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Case No. 2026-1478-

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

NATHANIEL BRADLEY, individually and in his capacity as a Director of DATAVAULT AI INC., Plaintiffs, v. JEFFREY TIRMAN, KIMBERLY BRISKEY, DR. JEFFREY M. GILBERT, CHRISTOPHER HARDT, DAVID HOWITT, HELGE KRISTENSEN, SRIRAM PERUVEMBA, BRETT MOYER, and DATAVAULT AI INC., a Delaware corporation, Defendants.	C.A. No. _____

VERIFIED COMPLAINT UNDER 8 DEL. C. § 225 AND § 111

Plaintiff Nathaniel Bradley ("Plaintiff" or "Bradley"), by and through his undersigned counsel, files this Verified Complaint against Defendants Jeffrey Tirman, Kimberly Briskey, Dr. Jeffrey M. Gilbert, Christopher Hardt, David Howitt, Helge Kristensen, Sriram Peruvemba, Brett Moyer (collectively, the "Director Defendants"), and Datavault AI Inc. ("Datavault" or the "Company"), seeking summary determination of the validity of corporate action and emergency equitable relief pursuant to 8 Del. C. § 225(a) and 8 Del. C. § 111, and respectfully alleges as follows:

NATURE OF THE ACTION

1. This is a summary proceeding brought pursuant to Section 225(a) of the Delaware General Corporation Law ("DGCL"), 8 Del. C. § 225(a), and 8 Del. C. § 111, to determine the validity of the purported removal of Bradley as Chief Executive Officer and President of Datavault, to establish Bradley's continuing and unimpaired status as an active Director of the Company, and to invalidate ultra vires actions taken in violation of the Company's Certificate of Incorporation, its Bylaws, and Delaware law.

2. On October 30, 2026, Defendant Brett Moyer ("Moyer"), acting in his capacity as Chairman of the Board and Chief Financial Officer of Datavault, transmitted a letter to an e-mail address to which Moyer soon thereafter cut off access expressing his "judgment" and the "judgment" of unnamed members of the Board as basis for purported unilateral action to suspend Bradley as Chief Executive Officer and President, bar him from corporate premises, and directing the immediate termination of his corporate communications, access credentials, and email accounts. Moyer possessed no legal or corporate authority to take such action. Under Section 3.14 of Datavault's Bylaws, the Chairman of the Board is not an executive officer by virtue of his office, and Section 5.4 of the Bylaws explicitly reserves the power of officer removal exclusively to the collective Board of Directors (the "Board").

3. Recognizing and seeking to resuscitate or rather being indifferent to the void, ultra vires nature of Moyer's unilateral dictate, the Director Defendants

convened an emergency special meeting of the Board on Sunday, November 1, 2026, on defective notice, over Bradley's prompt threshold objection under Bylaws Section 3.9 and 8 Del. C. § 229, and without circulating proposed resolutions in advance. At that meeting, the Board purportedly voted 8 to 1, with Bradley the only dissenting vote, to remove Bradley as CEO and President and to terminate his employment.

4. The November 1 special meeting and its purported resolutions were procured through inequitable manipulation of corporate machinery as set forth in *Schnell v. Chris-Craft Industries, Inc*., 285 A.2d 437 (Del. 1971). While Moyer orchestrated an abrupt weekend lockout and purged Bradley, the Company faced immediate capital maturities for which neither Moyer nor any director other than Bradley could remedy — including an acceleration default notice issued on October 31, 2026, under an outstanding convertible note held by EOS Technology Holdings, Inc. ("EOS").

5. Moyer actively suppressed, withheld and concealed from independent directors an alternative $90 million to $100 million equity/debt financing facility structured by an investor syndicate that required Bradley's operational continuity and of which Bradley had made Moyer aware expressly.

6. Although the Company's draft minutes concede that Bradley remains a sitting, un-resigned Director under 8 Del. C. § 141(b), Defendants have engaged in an ongoing freeze-out: cutting off his executive and board IT access, including access to Bradley's EOS vault.email mailbox, withholding critical board

communications, and convening follow-up meetings (including a contested November 3, 2026 meeting which yielded a fractured 6–3 vote as set forth below more fully) in an attempt by Moyer to entrench himself in the face of gross financial mismanagement and paper over fundamental corporate and notice defects.

7. The removal was steered and manipulated at every step. On October 30, 2026, Chairman Moyer unilaterally suspended Bradley without Board authorization, immediately cutting off Bradley's Company DVLT email and his separate EOS-owned vault.email accounts just as the notice for a November 1 special meeting arrived, locking him out of the credentials. When Bradley could not access the meeting link due to the lockout, Moyer sent the Zoom link to Bradley via WhatsApp on October 31. At the November 1 meeting, over Bradley's prompt threshold objection under Bylaws Section 3.9 and 8 Del. C. § 229, the Board purported to vote 8–1 to remove him as CEO and President. At the conclusion of that call, the Board orally announced that it would reconvene on November 3, 2026, at 6:00 p.m. Eastern Time, but failed to provide the virtual meeting link and access credentials, violating the mandatory 48-hour and notice-of-place requirement under Bylaws Section 3.7. The Zoom link was not transmitted until Monday, November 2, at 4:44 p.m.—less than 26 hours before the meeting—sent to Bradley's non-company thedqb.com address and his blocked vault.email account. Moreover, Sullivan & Worcester circulated the multi-page draft minutes of the November 1 meeting to the Board approximately

one hour before the November 3, 6:00 p.m. meeting convened, leaving Bradley no meaningful opportunity to prepare written objections before six directors voted to approve them as the Company's official record over a fractured 6–3 vote. Considered together, and not merely one by one, these events demonstrate a corporate governance process orchestrated and tainted by procedural defects at every turn.

8. At no time has Bradley resigned from his position as a Director or as Chief Executive Officer of the Company.

9. In corroboration with this fact, just late yesterday (November 5, 2026), Moyer emailed the members of the Board including Bradley, indicating that the executive team will not get paid this pay period.

10. On November 6, 2026, the board held a meeting and blocked Bladley from accessing it.

11. Immediate judicial intervention is required pursuant to DGCL § 225(a) to determine the validity of the contested removals, enforce Bradley's statutory directorship rights under 8 Del. C. § 141 and Bylaws Article III, and enter a Status Quo Order restraining Defendants from taking irreversible corporate actions, executing dilutive emergency debt or equity restructurings, or manipulating director election slates pending final adjudication.

PARTIES

12. Plaintiff Nathaniel Bradley is an individual residing in Pennsylvania. Bradley is the creative mind behind, and allegedly former Chief Executive Officer of, former President (his removal is hotly disputed) of, and a continuing, duly elected member of the Board of Directors of Datavault.

13. Bradley founded the private company Data Vault Holdings Inc. ("Data Vault"), since renamed EOS Technology Holdings Inc. ("EOS"), in 2021. Data Vault's first subsidiary, Data Donate Technologies, Inc., focused on data-enabled charitable giving; a second subsidiary, Data Vault Inc., pursued broader data monetization and tokenization. In late 2021 and 2022, Data Vault acquired ADIO, LLC ("ADIO") and True Luck, Inc. ("True Luck") as wholly owned subsidiaries. ADIO held a patent portfolio directed to inaudible-tone recognition technology.

14. In a transaction that closed on December 31, 2024, Data Vault sold assets including ADIO code and the trade names "ADIO" and "Data Vault" to WiSA Technologies, Inc. ("WiSA"), which through a name change became Nasdaq-listed Datavault AI Inc., of which Bradley serves as Chief Executive Officer.

15. As consideration for that asset sale, Data Vault shareholders received from WiSA approximately $210 million (a blend of cash and stock), together with a twenty-year 3% royalty. The $210 million alone represented a significant multiple—more than four times—the capital invested in Data Vault at that point.

16. Between 2021 and 2023, Data Vault raised capital from accredited investors in two private placements: at least approximately $23 million under a

private placement memorandum dated August 30, 2021 (revised November 15, 2021), selling more than 18.4 million shares, and approximately $8.8 million under a private placement memorandum dated June 15, 2022, selling at least 1.5 million shares. Data Vault incubated subsidiary technology, consolidated patent portfolios, and pursued the strategic path that culminated in the WiSA/Datavault AI asset sale.

17. As of September 18, 2026, there was a plan in place for every Data Vault investor either to be paid in full—most several times over—or to opt for a substantial forward-looking return, and that by the end of calendar year 2026 all investors under both private placements would have recovered their invested principal and likely a multiple thereof. Those statements describe a then-existing plan and expected outcome.

18. On January 6, 2025, Datavault—then still operating as WiSA Technologies, Inc.—filed a Form 8-K with the Securities and Exchange Commission disclosing the closing of the Company's purchase of certain intellectual property assets of Data Vault Holdings Inc. and the Company's hiring of Nathaniel Bradley as Chief Executive Officer and a director. That Form 8-K disclosure stated, among other things, that Bradley holds more than 70 patents, founded Intellectual Property Network Inc., founded and invented AudioEye (where he pioneered cloud-based assistive technologies and earned recognition for contributions to internet accessibility), and previously served as Chief

Technology Officer for Marathon Patent Group (now Marathon Digital Holdings, Nasdaq: MARA).

19. In connection with that asset purchase, WiSA filed a Schedule 14A with the SEC attaching as Exhibit D a fairness opinion of Lake Street Capital Markets LLC dated November 24, 2024. Reciting Schedule 14A at page 35, Lake Street "noted that the Purchase Price for the Transferred Assets on November 24, 2024 was approximately $79 million based on the closing price of the Company's stock on November 22, 2024," and "also noted that the estimated value of the Data Vault intellectual property ranged between $77 million and $145 million, the total value of the Adio intellectual property ranged between $189 million and $356 million, and the total value for the Transferred Assets ranged between $266 million and $501 million." The "Transferred Assets" are the Data Vault Holdings intellectual property assets transferred in that transaction.

20. Datavault's March 31, 2025 Form 10-K, it disclosed a year-over-year revenue increase of 28%, an increase from a gross deficit of $3.5 million to a gross profit of $0.4 million, and an increase in assets from $4.8 million to $100.6 million. According to that Form 10-Q, Datavault disclosed a quarterly year-over-year increase in net revenue of 147% and an increase from a gross deficit of $83,000 to a gross profit of $69,000.

21. During the period following Bradley's January 2025 appointment as CEO and continuing through mid-2025, Datavault's disclosures of strategic commercial relationships and an acquisition, included a Form 8-K and press

reporting of an alliance with NYIAX integrating Datavault's Information Data Exchange with NYIAX blockchain exchange technology (March 17, 2025 Form 8-K); a March 24, 2025 press release announcing inclusion in IBM's Partner Plus program; a February 12, 2025 press release announcing an interoperability license agreement with Dolby Laboratories; and a May 20, 2025 Form 8-K disclosing finalization of Datavault's strategic acquisition of assets of CompuSystems, Inc.

22. Bradley has managed to secure an additional $70 million proof of funds, and has presented additional funding packages to the Company to that effect.

23. Defendant Datavault AI Inc. is a Delaware corporation with its principal executive offices located in Philadelphia, Pennsylvania. Datavault is the nominal and corporate defendant pursuant to 8 Del. C. § 225.

24. The registered agent for the Company is The Company Corporation, located at 251 Little Falls Drive, Wilmington, DE 19808.

25. Defendant Brett Moyer is Chairman of the Board and Chief Financial Officer of Datavault.

26. Defendant Kimberly Briskey is a member of the Board of Directors and Chair of the Audit Committee.

27. Defendant Dr. Jeffrey M. Gilbert is a member of the Board of Directors and Chair of the Nominating and Corporate Governance Committee.

28. Defendant Christopher Hardt is a member of the Board of Directors and a member of the Audit Committee.

29. Defendant David Howitt is a member of the Board of Directors.

30. Defendant Helge Kristensen is a member of the Board of Directors.

31. Defendant Sriram Peruvemba is a member of the Board of Directors.

32. Defendant Jeffrey Tirman is a member of the Board of Directors.

JURISDICTION AND VENUE

33. This Court has subject matter jurisdiction over this controversy pursuant to 8 Del. C. § 225(a), 8 Del. C. § 111, and 10 Del. C. § 341. Under DGCL § 225(a), the Court of Chancery has express statutory jurisdiction to hear and determine the validity of the election, appointment, removal, or expulsion of any officer or director of a Delaware corporation.

34. This Court has personal jurisdiction over the Director Defendants pursuant to 10 Del. C. § 3114(a) and (b), as each individual Defendant is a sitting director of a Delaware corporation who accepted and exercises fiduciary duties governed by Delaware law.

FACTUAL ALLEGATIONS

A. Governing Bylaw Framework

35. Datavault is governed by its 2018 Bylaws (as amended, the "Bylaws"). The Bylaws are included herewith as Exhibit “A.”

36. Section 3.14 of the Bylaws provides that the chairman of the Board of Directors “shall not be considered an officer of the corporation, unless such chairman has an additional officer position.” Section 5.6 provides that the chief executive officer holds general supervision, direction, and control of the business

and the officers of the corporation, subject only to the control of the Board of Directors and "such supervisory powers, if any, as may be given by the Board of Directors to the chairman of the board."

37. Section 5.4 of the Bylaws provides that corporate officers may be removed only by the affirmative act of the Board:

> *"Subject to the rights, if any, of an officer under any contract of employment, any officer may be removed, either with or without cause, by an affirmative vote of the majority of the board of directors at any regular or special meeting of the board . . . ."*

38. Section 5.6 of the Bylaws designates the Chief Executive Officer as the officer with general supervision, direction, and control over corporate affairs and subordinate officers.

39. Section 3.7 of the Bylaws governs special meetings of the Board, requiring that notice of the time and place of special meetings be delivered electronically, personally, or by telephone at least forty-eight (48) hours prior to the meeting.

40. Section 3.9 of the Bylaws tracks 8 Del. C. § 229 and provides that attendance at a meeting constitutes waiver of notice, "except when the person attends a meeting for the express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting is not lawfully called or convened."

B. Moyer's Unilateral and Ultra Vires October 30 Suspension Action

41. On or about October 28, 2026, governance disputes intensified when Bradley sought Board consideration of Moyer's removal as CFO following critical financial restatements (including an Item 4.02 Form 8-K restating digital asset receivables and impairing assets by up to ~$92 million).

42. On October 26, 2026—two days before Bradley sought Board consideration of Moyer's removal as CFO—the Company filed a Form 8-K signed by Defendant Brett Moyer in his capacities as Chairman and Chief Financial Officer. As reflected in that filing (subject to verification of the exact EDGAR text), the Company disclosed, among other things, that it had been unable to withdraw Bitcoin from Biconomy since a June 2026 withdrawal request related to an approximately $150 million Scilex transaction involving off-chain credits of approximately 1,309 BTC; that the Bitcoin never qualified as a Company digital asset, requiring restatement of four financial reporting periods with reductions of reported assets of up to approximately $92.2 million; and that management was reassessing the Company's going-concern status.

43. On November 5, 2026, the Company filed a further Form 8-K, likewise signed by Moyer as Chairman and Chief Financial Officer, reporting Bradley's removal as Chief Executive Officer and President. Moyer thus signed both the October 26 digital-asset / restatement disclosure and the November 5 removal disclosure while holding the dual offices of Chairman and CFO. The compressed sequence—October 26 restatement-related disclosure, October 28 request that the

Board consider removing Moyer as CFO, October 30 unilateral suspension, November 1 purported removal, and November 5 Form 8-K—places Moyer, not Bradley, as the officer who signed the Company's public restatement and going-concern disclosures. Bradley alleges that this sequence, together with Moyer's control over board process and information flow, has been used to shift public and internal blame for the Bitcoin access failure and related accounting restatements onto Bradley. Signatures and timing alone do not establish scienter or a formal finding of scapegoating; Bradley will rely on contemporaneous board materials for the blame-shifting inference.

44. On October 29, 2026, Bradley secured and delivered to executive management an alternative, non-dilutive $90M–$100M financing term sheet from an institutional syndicate designed to stabilize the Company's liquidity and refinance maturing obligations.

45. On October 30, 2026, at approximately 4:00 p.m., Moyer issued an unauthorized letter purporting to suspend Bradley immediately as CEO and President. Moyer's letter claimed that the suspension reflected "the judgment of the Chairman and members of the Board."

46. In truth and in fact, no meeting of the Board had been called, no board deliberations had occurred, no written consent had been circulated under 8 Del. C. § 141(f) or Bylaws Section 3.10, and independent directors—including Director David Howitt—were explicitly excluded and kept "in the dark."

47. Immediately after issuing the letter, Moyer directed Datavault Chief Technology Officer Jeffrey Jones to deactivate Bradley's IT access, cut off his company email account, and bar him from corporate premises. Other email accounts that were not Datavault property were intentionally severed as well to cause maximum damage to Bradley.

48. Under Bylaws Sections 3.14 and 5.4, Moyer's unilateral suspension notice was ultra vires, void, and of no legal effect.

C. The Procedurally Defective November 1 Special Meeting

49. Following Moyer's unlawful action, an electronic notice was transmitted purporting to call a special Zoom meeting of the Board for Sunday, November 1, 2026, at 5:00 p.m. Eastern Time.

50. The notice was defective. It cited an inapplicable bylaw provision, was sent after Bradley's company email credentials had been severed, and was accompanied by an intentional information blackout.

51. Bradley appeared at the November 1 Zoom meeting alongside his personal counsel, Jacob S. Frenkel, who attended as an observer.

52. At the beginning of the meeting, before any motion was made or vote taken Bradley asserted a formal threshold objection pursuant to Bylaws Section 3.9 and 8 Del. C. § 229 to the transaction of any business, stating that the meeting had not been lawfully called or convened, that the October 30 suspension was an ultra vires act by the Chairman, that notice was defective, and that directors had been

deprived of required materials. Bradley expressly requested that his objection be entered in the minutes.

53. Disregarding the threshold objection, Moyer presided and pressed for immediate removal resolutions that had never been circulated in draft form prior to the call.

54. Over Bradley's recorded dissent, the Board purportedly voted 8–1 to remove Bradley as CEO and President, terminate his employment, and reserve rights regarding "Cause."

55. Bradley stated that if the unlawful action were consummated, he would tender his resignation as a director. However, Bradley never delivered a written resignation, and as conceded in Sullivan & Worcester's draft minutes, Bradley continues to serve as an active member of the Board under 8 Del. C. § 141(b).

D. November 3 Minutes Fraudulent Ratification and Continued Exclusion

56. Following the November 1 meeting, the Nominating and Corporate Governance Committee convened a late-night session, recommending an 8-member board slate for the upcoming Annual Meeting that purged Bradley and recommended Moyer to realize his power-grab to become CEO/President and Teri Gallo as COO.

57. On November 3, 2026, the Board convened a follow-up meeting to approve minutes and ratify the prior weekend's actions. Demonstrating a fracturing board, two independent directors broke from Moyer and joined Bradley in voting "No," resulting in a 6–3 vote.

58. The draft minutes of the November 1 meeting were circulated to the Board about one hour before the November 3 meeting began at 6:00 p.m. Eastern Time. The draft runs several pages and recasts matters Bradley disputes, including his positions on them. At the November 3 meeting the Board voted 6–3 to approve those minutes as the Board's official record of the November 1 meeting.

59. Bradley received the draft minutes leaving him almost no time to prepare a written objection to them. He voted "No" on their approval, and he has not accepted the minutes' account of the November 1 meeting or recognized his removal.

60. Defendants continue to lock Bradley out of corporate information systems, refuse to provide board packets and financial reports to him as a sitting director, and threaten to execute emergency dilutive restructuring transactions.

COUNT I

(Determination of Corporate Authority and Invalidation of Ultra Vires Actions Under 8 Del. C. § 225(a) and § 111)

(Against All Defendants)

61. Plaintiff repeats and realleges each allegation set forth above as if fully set forth herein.

62. Under 8 Del. C. § 225(a), this Court is empowered to determine the validity of the removal of any officer of a Delaware corporation and to adjudicate the right of any person to hold corporate office.

63. Section 5.4 of the Bylaws explicitly vests the authority to remove corporate officers exclusively in the Board acting collectively by a majority vote at a lawfully regular or special meeting of the Board; or the Board may otherwise act without a meeting only by unanimous written consent under 8 Del. C. § 141(f) and Bylaws Section 3.10.

64. Moyer's October 30, 2026 suspension notice was issued without Board authorization, in direct violation of Bylaws Sections 3.14 and 5.4, and was an ultra vires act void ab initio.

65. The purported November 1, 2026 special meeting was convened without lawful notice under Bylaws Section 3.7. Under 8 Del. C. § 229, Bylaws Section 3.9, and established Delaware authority, Bradley's timely threshold objection preserved all notice and procedural defects, rendering the actions taken at that meeting void or voidable under *Lippman v. Kehoe Stenograph Co.*, 11 Del. Ch. 80 (1915) and *Schroder v. Scotten, Dillon Co.*, 299 A.2d 431 (1972).

66. The Board's November 3, 2026 vote did not ratify the November 1 removal. A board ratifies a defective act only when it acts with knowledge of the material facts, including the defect itself. See *Hannigan v. Italo Petroleum Corp. of Am.*, 45 Del. 593, 597–98, 77 A.2d 209 (Del. 1949) (purported board ratification ineffective where directors were not "fully familiar with all the facts and circumstances"); *Frank v. Wilson & Co.*, 27 Del. Ch. 292, 305, 32 A.2d 277 (Del. 1943) ("Knowledge, actual or imputed, of all material facts is an essential"). The statutory ratification procedure rests on the same principle: the board must

adopt resolutions stating the defective act, its date, and "the nature of the failure of authorization." 8 Del. C. § 204(b)(1). The directors who voted on November 3 had the draft minutes for about one hour before they voted and no resolution adopted on November 3 stated the nature of the notice defects Bradley raised on November 1.

67. Plaintiff is entitled to a declaration that the October 30 suspension and November 1 removal actions were void, ultra vires, and without legal force or effect.

COUNT II

(Inequitable Manipulation of Corporate Machinery)

(Against All Director Defendants)

68. Plaintiff repeats and realleges each allegation set forth above as if fully set forth herein.

69. Under the seminal rule of *Schnell v. Chris-Craft Industries, Inc*., 285 A.2d 437 (1971), corporate actions that may be technically or formally compliant with the Delaware General Corporation Law are nonetheless impermissible and voidable in equity when utilized for an inequitable purpose, including perpetuating fiduciaries in control, frustrating corporate democracy, or disenfranchising opposing directors.

70. The Director Defendants utilized corporate machinery inequitably by:

• Abruptly locking Bradley out of company systems on October 30 to impede his ability to defend his office or access board records;

• Removing Bradley's access to his EOS-owned vault.email and Company email mailboxes;

• Suppressing and refusing to consider the $90M–$100M financing;

• Excluding independent directors from notice and deliberations;

• Manipulating meeting notices and slates to entrench Moyer in control; and

• Setting the November 1 meeting orally with the Zoom link to follow, and circulating the draft minutes of that meeting to the Board about one hour before the vote that made them the Company's official record

71. Board action taken in breach of equitable principles is voidable in equity, subject to defenses such as laches and acquiescence, which require full knowledge of the material facts. *Klaassen v. Allegro Dev. Corp*., 106 A.3d 1035, 1046–48 (Del. 2014). Bradley objected at the beginning of the November 1 meeting, voted "No" on November 3, and has not acquiesced in his removal.

72. Plaintiff has suffered and continues to suffer irreparable harm by being unlawfully stripped of his corporate office and excluded from governance.

COUNT III

(Enforcement of Director Governance and Inspection Rights Under 8 Del. C. § 141 and Bylaws Article III)

(Against Datavault AI Inc. and Brett Moyer)

73. Plaintiff repeats and realleges each allegation set forth above as if fully set forth herein.

74. Pursuant to 8 Del. C. § 141(b), a director may resign upon notice given in writing or by electronic transmission to the corporation, and Bylaws Section 3.4 provides for resignation upon written notice to the attention of the Secretary.

75. Bradley has never delivered a written resignation. As confirmed by Sullivan & Worcester's November 1 draft minutes, Bradley remains an active, sitting Director of Datavault.

76. As a sitting Director, Bradley is endowed under Delaware law with fundamental, non-waivable rights to receive notice of all board meetings, receive complete board materials, attend and participate in all deliberations, and access company communication channels.

77. Defendants have breached their statutory and contractual obligations under the Bylaws by deactivating Bradley's access, withholding board materials, and attempting to manage corporate affairs without his participation.

78. Plaintiff has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Nathaniel Bradley respectfully requests that this Court enter judgment in his favor and grant the following relief:

A. Summary Determination: Enter an order pursuant to 8 Del. C. § 225(a) determining and declaring that:

- Nathaniel Bradley is the Chief Executive Officer and President of Datavault AI, Inc.;
- The October 30, 2026 unilateral suspension of Bradley was ultra vires, void ab initio, and of no legal effect;
- The November 1, 2026 special meeting and the purported removal resolutions adopted thereat were procedurally defective, inequitable, and invalid; and
- The Board's November 3, 2026 vote to approve the minutes of the November 1, 2026 meeting did not ratify the purported removal;

B. Director Status Declaration: Declare that Nathaniel Bradley remains an active, un-resigned Director of Datavault AI Inc. with full directorial authority, notice rights, and inspection privileges under Delaware law and the Bylaws;

C. Status Quo Order: Enter an immediate Status Quo Order pending final hearing:

- Restraining Defendants from entering into any extraordinary, out-of-the-ordinary-course debt restructuring, material financing agreements, or convertible note waivers without prior notice and either Court approval or unanimous Board approval;

• Restraining Defendants from modifying, deleting, or spoliating electronic communications, server logs, or email records; and

• Ordering Defendants to restore Bradley's electronic board access and furnish all board notices and materials;

D. Expedited Proceedings: Order that this action be set for an expedited trial on the merits within thirty (30) days consistent with the summary nature of proceedings under 8 Del. C. § 225;

E. Attorneys' Fees and Costs: Award Plaintiff his reasonable attorneys' fees, expenses, and costs incurred in this action to the extent permitted by Delaware law, reserving all rights to seek advancement or indemnification under Bylaws Article VI; and

F. General Relief: Grant Plaintiff such other and further equitable relief as the Court deems just and proper.

/s/ Sean J. Bellew
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