule 2004 to obtain discovery relevant to outside litigation,” *i.e.*, to obtain discovery for their Stayed Lawsuit. *In re Sanomedics, Inc.*, 2018 WL 3816772, at *6 (citing *In re Washington Mutual, Inc.*, 408 B.R. 45, 50 (Bankr. D. Del. 2009)). As the *Sanomedics* Court confirms, the “textbook cause for application of the pending proceeding rule” is where a party tries to use the Rule 2004 examinations to seek “the same documents that it would seek to obtain” in a pending district court case. *In re Sanomedics, Inc.*, 2018 WL 3816772, at *5.

“Using Rule 2004 to obtain discovery relevant to outside litigation is precisely the type of prejudice to the discovery target that the pending proceeding rule is designed to avoid.” *In re Sanomedics, Inc.*, 2018 WL 3816772, at *6. Accordingly, courts routinely hold that Rule 2004 discovery is “inappropriate” “where the party requesting the Rule 2004 examination could benefit their pending litigation outside of the bankruptcy court against the proposed Rule 2004 examinee.”

In re Washington Mut., Inc., 408 B.R. at 50; *see also In re Snyder*, 52 F.3d 1067 (5th Cir. 1995) (characterizing the use of Rule 2004 to further a state court action as an abuse of Rule 2004 and stating that the bankruptcy court did not abuse its discretion by denying production under a subpoena issued under Rule 2004, where appellant's primary motivation was to use those materials in a state court action against the examinee); *Collins v. Polk*, 115 F.R.D. 326, 328-29 (M.D. La. 1987) (granting motion to impound all depositions taken pursuant to Rule 2004 and strongly condemning practice where plaintiff in district court action had filed suit but did not serve the pleadings, including an amended complaint, on Rule 2004 examinee/defendants until after having participated in bankruptcy trustee's Rule 2004 examinations).

There is no question based on the content of the Motion itself and the substance of the requested discovery that the Labor Plaintiffs are seeking to use Rule 2004 to obtain discovery for their Stayed Lawsuit in violation of the pending proceeding rule. Consider Topic One of the proposed Rule 2004 examination:

the merits of the Labor Plaintiffs' claims against Debtors as set forth in the Complaint filed in the U.S. District Court for the Northern District of Georgia, *Liu, et al. v. Wellmade Industries Mfr. N.A. LLC, et al.*, Case No. 4:25-cv-001340-WMR, including but not limited to the hours worked by Labor Plaintiffs, any compensation paid to them, the job duties performed by them, the existence of any records related thereto, recruiting workers from China to work at the Cartersville Facility, obtaining visas for workers at the Cartersville Facility, the confiscation of passports, worker housing provided by Debtors, injuries at the Cartersville Facility, the Visa Workers' employment agreements, and the ownership of handguns by Debtors' agents.

Dkt. 244-2 at 2 (emphasis added). On its face, this topic seeks information for the Stayed Lawsuit.

And, if there were any doubt, the Court need only review the draft Motion that counsel for the Labor Plaintiffs circulated to Debtors, which admitted that "the Labor Plaintiffs **specifically seek information** on the following matters as part of this Motion: (1) **the merits of the Labor Claimants' wage and hour, trafficking, RICO, unjust enrichment, and other claims against**

Debtors.” *See* Exhibit 1 (Draft Mot.) at 2. Recognizing that this admission standing alone necessitates the denial of their Motion, the Labor Plaintiffs removed that admission from the version of the Motion filed with the Court after conferral. This Court should not countenance such litigation tactics.

The other Rule 2004 topics also seek information for the Stayed Lawsuit. For example, Topic No. 5 seeks a Rule 2004 examination on “the appropriateness and desirability of proceeding on the Labor Plaintiffs’ claims via a class action mechanism.” Dkt. No. 244-2 at 3. Again, on its face, this topic seeks information relevant to the Stayed Lawsuit.

Likewise, the Labor Plaintiffs’ proposed document requests show a clear intent to use Rule 2004 discovery to advance the Stayed Case (as opposed to seeking information for proof of claim forms). For example, Request No. 11 seeks “[a]ll Documents concerning Debtors’ confiscation, possession, or retention of any Labor Claimants’ passport.” *See* Dkt. No. 244-2 at 8. The Stayed Lawsuit already asserts a claim for that alleged conduct, *i.e.*, in a section entitled “Confiscated Passports” the Complaint alleges that “Defendants confiscated Plaintiffs’ passports” and “did not return Plaintiffs’ passports.” *See* Dkt. No. 242 at Exhibit 2 ¶¶ 120-22. Thus, the Labor Plaintiffs do *not* need Rule 2004 discovery to determine whether to assert a claim relating to their allegedly confiscated passports on their proof of claim forms. The only reason they seek Rule 2004 discovery on this topic is to try to get discovery on the merits of their Stayed Lawsuit. That is not allowed.

At bottom, any review of (i) the Labor Plaintiffs’ Motion (draft and as filed), (ii) the proposed Rule 2004 examination topics, and (iii) the document requests makes clear that the Labor Plaintiffs do not seek Rule 2004 discovery to complete their proof of claim forms but, rather, to advance the Stayed Lawsuit. Under the litany of cases applying the pending proceeding rule cited above, Rule 2004 discovery cannot be used for that purpose. For that reason alone, the Court

should deny the Motion.

2. The Labor Plaintiffs' Counsel is Trying to Obtain Private Financial Information for Non-Clients to Solicit Business from Them.

The requested Rule 2004 discovery not only violates the pending proceeding rule it also violates this Court's clear instruction that the Labor Plaintiffs' counsel should not use Rule 2004 discovery to obtain information about people other than their clients (particularly for the purpose of soliciting new business).

Both the Rule 2004 examination topics and the proposed document requests seek (often personal and private) information about people who are not the Labor Plaintiffs' counsel's clients. For example, the Rule 2004 examination topics seek information about not only the Labor Plaintiffs (*i.e.*, the named plaintiffs in the Stayed Lawsuit) but also about "those similarly-situated to them." *See* Dkt No. 244-2 at 3 ("the means by which Debtors communicated with the Labor Plaintiffs and those similarly-situated to them"); *id.* ("the total number of works similarly-situated to the Labor Plaintiffs as well as the terms and conditions of those workers' employment").

Worse, the proposed document requests seek personal and private financial and other information about people who are not clients of the Labor Plaintiffs' counsel. For example, the requests define "Labor Claimants" as "**any individual** who performed work at the Cartersville Facility; define "Visa Workers" as "**any Labor Claimant** who worked at the Cartersville Facility while in the United States pursuant to a . . . visa"; and "Agency Workers" as "**any Labor Claimant** who worked at the Cartersville Facility but was recruited or paid by a Staffing Agency." Dkt. No. 244-2 at 7 (emphasis added). Requests Numbers 1, 2, 3, 4, 5, 6, 11, 17, 18, 19, 20, 21, 26, 27, and 28 each seek broad categories of documents about "Labor Claimants," "Visa Workers," and "Agency Workers" who are not the Labor Plaintiffs themselves. Troublingly, those requests seek personal and private information about those persons' "salaries . . . and other compensation,"

“deductions made from the[ir] wages” (which could include private matters such as garnished wages or alimony), and “injuries.” *Id.* at 8-9. The Labor Plaintiffs’ counsel is not entitled to such personal and private information, particularly with respect to people they do not even represent.

While the attempt by the Labor Plaintiffs’ counsel to seek personal information about non-clients to solicit new business is generally improper, it is particularly improper here where this Court has already explicitly informed the Labor Plaintiffs’ counsel that they are *not* permitted to seek information about persons other than their current clients:

Mr. Elrod: Your Honor, the concern is a practical one, really where the rubber meets the road, and this relates to the real essence of Mr. Halegua’s objection. That is, he wants to be the gatekeeper of all these claims. He wants to be able to go out and solicit all these claims.

The Court: I understand, and I've already said, I mean, I’m not ordering the debtor to turn over the employee information to him.

Transcript of 9/29/25 Hearing at 37:10 – 37:45.

At bottom, the requested Rule 2004 discovery is not being sought because it is necessary to complete the Labor Plaintiffs’ proofs of claim. Rather, it is being sought to help counsel solicit new clients. That violates Rule 2004 and this Court’s direction. And it provides a second, independent reason for denying the Motion.

3. The Labor Plaintiffs Do Not Need Rule 2004 Discovery to File Proofs of Claim.

Likely recognizing that the pending proceeding rule bars their right to Rule 2004 examinations, the Labor Plaintiffs try to circumvent that rule by arguing that they need the Rule 2004 examinations so they can file a proof of claim before the November 21, 2025 bar date. *See* Dkt. 244 at 3 n.3 (claiming the Labor Plaintiffs are seeking this discovery “because of the upcoming proofs of claim deadline”); *id.* at 12 (“Labor Plaintiffs need to file their proofs of claim in less than one month”). Not so.

First, the Labor Plaintiffs do not need the Rule 2004 examinations to determine whether they are going to file proofs of claim, *i.e.*, whether they have a claim, because they have *already* filed claims in the Stayed Lawsuit. Unless the Labor Plaintiffs filed their putative class action without the investigation required by Rule 11, then they have *already* obtained the information they claim they need to determine whether they have a claim warranting the filing of a proof of claim here. Said differently, the Labor Plaintiffs have a choice: (1) they can admit that they already obtained information sufficient to show they have a claim and used such information to justify their Stayed Lawsuit or (2) they can admit that they filed the Stayed Lawsuit without sufficient facts or evidence of a claim in violation of Rule 11. The Labor Plaintiffs should clearly state which position they are taking in any reply or at the upcoming hearing.

Second, and relatedly, the Labor Plaintiffs cannot legitimately claim that they need the Rule 2004 examinations to determine whether to file a proof of claim because they have already conceded they intend file one: “None of the Labor Plaintiffs have filed a proof of claim yet in this action, although **they intend to do so prior to the bar date.**” Dkt. No. 244-2 at 8 (emphasis added).

Third, the Labor Plaintiffs do not need Rule 2004 examinations to determine the type of claims they will file as they have already made that determination. Indeed, in the Stayed Lawsuit the Labor Plaintiffs have already filed a “kitchen sink” Complaint that asserts a broad array of claims ranging from Fair Labor Standards Act claims to alleged RICO violations. *See generally* Dkt. No. 242, Ex. 2. And, in any event, nothing requires the Labor Plaintiffs to specify all the types of claims they would assert now.

Last, the Labor Plaintiffs do not need Rule 2004 examinations to complete their proof of claim forms. For one, if the Labor Plaintiffs are concerned about the amount of their alleged

damages, they can simply state in their proof of claim form that the damages are unliquidated.³ The Bankruptcy Code provides comprehensive protection for contingent and unliquidated claims.⁴ “The Bankruptcy Code itself reflects that the contingent, unmatured nature of a debt is not itself a basis for disallowance of a claim.” *In re Anderson*, 670 B.R. 528, 561 (Bankr. S.D. Ohio 2025).

Even assuming *arguendo* that the Labor Plaintiffs were required to state a specific damages number now (they are not), they can do so without Rule 2004 examinations. With respect to their wage claims, the Labor Plaintiffs know their hourly rate, know what they got paid, and know (or can reasonably estimate) the number of hours for which they were allegedly denied compensation. Thus, the Labor Plaintiffs need only multiply their hourly rate by the number of allegedly unpaid hours to obtain an alleged damages number for their labor claims. As for their compensatory damages claims, the information relating to those alleged damages is known to the Labor Plaintiffs—not Debtors—and, thus, nothing in any Rule 2004 examination can inform the Labor Plaintiffs as to the amount of their alleged compensatory damages. And while punitive damages (and all other damages) are unwarranted in this case, the Labor Plaintiffs can easily ascertain the Debtors’ financial status through the various filings in this case.

B. The Requested Rule 2004 Discovery Improperly Seeks Privileged Information, Legal Opinions, and Is Overbroad.

³ Several of the Labor Plaintiffs’ claims were scheduled by the Debtors as contingent, unliquidated, and disputed. The Labor Plaintiffs’ claims are contingent because the claims depend on future litigation events that have no guarantee of occurring, such as whether the claims will survive dispositive motion practice, whether a class will be certified, and whether the plaintiffs will ultimately prevail at trial and on appeal. None of that has happened yet. Moreover, whatever alleged value the Labor Plaintiffs assign to the claims in the proofs of claim will be heavily disputed and the subject of litigation—including disputes that there is any liability at all. Last, the Labor Plaintiffs’ claims are unliquidated—their exact dollar amount, and whether that amount exceeds \$0, has yet to be determined and cannot be determined by Rule 2004 discovery.

⁴ The definition of “claim” expressly confirms this as a “right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured.” 11 U.S.C. § 101(5)(A) (emphasis added).

Even if the requested Rule 2004 discovery were not completely barred for the reasons stated above, the requested examination topics are improper for numerous reasons.

First, it is highly prejudicial and unfair to demand that Wellmade prepare a corporate representative and that Mr. Chen testify on eight broad topics and search for, review, and produce *five years'* worth of documents subject to 28 document requests (or 32 document requests in the case of Mr. Chen) in a matter of days.⁵ The Court's hearing on this Motion is not set until the afternoon of November 5. Yet the Motion seeks to demand a complete document production within just two-and-a-half days after the hearing: 11:59 p.m. on November 7. The Motion then seeks depositions just three and four days later on November 10 (Wellmade) and November 11 (Mr. Chen). None of that affords even close to sufficient time to engage a document-processing vendor, collect documents across the entire company, process the documents for review, review the documents for responsiveness and privilege (including translating any documents from Mandarin to English to aid in that review), produce the documents, and then identify and prepare a corporate representative to testify about those documents (and the listed deposition topics). *See, e.g., Carlisle v. Nat'l Commerce Servs.*, 2015 U.S. Dist. LEXIS 88186, a *50 (N.D. Ga. June 12, 2015) ("This Court agrees with Plaintiff that four days was not sufficient to prepare for a deposition or to prepare documents responsive to Experian's requests").

Second, the Rule 2004 examination topics are improper on many fronts. Topic No. 1 about the "merits of the Labor Plaintiffs' claims" improperly calls for information protected by the attorney-client privilege and work-product doctrine, as well as legal analysis and opinions that are not appropriate for a lay witness. *See, e.g., Columbus Drywall & Insulation, Inc. v. Masco Corp.*,

⁵ "Unless otherwise indicated, the 'Relevant Period' shall refer to the period of time between January 1, 2021 and the present." Dkt. No. 244-2 at 7; Dkt. No. 244-3 at 8.

No. 1:04-CV-03066-JEC-RGV, 2014 U.S. Dist. LEXIS 185836, 2014 WL 11352936, at *4 (N.D. Ga. July 28, 2014) (affirming that “[t]he designated 30(b)(6) deponent cannot be asked to offer legal conclusions”); *Spellbound Dev. Group, Inc. v. Pac. Handy Cutter Inc.*, 2012 U.S. Dist. LEXIS 188907, at *10 (C.D. Cal. Feb. 24, 2012) (granting motion to prevent questioning on “the merit of the allegations in Plaintiff’s complaint, because such testimony is a legal conclusion that is impermissible”).

Topic No. 1 (as well as four of the other topics) also states that it seeks information “including but not limited to” the specified subject matter. *See also* Dkt. No. 244-2 at 2-3 at Topics 3, 4, 5, 7. Using vague and expansive language like that is overly broad and does not allow Wellmade to reasonably or adequately prepare a corporate witness to testify. *See, e.g., Mitten v. Novartis Pharms. Corp.*, No. 19-2782-TC-GEB, 2021 WL 1516447, at *8 (D. Kan. Apr. 16, 2021) (concluding that “Plaintiff’s deposition Topic 11 appears overbroad on its face, particularly with the use of the phrase ‘including, but not limited to’”); *Shapiro v. America’s Credit Union*, No. C12-5237-RBL, 2013 WL 12310679, at *2 (W.D. Wa. May 31, 2013) (stating that within the context of a deposition notice, “‘including but not limited to’ language [is] often overbroad,” making it difficult for the corporate designee to prepare for every conceivable topic); *Dongguk Univ. v. Yale Univ.*, 270 F.R.D. 70, 74 (D. Conn. 2010) (confirming that “the language ‘including but not limited to’ is overbroad when identifying a 30(b)(6) topic and defeats the purpose of giving notice of the topics to be discussed in the deposition”).

Topic No. 2 about “the operations of the Debtors’ business, including the respective roles of various individuals in those operations,” is overbroad on its face. The Debtors cannot reasonably prepare a witness to testify about each and every aspect of its operations. In addition, the purported qualifier about “various individuals” is vague and ambiguous. The Debtors had scores of

employees and cannot prepare a witness to testify about unidentified “various individuals.”

Topic No. 3 about “the relative liability of the Debtors and various third-party staffing agencies for the Labor Plaintiffs’ claims” improperly calls for information protected by the attorney-client privilege and work-product doctrine, as well as legal analysis and opinions that are not appropriate for a lay witness. *See, e.g., Abarca v. Werner Enters., Inc.*, 2024 U.S. Dist. LEXIS 31049, at *103 (D. Neb. Feb. 23, 2024) (“Questions seeking a legal conclusion from a lay person are not proper in a Rule 30(b)(6) deposition.”); *Burton v. Abbvie, Inc.*, 2023 U.S. Dist. LEXIS 128048, at *14 (C.D. Cal. June 21, 2023) (questions that “ask for a legal conclusion . . . [are] not a topic appropriate for a Rule 30(b)(6) witness”); *Schyvincht v. Menard, Inc.*, 2019 U.S. Dist. LEXIS 114277, at *6 (N.D. Ill. July 10, 2019) (“Questions seeking a legal conclusion from a lay person exceed the permissible scope of a Rule 30(b)(6) deposition.”).

Topic No. 4 about “the appropriate damages due to the Labor Plaintiffs for their claims” likewise improperly calls for information protected by the attorney-client privilege and work-product doctrine, as well as legal analysis and opinions that are not appropriate for a lay witness. *Id.* Indeed, the amount of damages a plaintiff can recover for a particular claim requires application of law that is outside the knowledge of a lay witness. *Id.* This topic also ignores Debtors’ position that the Labor Plaintiffs’ claims are without merit and, consequently, they are thus not entitled to recover any damages at all.

Last, Topic No. 5 about “the appropriateness and desirability of proceeding on the Labor Plaintiffs’ claims via a class action mechanism” is an improper pure legal question. *Id.*; *see also Hoekman v. Educ. Minn.*, 335 F.R.D. 219, 238-39 (D. Minn. 2020) (excluding purported expert testimony about appropriateness of class certification because “[s]uch conclusions are impermissible legal opinions, exclusively reserved for the Court”); *Woodard v. Andrus*, 2009 U.S.

Dist. LEXIS 6431, at *13-14 (D. La. Jan. 20, 2009) (testimony about “whether the legal standard [for class certification] has been satisfied” involves a legal opinion and should be excluded).

IV. CONCLUSION

Because the Motion improperly seeks to use the Rule 2004 discovery process in violation of the pending proceeding rule and because the requested discovery is substantively overbroad and improper, the Court should deny the Motion in its entirety. This is not an emergency, and the Labor Plaintiffs have sufficient information to file appropriate proofs of claim by the bar date.

Dated: November 4, 2025

Respectfully submitted,

GREENBERG TRAURIG, LLP

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CERTIFICATE OF SERVICE

I hereby certify that on November 4, 2025, all ECF participants registered to receive notices in this case were served electronically with the foregoing Response through the Court's CM/ECF system at their respective email addresses registered with this Court.

/s/ John D. Elrod

John D. Elrod

Exhibit 1

(Draft Motion)

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:

WELLMADE FLOOR COVERINGS
INTERNATIONAL, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 25-58764

(Jointly Administered)

**LABOR PLAINTIFFS' MOTION FOR RULE 2004 EXAMINATION
AND PRODUCTION OF DOCUMENTS BY DEBTORS**

COMES NOW Creditors Yucong Liu, Cangen Han, Yixiang Zhang, and others (together, the "Labor Plaintiffs"),² by and through the undersigned counsel, and file this Motion for Rule 2004 Examination and for Production of Documents by the Debtors (the "Motion"), pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure ("FRBP") and Rule 2004-1 of the Local Rules ("LR"). By way of the Motion, the Labor Plaintiffs seek the entry of an order, substantially in the form of the proposed order attached as **Exhibit A** hereto, compelling Debtors

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Wellmade Industries MFR, N.A. LLC (1058) and Wellmade Floor Coverings International, Inc. (8425). The mailing address for the Debtors for purposes of these chapter 11 cases is: 1 Wellmade Drive, Cartersville, GA 30121.

² The full list of Labor Plaintiffs includes: Yucong Liu, Cangen Han, Yixiang Zhang, Nan Liu, Shuai Zhang, Yao Yan, Haitao Sun, Jiansheng Yin, Shengxiang Yu, Wen Chen, Shengda Yu, Shun Yu, Shunkui Wang, Jinchao Si, Jiagen Yang, Marianela Pina Yaguari, Yorman Ojeda Herrera, and Eglis Almarza Diaz.

Wellmade Floor Coverings International, Inc. and Wellmade MFR. N.A. LLC (together, the “Debtors”) to submit to an examination (“Rule 2004 exam”) by the Labor Plaintiffs as well as produce certain documents prior to that examination.

The examination and requested documents shall pertain to the Debtors’ acts, conduct, liabilities, financial condition, and other matters relevant to the administration of the Debtors’ estate and the formulation of a plan. FRBP 2004(b), (b). In particular, given the imminent November 21, 2025 deadline for filing proofs of claim (ECF No. 222), the Labor Plaintiffs specifically seek information on the following matters as part of this Motion: (1) the merits of the Labor Claimants’ wage and hour, trafficking, RICO, unjust enrichment, and other claims against Debtors; (2) the relative liability of various third-party staffing agencies for any harms to the Labor Claimants; (3) the appropriate damages owed to Labor Claimants pursuant to their claims, including the data to calculate disgorgement of profits and punitive damages; (4) the appropriateness and desirability of proceeding via a class action mechanism; and (5) the existence, preservation, and search for evidence related to the Labor Claimants’ claims.³

³ The Labor Claimants reserve their right to seek additional information pursuant to Rule 2004 or other discovery mechanisms at a later date. Only a subset of topics are sought through this Motion because of the upcoming proofs of claim deadline and so that Debtors may focus on preparing documents and information on the topics relevant to the proofs of claim.

As set forth in the attached Notice of Rule 2004 Exam (**Exhibit B**), which also includes a Schedule of Requested Documents to be Produced (the “Requests”), the Labor Plaintiffs request that the Rule 2004 exam take place on November 5, 2025 at 9:00 a.m. (EST) and that the Debtors respond to the Requests by November 4, 2025 at 12:00 p.m. (EST), unless an alternate schedule is agreed to by the parties.

I. JURISDICTION AND VENUE

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this district pursuant to 28 U.S.C. § 1408.

II. BACKGROUND

2. The Labor Plaintiffs hereby incorporate their prior pleadings in this matter, including ECF Nos. 171, 213, 218, and 242.

3. Debtors in this case are two related corporate entities, which along with numerous subsidiary and affiliated entities, are engaged in the production of flooring, including at a production facility located in Cartersville, Georgia (the “Cartersville Facility”). On August 4, 2025, the Debtors filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.

4. The Labor Plaintiffs are individuals who previously worked for Debtors at the Cartersville Facility. The Labor Plaintiffs are comprised of both Visa Workers, who were brought from China to work at the Cartersville Facility, as well as Agency Workers, who were in the United States and then recruited by staffing agencies to work at the factory. (See ECF No. 170 ¶¶ 1-3.)

5. On May 27, 2025, the Labor Plaintiffs filed a Complaint in the U.S. District Court for the Northern District of Georgia, *Liu, et al. v. Wellmade Industries Mfr. N.A. LLC, et al.*, Case No. 4:25-cv-001340-WMR (the “District Court Litigation”). A copy of the Complaint has been filed at ECF No. 242, Ex. 2. The Complaint brings a collective action (opt-in) claim under the Fair Labor Standards Act (FLSA) for unpaid overtime on behalf of all individuals who worked at the Cartersville Facility for more than 40 hours in a workweek. The Complaint also brings class action claims, pursuant to Fed. R. Civ. P. 23, for Chinese nationals who worked at the Cartersville Facility for violations of the Trafficking Victims Protection Act (“TVPA”), Georgia Racketeer Influenced and Corrupt Organizations Act (“RICO”), Unjust Enrichment, and *Quantum Meruit*.

6. In the Complaint, the Labor Plaintiffs seek on behalf of themselves and other class or collective members: (a) economic damages, non-economic damages, punitive damages, and attorneys’ fees and costs for violations of the TVPA (Compl. ¶¶ 247–290); (b) compensatory damages, punitive damages, trebled damages, attorneys’ and experts’ fees and costs, and injunctive relief for violations of the Georgia RICO (Compl. ¶¶ 267–268); (c) disgorgement of ill-gotten gains, punitive damages, and attorneys’ fees and costs for unjust enrichment (Compl. ¶¶ 276–279); and (d) recovery of the reasonable value of Labor Plaintiffs’ and class members’ labor, punitive damages, and attorneys’ fees and costs for *quantum meruit* (Compl. ¶¶ 287–290). Labor Plaintiffs and members of the FLSA

collective also seek compensation for illegal deductions, unpaid overtime, an equal amount as liquidated damages, and attorneys' fees and costs for violations of the FLSA (Compl. ¶¶ 266–267).

7. In addition to the Labor Plaintiffs, on information and belief, there are dozens of other Visa Workers and hundreds of other Agency Workers who were not paid overtime and may have been subjected to other labor abuses similar to those experienced by the Labor Plaintiffs. The Visa Workers and Agency Workers who may have claims against Debtors that fall within the FLSA collective or Rule 23 class pleaded in the Complaint are collectively referred to as “Labor Claimants.”

8. The District Court Litigation was stayed as to the Debtors because of the filing of the Petition that gave rise to this matter. At that time, the Debtors had not yet filed their answer in the District Court Litigation and no discovery had taken place.

9. On September 15, 2025, a Meeting of Creditors pursuant to Section 341 of the Bankruptcy Code (“Section 341 Meeting”) was held. During the Section 341 Meeting, in response to questions by the Labor Plaintiffs and others, Debtors’ Chief Restructuring Officer (“CRO”) repeatedly stated that they had little knowledge of Debtors’ operations, employment practices, interaction with staffing agencies, business dealings, or financial situation prior to the time when the CRO was retained. (The letter agreement retaining the CRO is dated July 3, 2025 (*see* ECF No. 103-3)). To the extent that the CRO answered any questions about past

operations or the Debtors' relationships to other entities, the CRO stated that he was relying heavily on the knowledge of Ming Chen a/k/a Allen Chen, an owner and officer of the Debtors who has been involved in Debtors' operations since at least 2001 and still serves as a consultant to the current management team.

10. On September 22, 2025, the Section 341 Meeting was resumed, but the CRO still was unable to answer questions on the aforementioned subjects.

11. On September 4, 2025, Debtors filed a motion seeking entry of an order setting a bar date for filing proofs of claim and for other relief (ECF No. 137 (the "Bar Date Motion")), to which the Labor Plaintiffs filed a Limited Opposition and several status reports (ECF Nos. 171, 213, 218).

12. In the context of litigating the Bar Date Motion, the Debtors purported to have no records concerning any of the Visa Workers, even including the Labor Plaintiffs who had filed the Complaint – some of whom worked at the Cartersville Facility for over two years. (*See e.g.*, ECF No. 218 ¶ 6).

13. On October 9, 2025, the Court issued an Order Setting a Bar Date for Filing Proofs of Claim and other related relief (ECF No. 222), which set a bar date of November 21, 2025 for filing proofs of claim.

14. None of the Labor Plaintiffs have filed a proof of claim yet in this action, although they intend to do so prior to the bar date.

III. GOOD CAUSE EXISTS TO GRANT LABOR PLAINTIFFS' REQUEST FOR A RULE 2004 EXAMINATION AND RELATED DOCUMENTS

Rule 2004 provides that, “[o]n motion of any party in interest, the Court may order the examination of any entity.” FRBP 2004(a). As an initial matter, creditors in bankruptcy proceedings are parties in interest that have standing to seek a Rule 2004 examination. *See In re Tawfik*, No. 11-53590-MHM, 2011 WL 873444, at *1 (Bankr. N.D. Ga. Mar. 14, 2011) (granting creditor’s Rule 2004 motion for examination of and document production from debtors); *In re Hammond*, 140 B.R. 197, 201, 205 (S.D. Ohio 1992) (reversing bankruptcy court’s order quashing creditor’s Rule 2004 motion because a Rule 2004 exam “may be conducted by ‘any party in interest,’ including a creditor”) (quoting FRBP 2004(a)); *In re China Fishery Grp. Ltd.*, No. 16-11895, 2017 WL 3084397, at *5 (Bankr. S.D.N.Y. July 19, 2017) (same).

The permissible scope of a Rule 2004 examination is broad, as set forth in Rule 2004(b), which provides in relevant part:

“The examination...may relate only 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...[.]”

FRBP 2004(b)(1). In addition, in certain cases, the examination may cover “the operation of any business” and “any other matter relevant to the cases or to formulating a plan.” *Id.* 2004(b)(2).

Accordingly, the scope of examination under Rule 2004 extends to “any matter which may affect administration of the debtor’s estate,” and therefore allows for broad inquiry. *See, e.g., In the Matter of M4 Enterprises, Inc.*, 190 B.R. 471, 474 (Bankr. N.D.Ga. 1995) (Rule 2004 examinations can be legitimately in the nature of a “fishing expedition”); *In re Washington Mut., Inc.*, 408 B.R. 45, 49 (Bankr. D. Del. 2009) (“The scope of a Rule 2004 examination is unfettered and broad.”) (internal citations omitted); 9 COLLIER ON BANKRUPTCY, ¶ 2004.01[1] (Levin & Sommers, eds., 16th ed. 2023) (“The scope of Rule 2004 examination is exceptionally broad and the rule itself is ‘peculiar to bankruptcy law and procedure because it affords few of the procedural safeguards that an examination under Rule 26 of the Federal Rules of Civil Procedure does.’ ... Examinations under Rule 2004 ... have been compared to ‘a fishing expedition.’”) (internal citations omitted) (quoting *In re Table Talk*, 51 B.R. 143, 145 (Bankr. D. Mass. 1985)).

The examination and documents requested through this Motion are thus proper and appropriate. The scope of the requested information concerns matters related to Debtors’ acts, conduct, liabilities, financial condition, business operations, and other matters affecting the administration of the Debtors’ estate. Further, bankruptcy courts have explicitly noted that good cause to permit a Rule 2004 examination exists where it is “[1] necessary to establish the claim of the party seeking the examination, or [2] if denial of such request would cause the examiner undue hardship or injustice.” *In re Metiom, Inc.*, 318 B.R. 263, 268 (Bankr. S.D.N.Y.

2004). The Labor Plaintiffs need to file their proofs of claim in less than one month, but they did not have an opportunity to do discovery in the District Court Litigation and they were not provided any meaningful information relevant to their claims as part of the Section 341 Meeting. The information requested through this Motion is therefore necessary to establish their claims and quantify their damages, as required by the proof of claim form.

Labor Plaintiffs have repeatedly stated their intention to proceed on a collective and class basis, and the Eleventh Circuit permits creditors to file a class proof of claim. *In re Charter Co.*, 876 F.2d 866, 876 (11th Cir.1989). In order to determine whether it is appropriate or desirable to file a class proof of claim, the Labor Plaintiffs need information about the putative class, such as the number of potential class members, the commonality of their employment conditions, and the similarity of their legal claims against Debtors. *See* FRBP 7023 (incorporating Fed. R. Civ. P. 23)). As part of this analysis, the Labor Plaintiffs must also ascertain whether these individual Labor Claimants' claims are of an amount and nature such that resolving the claims collectively through the class action mechanism would be more efficient, or would permit "[p]ersons holding small claims, who absent class procedures might not prosecute them," to pursue their claims "consistent with the goals of the [Bankruptcy Code]." *In re Charter Co.*, 876 F.2d at 871; *see also In re Taylor Bean & Whitaker Mortg. Corp.*, No. 3:09-BK-07047, 2010 WL 4025873, at **3-4 (Bankr. M.D. Fla. Sept. 27, 2010) ("The Court ... believes that an

adversary proceeding is necessary to protect the employees' rights, given the relatively small nature of their individual claims and the concern as expressed by the Eleventh Circuit in *In re Charter Co.* [...] that persons holding small claims may not prosecute their claims absent class procedures.").

Accordingly, the examination and documents requested herein are squarely within the scope of Rule 2004, and given the impending bar date deadline, there is good cause to grant the Motion.

IV. CONCLUSION

WHEREFORE, Creditors respectfully request that the Court enter an order:

- a. Granting this Motion;
- b. Authorizing the Rule 2004 examination of Debtors at the date and time specified or as mutually agreed;
- c. Directing Debtors to produce the documents specified in the Schedule of Requested Documents to be Produced included in Exhibit B hereto by the date specified or as mutually agreed;
- d. Authorizing the Labor Plaintiffs to issue subpoenas to compel the foregoing Rule 2004 examination and Document Production; and
- e. Granting such other relief as the Court deems just and proper.

Respectfully submitted this day: October 27, 2025.

/s/ Aaron Halegua

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Counsel for the Labor Plaintiffs

Exhibit A

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

WELLMADE FLOOR COVERINGS
INTERNATIONAL, INC., *et al.*,

Debtors.

Chapter 11

Case No. 25-58764

(Jointly Administered)

ORDER

THIS MATTER is before the Court on the Motion for Rule 2004 Examination and Document Production (the “Motion”) filed by Creditors Yucong Liu, Cangen Han, Yixiang Zhang, and others (together, the “Labor Plaintiffs”).¹ Upon consideration of the Motion, and good cause appearing, it is hereby:

ORDERED that the Motion is Granted; and it is further

ORDERED that Debtors Wellmade Floor Coverings International, Inc. and Wellmade MFR. N.A. LLC (“Debtors”) shall appear for an examination pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure on Wednesday, November 5, 2025 at 9:00 a.m. (EST) at the offices of Radford Scott, LLP, 125 Clairemont Ave., Suite 380, Decatur, Georgia 30030, or via Zoom or a similar tele-

¹ The full list of Labor Plaintiffs includes: Yucong Liu, Cangen Han, Yixiang Zhang, Nan Liu, Shuai Zhang, Yao Yan, Haitao Sun, Jiangsheng Yin, Shengxiang Yu, Wen Chen, Shengda Yu, Shun Yu, Shunkui Wang, Jinchao Si, Jiagen Yang, Marianela Pina Yaguari, Yorman Ojeda Herrera, and Eglis Almarza Diaz.

videoconference service, or at such other date, time, and location as may be agreed upon by the parties; and it is further

ORDERED that Debtors shall produce to Labor Plaintiffs' counsel the documents requested in the Schedule of Documents to be Produced included in Labor Plaintiffs' Notice of Rule 2004 Exam, attached to the Motion as Exhibit B, on or before Tuesday, November 4, 2025 at 12:00 p.m. (EST); and it is further

ORDERED that the examination shall be conducted in accordance with the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court; and it is further

ORDERED that Labor Plaintiffs may issue subpoenas to compel the foregoing Rule 2004 examination and production of documents; and it is further

ORDERED that this Court retains jurisdiction to resolve any disputes arising from or related to the implementation of this Order.

SO ORDERED, this ____ day of _____, 2025

UNITED STATES BANKRUPTCY JUDGE
NORTHERN DISTRICT OF GEORGIA

Prepared and submitted by:

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Exhibit B

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

WELLMADE FLOOR COVERINGS
INTERNATIONAL, INC., *et al.*,

Debtors.

Chapter 11

Case No. 25-58764

(Jointly Administered)

NOTICE OF RULE 2004 EXAMINATION

COMES NOW Creditors Yucong Liu, Cangen Han, Yixiang Zhang, and others (together, the “Labor Plaintiffs”),¹ by and through the undersigned counsel, who will examine Wellmade Floor Coverings International, Inc. and Wellmade Industries MFR. N.A. LLC (“Debtors”) under oath at a mutually agreeable date, time, and location, or absent such agreement, on Wednesday, November 5 at 9:00 a.m. (EST) at the offices of Radford Scott, LLP, 125 Clairemont Ave., Suite 380, Decatur, Georgia 30030, or via Zoom or a similar tele-videoconference service, and may continue from day to day until completed.

The examination is pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure and Local Rule 2004-1 and will be taken before an officer authorized to

¹ The full list of Labor Plaintiffs includes: Yucong Liu, Cangen Han, Yixiang Zhang, Nan Liu, Shuai Zhang, Yao Yan, Haitao Sun, Jiansheng Yin, Shengxiang Yu, Wen Chen, Shengda Yu, Shun Yu, Shunkui Wang, Jinchao Si, Jiagen Yang, Marianela Pina Yaguari, Yorman Ojeda Herrera, and Eglis Almarza Diaz.

record the testimony. The scope of the examination shall be as described in Rule 2004. In particular, the Labor Plaintiffs intend to examine the Debtors on issues concerning:

(1) the merits of the Labor Plaintiffs' claims against Debtors as set forth in the Complaint filed in the U.S. District Court for the Northern District of Georgia, *Liu, et al. v. Wellmade Industries Mfr. N.A. LLC, et al.*, Case No. 4:25-cv-001340-WMR, including but not limited to the hours worked by Labor Plaintiffs, any compensation paid to them, the job duties performed by them, the existence of any records related thereto, recruiting workers from China to work at the Cartersville Facility, obtaining visas for workers at the Cartersville Facility, the confiscation of passports, worker housing provided by Debtors, injuries at the Cartersville Facility, the Visa Workers' employment agreements, and the ownership of handguns by Debtors' agents;

(2) the operations of the Debtors' business, including the respective roles of various individuals in those operations;

(3) the relative liability of the Debtors and various third-party staffing agencies for the Labor Plaintiffs' claims, including but not limited to the contractual arrangement between the Debtors and any such agencies, the actual division of responsibility, payments between Debtors and any such agencies, and the Debtors' and any such agencies' respective role in obtaining immigration visas for the workers;

(4) the appropriate damages due to the Labor Plaintiffs' for their claims, including but not limited to financial information necessary to calculate the disgorgement of profits derived from the Debtors' wrongdoing, punitive damages that would sufficiently punish and deter similar wrongdoing, and the cost of labor as a factor in the competitive advantage in the sale of Debtors' products;

(5) the appropriateness and desirability of proceeding on the Labor Plaintiffs' claims via a class action mechanism, including but not limited to the total number of workers similarly-situated to the Labor Plaintiffs as well as the terms and conditions of those workers' employment;

(6) the means by which Debtors communicated with the Labor Plaintiffs and those similarly-situated to them, including the use of both company and personal accounts and devices;

(7) the document retention policies of the Debtors, including but not limited to information about the documents requested as part of this Rule 2004 request as set forth below (the "Document Requests"); and

(8) the Debtors' search for documents in response to the below Document Requests.

Debtors are further requested to deliver to the undersigned counsel on or before Tuesday, November 4, 2025 at 12:00 p.m. (EST) all of the documents described in the attached Schedule of Documents to Be Produced.

Respectfully submitted this day: October 27, 2025

/s/ Aaron Halegua

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SCHEDULE OF REQUESTED DOCUMENTS TO BE PRODUCED

Instructions

1. You are required to obtain and furnish all information available to you and any of your representatives, divisions, employees, agents, brokers or servants and to obtain and furnish all information that is in your possession or under your control, or in the possession or under the control of any of your representatives, employees, agents or servants.

2. Each Request which seeks information relating in any way to communications from or within a business or corporate entity, is hereby designated to demand and should be construed to include all communications by and between representatives, employees, agents, brokers or servants of the business or corporate entity.

3. If any document responsive to these Requests is withheld based on a claim of privilege or other protection, for each such document: (i) identify the withheld document--including its general subject matter, its date, its author and its addressee; (ii) state the privilege or other grounds for withholding the document; and (iii) state the factual basis for the claim in sufficient detail so as to permit an adjudication of the validity of the claim.

4. If any documents requested herein have been lost or destroyed, the documents so lost or destroyed shall be identified by author, date and subject matter.

5. With respect to any document requested which was once in your possession, custody or control, but no longer is, please indicate the date the document ceased to be in your possession, custody or control, the manner in which it ceased to be in your possession, custody and control and the name and address of its present custodian.

6. All documents produced in response to this Request shall be produced in whole, notwithstanding that portions thereof may contain information not requested.

7. Unless otherwise indicated, each Request is to be construed as encompassing all documents that pertain to the stated subject matter and to events that transpired during the relevant period, as defined herein.

8. The relevant period for these Requests shall be from January 1, 2021 to the present.

Definitions

1. Terms not defined herein shall have their plain and ordinary meaning.

2. “Labor Plaintiffs” shall mean all individuals who have filed a Consent to Sue in the District Court Litigation, which presently includes: Yucong Liu, Cangen Han, Yixiang Zhang, Nan Liu, Shuai Zhang, Yao Yan, Haitao Sun, Jiansheng Yin, Shengxiang Yu, Wen Chen, Shengda Yu, Shun Yu, Shunkui Wang, Jinchao Si, Jiagen Yang, Marianela Pina Yaguari, Yorman Ojeda Herrera, and Eglis Almarza Diaz.

3. “Debtors” shall mean Wellmade Industries Mfr. N.A. LLC and Wellmade Floor Coverings International, Inc., as well as and their agents, employees, servants, representatives, officers, directors, affiliates, advisors, attorneys, predecessors and successors in interest and all other persons acting or purporting to act on Debtors’ behalf.

4. “Individual Defendants” shall mean Zhu Chen (a/k/a/ George Chen), Jiayi Chen (a/k/a Morgan Chen), Jian Jun Lu, and Ming Chen (a/k/a/ Allen Chen).

5. “District Court Litigation” shall mean the case filed in the U.S. District Court for the Northern District of Georgia, *Liu, et al. v. Wellmade Industries Mfr. N.A. LLC, et al.*, Case No. 4:25-cv-001340-WMR.

6. “Cartersville Facility” shall mean the factory operated by Debtors in Cartersville, Georgia.

7. “Staffing Agent” or “Staffing Agency” shall mean any individual or entity, including any affiliate or subsidiary, who assisted in recruiting, employing, paying, or supervising any individual to perform work at the Cartersville Facility, including but not limited to at least the following:

- a. Jiangsu Yuanmei Bamboo and Wood Industry Co., Ltd.;
- b. The Tigereye International Trading Co., Ltd.;
- c. Globalone Supply LLC;
- d. Nanjing Yuanmei Bamboo Materails Application Research Institute Co., Ltd.;
- e. Nanjing Huyu Import & Export Co., Ltd.;

- f. Faven LLC;
- g. Danny Herazo Chacuto;
- h. Starwin Service Inc.;
- i. Fusheng Lean Services Inc.;
- j. OSM;
- k. Jiefeng Deng;
- l. Jiawei Shi;
- m. Rong Qi;
- n. Top Gun Staffing Inc.; and/or
- o. Total Talent Search Group.

8. “Labor Claimants” shall mean any individual who performed work at the Cartersville Facility, whether hired directly by Debtors or paid through a Staffing Agency, and therefore includes all Visa Workers and Agency Workers.

9. “Visa Workers” shall mean any Labor Claimant who worked at the Cartersville Facility while in the United States pursuant to a business, work, or other visa.

10. “Agency Workers” shall mean any Labor Claimant who worked at the Cartersville Facility but was recruited or paid by a Staffing Agency.

11. The term “Document” or “Documents” as used herein shall mean all forms of documents or electronically stored information (“ESI”), including but not limited to all writings, correspondence (in the form of facts, ideas, inquiries, or otherwise, sent or received, including but not limited to any oral or electronic correspondence), computer records, photographs and videos, video-recording, audio-recording, records of meetings and conferences, records of conversations and telephone calls, e-mail, WeChat messages, SMS messages, messages on Facebook Messenger, WhatsApp messages, QQ messages, or other electronic communications, that is in your actual or constructive possession, custody or control, or the existence of which you have knowledge. The term “document” or “documents” as used herein shall also include each copy that is not identical to the original and the preliminary drafts of any document or working paper related thereto.

12. The term “communication” as used herein shall mean the transmission of information (in the form of facts, ideas, inquiries or otherwise).

13. Unless otherwise indicated, the “Relevant Period” shall refer to the period of time between January 1, 2021 and the present.

Document Requests

Wage and Hour, Forced Labor, and Class Issues

1. All Documents concerning the dates and hours worked by the Labor Claimants, including but not limited to time sheets, electronic data, and pay records or invoices with this information.
2. All Documents concerning any salaries, wages, bonuses, reimbursements, or other compensation paid by Debtors, or on behalf of Debtors, to the Labor Claimants.
3. All Documents concerning any deductions made from the wages or salaries paid to any of the Labor Claimants.
4. All Documents concerning the job duties performed by the Labor Claimants.
5. Documents sufficient to show the total number and identity of all Visa Workers at all times during the Relevant Period.
6. Documents sufficient to show the total number and identity of all Agency Workers at all times during the Relevant Period.
7. All Documents concerning the facial recognition system used at the Cartersville Facility, including data collected as to all individuals who entered or left the factory.
8. All Documents concerning any time-keeping system for workers used at the Cartersville Facility, including data collected as to all individuals who entered the factory.
9. All Documents exhibiting the quantity and identity of any individuals who resided at housing owned by or rented by the Debtors during the Relevant Period.
10. Documents sufficient to show the hours worked and wages paid to Debtors' direct employees at the Cartersville Facility for each position.
11. All Documents concerning Debtors' confiscation, possession, or retention of any Labor Claimant's passport, including but not limited to any police reports related to such passports.

12. All Documents concerning workplace safety issues at the Cartersville Facility, including any OSHA investigation or findings, any injuries sustained by workers at the Cartersville Facility, and workers' compensation insurance policies and records.

Agency Relationships

13. All Documents concerning the Debtors' relationship with any Staffing Agency, including any contracts, agreements, understandings, memorandums, or communications between them.

14. All Documents concerning the individuals who worked at the Cartersville Facility.

15. All invoices or similar documents tendered by any Staffing Agency to Debtors, including accompanying time sheets, work records, or other evidence of work performed.

16. All Documents concerning any payment or transfer of anything of value between Debtors and any Staffing Agency.

17. All Documents concerning the terms under which Visa Workers would provide labor to the Debtors.

18. All Documents concerning the terms under which Agency Workers would provide labor to the Debtors.

19. Any contracts or agreements between Debtors and any Visa Workers or Agency Workers.

20. All Documents concerning any payments made directly by Debtors to any Visa Worker or Agency Worker.

21. All Documents concerning any immigration applications, determinations, or communications regarding any of the Labor Claimants, including documents in the possession of Davis Wright Tremaine or any other agent of Debtors.

22. All Documents concerning any payments made by Debtors to Davis Wright Tremaine.

Company Financials

23. Documents sufficient to show the quarterly and/or annual revenue, expenses, and profits of Debtors during the Relevant Period.

24. Documents sufficient to show all compensation paid by Debtors to each of the Individual Defendants during the Relevant Period, including salary, wages, expense allowances or reimbursements, distributions, returns of principal, or payments to any related parties.

Company Policies and Communications

25. All Documents concerning the Debtors' document retention policies.

26. All Documents exhibiting communications between the Debtors and any of the Visa Workers.

27. All Documents exhibiting communications between the Debtors and any of the Agency Workers.

28. All Documents concerning any WeChat groups in which any of Debtors' direct employees, Visa Workers, and/or Agency Workers participated at any point during the Relevant Period.