IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
IDEX WIND DOWN, INC., f/k/a IDEANOMICS, INC., *et al.*, [1]	Case No. 24-12728 (CTG)
	(Jointly Administered)
Debtors.	**Hearing Date: March 16, 2026 at 1:00 p.m. (ET)** **Objection Deadline: February 27, 2026 at 4:00 p.m. (ET)**

DEBTORS' MOTION TO DISMISS CHAPTER 11 CASE OF SOLECTRAC, INC.

The above-captioned debtors and debtors in possession (the "Debtors"), by and through their undersigned counsel, respectfully move (the "Motion") this Court for entry of an order, substantially in the form attached hereto as **Exhibit A**, under and pursuant to sections 105(a), 305, 349, and 1112(b) of Title 11 of the United States Code (the "Bankruptcy Code"), Rule 1017 of Bankruptcy Procedure (the "Bankruptcy Rules"), and Rule 1017-2 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), (a) dismissing the chapter 11 case of Solectrac, Inc. ("Solectrac") and (b) granting such other and further relief as is just and proper. In support of the Motion, the Debtors respectfully submit as follows:

PRELIMINARY STATEMENT

The Debtors filed these bankruptcy cases in an effort to effectuate a sale of their assets and maximize recoveries for the Debtors' estates and their creditors. The Debtors conducted a thorough Court-approved marketing and sale process for their assets, including Solectrac's assets, with the assistance of their investment bankers at SSG Advisors, LLC. The sale of certain

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number or state identification number are, are: IDEX Wind Down, Inc. f/k/a Ideanomics, Inc. ("IDEX Wind Down") (8374); WAVE Wind Down, LLC f/k/a Wireless Advanced Vehicle Electrification, LLC ("WAVE") (6793); Solectrac, Inc. (4653); Timios Holdings Corp. ("Timios") (0190); Justly Holdings Inc. ("Justly Holdings") (3657); Justly Markets Wind Down LLC f/k/a Justly Markets LLC f/k/a Delaware Board of Trade Holdings, Inc. ("Justly Markets") (5107); VIA Motors International, Inc. (7063); and VIA Motors, Inc. (0185). The headquarters for the above-captioned Debtors is located at 217 W. 18th Street, PO Box 70, New York, NY 10113.

of the Debtors' assets to Tillou Management and Consulting LLC ("Tillou") closed on March 7, 2025, and the sale of other assets to JVIS closed on April 2, 2025. None of Solectrac's assets, however, were sold during these Chapter 11 Cases. Indeed, despite the Debtors' efforts to market and sell Solectrac's assets, whether separately or together with other assets of the Debtors, no party has come forward with any viable offer to acquire them (as was the case pre-petition).

The Debtors other than Solectrac submitted and obtained approval of confirmation of their *Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of IDEX Wind Down, Inc. f/k/a Ideanomics, Inc. and Certain of Its Debtor Affiliates* [D.I. 571] (the "Combined DS and Plan") through a confirmation order entered on January 16, 2026. The Combined DS and Plan went effective on February 13, 2026 [D.I. 681]. In connection with the Plan negotiation process, the Debtors tried to obtain funding from Tillou to enable confirmation of a chapter 11 plan for Solectrac along with the Combined DS and Plan for the other Debtors, but were not able to achieve the necessary funding.

As contemplated under the Combined DS and Plan, now that the sales of the Debtors' assets have been concluded, and a plan of liquidation has been confirmed and is effective for all Debtors other than Solectrac, the Debtors have determined that the dismissal of Solectrac's bankruptcy case is in the best interests of its creditors and, critically, serves as the most expeditious and cost-effective mechanism for Solectrac to exit Chapter 11. To be sure, the Solectrac estate simply does not have funds available to make a distribution to holders of general unsecured claims, nor does it have any prospect for financing.

Moreover, the appointment of a chapter 7 trustee will not increase the likelihood of a recovery to unsecured creditors. As noted, the Debtors have marketed the assets of Solectrac since it ceased operating in October 2023, and no viable bids or offers for such assets have

materialized thus suggesting (if not confirming) that they have little or no value. Beyond that, the Debtors are not aware of any claims or any causes of action that would yield significant value (particularly when considered against the cost of collection and further administration of Solectrac's case). Put bluntly, there is no cash to administer a chapter 7 case were the case to be converted. Accordingly, the Debtors seek to dismiss Solectrac's case pursuant to Section 1112 of the Bankruptcy Code as conversion is neither warranted nor in the best interests of creditors.

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the Amended Standing Order of Reference from the United States District Court for the District of Delaware, dated February 29, 2012. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2) and the Debtors confirm their consent pursuant to Local Rule 9013-l(f) to the entry of final orders by the Court in connection with this Motion to the extent it is later determined the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

2. The statutory predicates for the relief requested herein are sections 105(a), 305, 349, and 1112(b) of Title 11 of the United States Code (the "Bankruptcy Code"), Bankruptcy Rule 1017, and Local Rule 1017-2.

BACKGROUND

A. Overview of these Chapter 11 Cases

3. The Debtors were technology companies that, in recent years, focused on electric vehicle ("EV") and EV-adjacent businesses, including the development of local and last mile delivery vehicle concepts and associated charging products. The Debtors, through their WAVE business, were leaders in innovative high-power inductive (i.e., wireless) charging solutions for medium and heavy-duty electric vehicles.

4. On December 4, 2024 (the "Petition Date"), each of the Debtors commenced a voluntary case under chapter 11 of the Bankruptcy Code. The Debtors are authorized to operate their business and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No official committees have been appointed in the Debtors' chapter 11 cases (the "Chapter 11 Cases"), and no request has been made for the appointment of a trustee or examiner.

5. Additional information regarding Debtors' business, capital structure, and the Circumstances leading to the filing of these Chapter 11 cases is set forth in the *Declaration of Alpesh Admin in Support of Debtors' Chapter 11 Petitions and First Day Motions* [D.I. 14].

6. To further maximize the value of the Debtors' estates, on December 9, 2024, the Debtors sought entry of an order approving procedures for the sale of substantially all of their assets; approving Tillou as the stalking horse bidder; scheduling an auction and a hearing to approve the sale; and approving the procedures related thereto [D.I. 51].

7. On January 8, 2025, the Court entered an order approving the bidding procedures in connection with the sale of the Debtors' assets, and designating Tillou as stalking horse bidder [D.I. 119].

8. On February 20, 2025, the Debtors filed *their Notice of (I) Cancellation of Auction and (II) Designation of Successful Bidders* [D.I. 233], stating that Tillou, as the stalking horse bidder, was the successful bidder for the assets of certain of the Debtors, namely, IDEX Wind Down, WAVE, Timios, Justly Holdings, and Justly Markets.

9. On February 24, 2025, the Debtors filed their *Notice of Designation of Successful Bidder* stating that JVIS-USA, LLC ("JVIS") was the successful bidder for certain assets of VIA Motors, Inc. [D.I. 237].

10. On February 26, 2025, the Court held a sale hearing, at which the Bankruptcy Court approved the sale of assets to Tillou and JVIS. The Court entered an order approving the sale to JVIS on February 26, 2025 [D.I. 252] and later entered an order approving the sale to Tillou on March 3, 2025 [D.I. 254] (collectively, the "Sale Orders").

11. The sale of assets to Tillou closed on March 7, 2025, and the sale to JVIS closed on April 2, 2025. Following the closure of these sales as approved in the Sale Orders, all assets remaining at VIA Motors International, Inc., and certain assets of VIA Motors, Inc. remain available to be monetized by the Liquidating Trustee (pursuant to the Combined DS and Plan), as applicable. Further, as noted above and as germane to this Motion, none of Solectrac's assets were sold during these Chapter 11 Cases. The Debtors believe that such assets are of no (or, at best, negligible) value.

12. On November 25, 2025, the Debtors filed the Combined DS and Plan [D.I. 571] and an order approving the Combined DS and Plan on an interim basis for solicitation [D.I. 573].

13. On January 16, 2026, the Court entered the *Findings of Fact, Conclusions of Law, and Order, Approving The Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Idex Wind Down, Inc. f/k/a Ideanomics, Inc. and Certain Of Its Debtor Affiliates, and Granting Related Relief* [D.I. 639] (including all exhibits thereto and as the same may be amended, modified, or supplemented from time to time, the "Confirmation Order"), filed by certain of the above-captioned Debtors, thereby confirming the Combined DS and Plan. The Notice of Effective Date under the Combined DS and Plan was filed on [DATE].

14. Notably, and as relevant here, while Solectrac is a Debtor in these Chapter 11 Cases, it was not a proponent of the Combined DS and Plan. Thus, the Confirmation Order and the Combined DS and Plan did not include the estate of Solectrac, nor did it involve any assets of or resolve any claims against Solectrac. Rather, the Combined DS and Plan expressly

contemplated the prospect that Soletrac's bankruptcy case may be dismissed. *See* Combined DS and Plan, Art. II.B.3.

RELIEF REQUESTED

15. By this Motion, the Debtors respectfully request entry of an order (a) dismissing the chapter 11 case of Solectrac, and (b) granting such other and further relief as is just and proper.

BASIS FOR RELIEF REQUESTED

A. Cause Exists Under Section 1112(b) of the Bankruptcy Code to Dismiss Solectrac's Chapter 11 Case.

16. Section 1112(b) of the Bankruptcy Code provides that "on request of a party in interest, and after notice and a hearing, the court shall convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter, whichever is in the best interests of the creditors and the estate, for cause unless the court determines that the appointment under section 1104(a) of a trustee or an examiner is in the best interest of creditors and the estate." 11 U.S.C. § 1112(b)(1).

17. Dismissal under "[s]ection 1112(b) requires a two-step process in which the court first determines whether there is "cause" to convert or dismiss, and next chooses between conversion and dismissal based on 'the best interest of creditors and the estate.'" *In re Am. Capital Equip., LLC*, 688 F.3d 145, 161 (3d. Cir. 2012) (citations omitted).

18. Section 1112(b)(4) sets forth various grounds for finding cause, including "substantial or continuing loss to or diminution of the estate and the absence of a reasonable likelihood of rehabilitation." 11 U.S.C. § 1112(b)(4)(A). That said, the list set forth in section 1112(b)(4) is not exhaustive and the Court may consider whether other factors and circumstances qualify as cause. Official Comm. of Unsecured Creditors v. Nucor Corp. (In re SGL Carbon

Corp.), 200 F.3d 154, 160 (3d. Cir. 1999).

19. Cause exists for dismissal where "prolonging" a case "will only burden the estate with mounting attorney and administrative fees." *Am. Capital Equipment*, 688 F.3d at 163.

20. Here, cause exists to dismiss Solectrac's chapter 11 case. Solectrac does not conduct any business, nor has it operated since October *2023*. It has no assets that, despite years of efforts to monetize, will yield any meaningful value that may be used to satisfy the claims of Solectrac's creditors. And as a result, Solectrac has no reasonable likelihood of rehabilitation. Further, Solectrac has no money, nor does it have access to any funding to satisfy additional administrative expenses of its estate. Therefore, absent dismissal, Solectrac will continue to incur administrative expenses with no source to pay the same. Consequently, the Debtors respectfully submit that ample "cause" exists to dismiss the Solectrac's case under Section 1112(b)(1).

B. <u>Dismissal is in the Best Interests of Solectrac's Creditors and its Estate</u>.

21. Once a court determines that cause exists to dismiss or convert a case, the court must then evaluate whether dismissal or conversion is in the best interests of the creditors and the estate. *Am. Capital Equipment*, 688 F.3d at 163. The Debtors respectfully submit it is in the best interests of Solectrac's creditors and its estate to dismiss the case rather than convert it.

22. First, dismissal is in the best interests of creditors where a debtor has nothing to reorganize. *See, In re Brogdon Inv. Co.*, 22 B.R. 546, 549 (Bankr. N.D. Ga. 1982) (dismissing a chapter 11 proceeding where there was "simply nothing to reorganize" and "no reason to continue the reorganization"). As set forth above, Solectrac no longer operates (indeed, it has not operated since late 2023), nor does it have anything to reorganize around because Solectrac's assets have been proven to be of no (or, at best, inconsequential) value. In that same vein, the Debtors are unaware of any claims or causes of action held or owned by Solectrac that may yield any value.

23. Second, and as referenced above, dismissal is in the best interests of Solectrac's creditors and its estate because there does not exist any additional assets (causes of action or otherwise) to administer or funds available for distribution to creditors, regardless of whether the case is converted to chapter 7.

24. Third, dismissal, rather than conversion, is in the best interests of Solectrac's creditors and estate because dismissal provides for a more timely exit from bankruptcy. Rather than incur the delay associated with a conversion, dismissal provides for an organized and efficient exit from chapter 11.

25. Finally, dismissal is in the best interests of Solectrac's estate and its creditors because conversion to chapter 7 and the appointment of a trustee would impose additional administrative costs upon the Solectrac estate for which there is no available source of payment.

26. For the foregoing reasons, the Debtors submit dismissal of Solectrac's chapter 11 case is in the best interests of its creditors and estate.

C. All Rulings, Orders and Judgments Entered in or Regarding Solectrac's Case Should Remain Binding and Have Full Force and Effect.

27. Section 349 of the Bankruptcy Code provides that dismissal of a case vacates any order, judgment or transfer ordered in the case. 11 U.S.C. § 349(b)(2). However, a bankruptcy court may "for cause" order otherwise. 11 U.S.C. § 349(b).

28. Courts in this jurisdiction have regularly maintained the enforceability of orders, including those approving sales, releases, and settlements, after a dismissal. *See, e.g., In re Sunco Liquidation, Inc.*, Case No. 17-10561 (KG) (Bankr. D. Del. Nov. 6, 2017) [D.I. 865] (giving continued effect to orders entered throughout the pendency of the chapter 11 cases); *In re Old Towing Co.*, Case No. 17-10249 (LSS) (Bankr. D. Del. May 30, 2017) [D.I. 381] (giving continued effect to section 363 sale order and any releases, injunctions and successor liability

provisions provided for in such sale); *In re TAH Windown, Inc.*, Case No. 16- 11599 (MFW) (Bankr. D. Del. Jan. 13, 2017) [D.I. 408] (giving orders, releases, and injunctions continuing effect).

29. The Debtors submit that cause exists to allow all orders, rulings and judgments entered by the Court during Solectrac's chapter 11 case to remain in full force, notwithstanding its dismissal. Here, numerous parties in interest have relied upon orders entered by the Court in connection with the Case. For example, the finality of the releases, stipulations, and protections contained in the Interim DIP Order [D.I. 47] and Final DIP Order [D.I. 118] were necessary to induce Tillou to extend postpetition financing necessary to fund the Debtors' sale and marketing process conducted in the Chapter 11 Cases. Indeed, each of those Orders specifically provides that they will survive any dismissal or conversion of the Case. *See* Interim DIP Order at ¶25(d) ("The provisions of this Interim Order shall be binding upon and inure to the benefit of the DIP Lender, the Prepetition Lender, the Debtors, and their successors and assigns (including any trustee or other fiduciary hereinafter appointed as a legal representative of the Debtors or with respect to the property of the estates of the Debtors) whether in the Chapter 11 Cases, in any Successor Case, or upon dismissal of any such Chapter 11 or Chapter 7 case"); Final DIP Order at ¶25(d) (same in context of Final DIP Order). Consequently, the Debtors respectfully submit that cause exists to allow all prior orders, rulings and judgments entered by the Court in or in connection with Solectrac's chapter 11 case to be given continued effect, notwithstanding dismissal.

NOTICE

30. Notice of this Motion will be provided to the following parties or their respective and known counsel: (i) the Office of the U.S. Trustee for the District of Delaware; (ii) counsel for Tillou; (iii) all known creditors of Solectrac's estate, and (iv) all other parties requesting

notice pursuant to Bankruptcy Rule 2002. Given the nature of the relief requested herein, the Debtors submit no other or further notice is necessary or required.

WHEREFORE, for the reasons set forth above, the Debtors respectfully request entry of an order: (a) dismissing the chapter 11 case of Solectrac, and (b) granting such other and further relief as is just and proper.

Dated: February 13, 2026
Wilmington, Delaware

ASHBY & GEDDES, P.A.

/s/ Ricardo Palacio

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
IDEX WIND DOWN, INC. f/k/a IDEANOMICS, INC., *et al.*,[1]	Case No. 24-12728 (CTG)
	(Jointly Administered)
Debtors.	**Hearing Date: March 16, 2026 at 1:00 p.m. (ET)** **Objection Deadline: February 27, 2026 at 4:00 p.m. (ET)**

NOTICE OF DEBTORS' MOTION TO DISMISS CHAPTER 11 CASE OF SOLECTRAC, INC.

PLEASE TAKE NOTICE that on February 13, 2026, above-captioned debtors and debtors in possession (collectively, the "Debtors") filed the *Debtors' Motion to Dismiss Chapter 11 Case of Solectrac, Inc.* (the "Motion") with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE that responses, if any, to the Motion must be in writing, in conformity with the Federal Rules of Bankruptcy Procedure and the Local Rules of Practice and Procedure for the United States Bankruptcy Court for the District of Delaware, filed with the Bankruptcy Court, and served upon, so as to be received by, the undersigned counsel on or before **February 27, 2026 at 4:00 p.m. (ET).** Only properly and timely filed responses will be considered.

PLEASE TAKE FURTHER NOTICE that a hearing to consider the Motion is now scheduled for **March 16, 2026 AT 1:00 P.M. (ET)** before the Honorable Craig T. Goldblatt, United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 3rd Floor, Courtroom No. 7, Wilmington, Delaware 19801.

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE BANKRUPTCY COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number or state identification number are, are: IDEX Wind Down, Inc. f/k/a Ideanomics, Inc. ("IDEX Wind Down") (8374); WAVE Wind Down, LLC f/k/a Wireless Advanced Vehicle Electrification, LLC ("WAVE") (6793); Solectrac, Inc. (4653); Timios Holdings Corp. ("Timios") (0190); Justly Holdings Inc. ("Justly Holdings") (3657); Justly Markets Wind Down LLC f/k/a Justly Markets LLC f/k/a Delaware Board of Trade Holdings, Inc. ("Justly Markets") (5107); VIA Motors International, Inc. (7063); and VIA Motors, Inc. (0185). The headquarters for the above-captioned Debtors is located at 217 W. 18th Street, PO Box 70, New York, NY 10113

Dated: February 13, 2026
Wilmington, Delaware

ASHBY & GEDDES, P.A.

/s/ Ricardo Palacio

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Co-Counsel to the Debtors and Debtors in Possession

Exhibit A

(Proposed Order)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
IDEX WIND DOWN, INC., f/k/a IDEANOMICS, INC., *et al.*, [1]	Case No. 24-12728 (CTG)
	(Jointly Administered)
Debtors.	Related D.I. __

ORDER GRANTING DEBTORS' MOTION TO DISMISS
CHAPTER 11 CASE OF SOLECTRAC, INC.

This matter coming to be heard upon the *Debtors' Motion to Dismiss Chapter 11 case of Solectrac, Inc.* (the "Motion");[2] and the Court having jurisdiction to consider the Motion and relief sought therein pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before this Court; and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b); and due and proper notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief set forth below is due and proper under the circumstances of these bankruptcy cases; and the Court having found and determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Motion is granted as set forth herein; and it is further

ORDERED that the chapter 11 case of Solectrac, Inc. is hereby dismissed for "cause"

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number or state identification number are, are: IDEX Wind Down, Inc. f/k/a Ideanomics, Inc. ("IDEX Wind Down") (8374); WAVE Wind Down, LLC f/k/a Wireless Advanced Vehicle Electrification, LLC ("WAVE") (6793); Solectrac, Inc. (4653); Timios Holdings Corp. ("Timios") (0190); Justly Holdings Inc. ("Justly Holdings") (3657); Justly Markets Wind Down LLC f/k/a Justly Markets LLC f/k/a Delaware Board of Trade Holdings, Inc. ("Justly Markets") (5107); VIA Motors International, Inc. (7063); and VIA Motors, Inc. (0185). The headquarters for the above-captioned Debtors is located at 217 W. 18th Street, PO Box 70, New York, NY 10113.

[2] Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

pursuant to Section 1112(b) of the Bankruptcy Code; and it is further

ORDERED that notwithstanding anything in the Bankruptcy Code, the Bankruptcy Rules or the Local Rules to the contrary, including, without limitation, Section 349 of the Bankruptcy Code, all prior order, releases, stipulations, settlements, rulings and judgments of this Court made during the chapter 11 case of Solectrac, Inc., shall remain in the full force and effect, shall be unaffected by this Order, and are specifically preserved for purposes of finality of judgment and res judicata; and it is further

ORDERED that Solectrac, Inc. and the Debtors, generally, are authorized to take all actions necessary to effectuate the relief granted in this order; and it is further

ORDERED that the Court shall retain jurisdiction to interpret and enforce the terms of this Order.