

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

FIKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Hearing Date: April 16, 2025 at 11:00 a.m. (ET)

Objection Deadline: March 21, 2025 at 4:00 p.m.

LIQUIDATING TRUSTEE'S FOURTH OMNIBUS OBJECTION (NON-SUBSTANTIVE)
PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND LOCAL RULE 3007-1
TO CERTAIN LATE-FILED CLAIMS

*****CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES
AND CLAIMS IN THE EXHIBITS TO THE OBJECTION*****

Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "**Liquidating Trustee**") of the Fisker Liquidating Trust (the "**Liquidating Trust**"), hereby submits this fourth omnibus objection (the "**Objection**") seeking entry of an order (the "**Proposed Order**"), substantially in the form annexed hereto as **Exhibit A**, pursuant to section 502 of title 11 of the United States Code (the "**Bankruptcy Code**"), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), and Rule 3007-1 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the "**Local Rules**"), disallowing in full and expunging the late-filed claims listed on **Schedule 1** to the Proposed Order (the "**Late-Filed Claims**" or the "**Disputed Claims**"). In support of the Objection, the Liquidating Trustee submits the Declaration of Rick Wright (the "**Wright Declaration**," a copy of which is attached hereto as **Exhibit B** and incorporated by reference herein), and respectively represents as follows:

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective employer identification numbers or Delaware file numbers, are as follows: Fisker Inc. (0340); Fisker Group Inc. (3342); Fisker TN LLC (6212); Blue Current Holding LLC (6668); Platinum IPR LLC (4839); and Terra Energy Inc. (0739). The address of the Debtors' corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.



JURISDICTION AND VENUE

1. The United States District Court for the District of Delaware has jurisdiction over this Motion pursuant to 28 U.S.C. § 1334, which was referred to the United States Bankruptcy Court for the District of Delaware (the “**Court**”) under 28 U.S.C. § 157 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012.

2. Venue is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and the Court may enter a final order consistent with Article III of the United States Constitution.²

3. The statutory bases for the relief requested herein are section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1.

BACKGROUND

A. The Chapter 11 Cases

4. On June 17 and 19, 2024, as applicable (the “**Petition Date**”), Fisker, Inc. and its debtor affiliates (the “**Debtors**”) commenced the above-captioned cases (the “**Chapter 11 Cases**”) in the Court under chapter 11 of the Bankruptcy Code.

5. On October 15, 2024, the Debtors filed their fourth amended *Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Fisker Inc. and its Debtor Affiliates* (the “**Plan**”) [D.I. 713].³

² Pursuant to Local Rule 9013-1(f), the Liquidating Trustee hereby confirms his consent to entry of a final order by the Court in connection with this Objection if it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

³ Any capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Plan.

6. On October 16, 2024, the Court entered the *Findings of Fact, Conclusions of Law, and Order, Approving the Disclosure Statement on a Final Basis, Confirming the Debtors' Joint Chapter 11 Plan of Liquidation, and Granting Related Relief* (the “**Confirmation Order**”) [D.I. 722].

7. Pursuant to the Confirmation Order, the appointment of the Liquidating Trustee was approved in all respects, including:

[T]o (a) carry out all rights and duties set forth in the Plan and Liquidating Trust Agreement, (b) appear and be heard on all matters related to the Chapter 11 Cases (as a representative of the Liquidating Trust and/or the Debtors, as applicable), (c) as set forth in Article VIII.B.3 of the Plan and this Order, investigate, prosecute and resolve, in the name of the Debtors and/or the name of the Liquidating Trustee, any Preserved Estate Claims (including, for the avoidance of doubt, any criminal causes of action), and (d) present to creditors and other courts of competent jurisdiction this Order as evidence of such authority.

See Confirmation Order ¶ 73.

8. On October 17, 2024 (the “**Effective Date**”), the Plan went effective as set forth in a *Notice of (I) Effective Date of Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Fisker Inc. and its Debtor Affiliates and (II) Certain Claims Bar Dates* [D.I. 730].

9. The Liquidating Trust was established on the Effective Date, into which the Debtors transferred “all of the Debtors’ and Estates’ rights, title, and interest in and to all of the Liquidating Trust Assets, and, in accordance with section 1141 of the Bankruptcy Code, the Liquidating Trust Assets, ... automatically vest[ed] in the Liquidating Trust free and clear of all Claims, Liens, encumbrances, or interests.” *See Confirmation Order ¶ 75.*

10. The Plan provides that, after the Effective Date, the Liquidating Trustee: “[s]hall have the sole authority to (a) file, withdraw or litigate to judgment, objections to Claims; (b) settle

or compromise any Disputed Claim without any further notice to or action, order or approval by the Bankruptcy Court (other than a Professional Fee Claim).” *See* Plan, Article X.B.

B. The Bar Dates

11. On August 15 and 16, 2024, each Debtor filed its respective schedule of assets and liabilities and statement of financial affairs, as each may have been amended from time to time [D.I. 430-450].

12. On August 19, 2024, the Court entered its *Order (I) Establishing Certain Bar Dates for Filing Proofs of Claim Against the Debtors, and (II) Granting Related Relief, Including Notice and Filing Procedures* [D.I. 458] (the “**Bar Date Order**”).

13. Among other things, the Bar Date Order established (i) 5:00 p.m. prevailing Eastern Time on September 11, 2024 (the “**General Bar Date**”) as the deadline for all entities, other than governmental units, to file Proofs of Claim and (ii) 5:00 p.m. prevailing Eastern Time on December 16, 2024 (the “**Government Bar Date**”) as the deadline for governmental units to file Proofs of Claim.

14. The Plan and the Confirmation Order provided that holders of Administrative Claims and Claims arising from the rejection of executory contracts or unexpired leases pursuant to the Plan were required to file such claims no later than the first Business Day that was thirty (30) days following the Effective Date, or November 18, 2024 (the “**Administrative Claim and Rejection Bar Date**”) and, together with the General Bar Date and the Government Bar Date, the “**Bar Dates**”).

C. Claims Objection Deadlines

15. Pursuant to the *Order Extending the Period to File and Serve Objections to Administrative Claims Through and Including April 18, 2025* [D.I. 817], the deadline for the

Liquidating Trustee to object to Administrative Claims, including claims under section 503(b)(9) of the Bankruptcy Code, is April 18, 2025, subject to the Liquidating Trustee's right to seek additional extensions.

16. Pursuant to the *Order Extending the Period to File and Serve Objections to Claims and Interests Through and Including July 14, 2025* [D.I. 883], the deadline for the Liquidating Trustee to object to Claims and Interests other than Administrative Claims is July 14, 2025, subject to the Liquidating Trustee's right to seek additional extensions.

D. The Claims Resolution Process

17. In the ordinary course of business, the Debtors maintained books and records (the "**Books and Records**") that reflect, among other things, the Debtors' liabilities and the amounts owed to their creditors. The Liquidating Trustee and his advisors (the "**Reviewing Parties**") are undertaking a review of the Proofs of Claim filed in these Chapter 11 Cases, including any supporting documentation and a comparison of these documents with the Debtors' Books and Records to determine the validity of the Proofs of Claim. This process includes identifying categories of claims that may be targeted for disallowance and expungement, reduction and/or reclassification.

18. Additionally, pursuant to the *Order Granting Liquidating Trustee's Motion for (I) Leave from Local Rule 3007-1(f) Related to the Filings of Substantive Omnibus Claim Objections and (II) Related Relief* [D.I. 894], the Liquidating Trustee has obtained the Court's approval of certain omnibus objection procedures (the "**Claims Objection Procedures**"). The Claims Objection Procedures permit the Liquidating Trustee to conduct the Claims reconciliation process in a more timely, efficient, and cost-effective manner as it relates to the filing of substantive omnibus claim objections.

19. As part of their ongoing review of filed Claims, the Reviewing Parties have reviewed each of the Claims listed on **Schedule 1** to the Proposed Order and have concluded that each such Claim was filed after the applicable Bar Date. For the reasons set forth in more detail below, and based on this review, the Liquidating Trustee has determined that the Disputed Claims are objectionable on non-substantive grounds, i.e., that such Claims are Late-Filed Claims that are subject to disallowance in full and expungement.⁴

20. To reduce the number of Claims, and to avoid possible double or otherwise improper recovery by claimants, the Liquidating Trustee anticipates filing additional objections to Claims on a rolling basis.

RELIEF REQUESTED

21. Section 502(a) of the Bankruptcy Code provides, in pertinent part, as follows: “[a] claim or interest, proof of which is filed under section 501 of [the Bankruptcy Code], is deemed allowed, unless a party in interest . . . objects.” 11 U.S.C. § 502(a). Further, section 502(b)(1) of the Bankruptcy Code provides that a court “shall determine the amount of such claim . . . as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that—such claim is unenforceable against the debtor and the property of the debtor” 11 U.S.C. § 502(b)(1).

22. The burden of proof for determining the validity of claims rests on different parties at different stages of the objection process. As explained by United States Court of Appeals for the Third Circuit:

The burden of proof for claims brought in bankruptcy court under 11 U.S.C. § 502(a) rests on different parties at different times. Initially, the claimant must allege facts sufficient to support the

⁴ This Objection is expressly without prejudice to any and all rights of the Liquidating Trustee to bring future and/or additional objections to any of the Disputed Claims on any basis if applicable.

claim. If the averments in his filed claim meet this standard of sufficiency, it is ‘prima facie’ valid. [citations omitted]. In other words, a claim that alleges facts sufficient to support legal liability to the claimant satisfies the claimants’ initial obligation to go forward. The burden of going forward then shifts to the objector to produce evidence sufficient to negate the prima facie validity of the filed claim . . . In practice, the objector must produce evidence which, if believed, would refute at least one of the allegations that is essential to the claim’s legal sufficiency. If the objector produces sufficient evidence to negate one or more of the sworn facts in the proof of claim, the burden reverts to the claimant to prove the validity of the claim by a preponderance of the evidence.

In re Allegheny Int’l Inc., 954 F.2d 167, 173-74 (3d Cir. 1992) (citation omitted). Once the *prima facie* validity of a claim is rebutted, “it is for the claimant to prove his claim, not for the objector to disprove it.” *In re Kahn*, 114 B.R. 40, 44 (Bankr. S.D.N.Y. 1990) (citations omitted).

23. Bankruptcy Rule 3007 provides certain grounds upon which “objections to more than one claim may be joined in an omnibus objection.” Fed. R. Bankr. P. 3007(d). Additionally, Local Rule 3007-1 governs omnibus objections to Claims in this District and “applies to an omnibus objection to claims. . . . [(i.e.,)] an objection that objects to claims filed by different claimants.” Del. Bankr. L.R. 3007-1(a).

24. Local Rule 3007-1(c) provides that “[a]n omnibus objection is deemed to be made on a substantive basis unless it is based on the following: . . . (iv) Late filed claim.” Del. Bankr. L.R. 3007-1(c)(iv).

25. For the reasons set forth below, there is ample evidence to rebut the *prima facie* validity of each of the Disputed Claims.

A. Late-Filed Claims

26. Pursuant to section 502(b)(9) of the Bankruptcy Code, a claim shall not be allowed “to the extent that . . . proof of such claim is not timely filed[.]” 11 U.S.C. § 502(b)(9); *see also First Fidelity Bank, N.A. v. Hooker Inves. Inc. (In re Hooker Inves. Inc.)*, 937 F.2d 833, 840 (2d

Cir. 1991) (enforcing the bar date and stating, inter alia, that “a bar date order does not function merely as a procedural gauntlet”); *In re Keene Corp.*, 188 B.R. 903, 907 (Bankr. S.D.N.Y. 1995) (stating that the “[b]ar date is akin to a statute of limitations, and must be strictly observed”).

27. During the Reviewing Parties’ review of the Proofs of Claim, the Liquidating Trustee determined that the Late-Filed Claims, identified on **Schedule 1** to the Proposed Order, were filed after the applicable Bar Date. Accordingly, the Liquidating Trustee requests that each of the Late-Filed Claims be disallowed in full and expunged.

SEPARATE CONTESTED MATTERS

28. Each of the above objections to the Disputed Claims constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. The Liquidating Trustee requests that any order entered by this Court with respect to an objection asserted in this Objection shall be deemed a separate order with respect to each Claim.

RESERVATION OF RIGHTS

29. The Liquidating Trustee expressly reserves the right to amend, modify or supplement this Objection and to file additional objections to the Disputed Claims or any other Claims (filed or not) which may be asserted against the Debtors and/or the Liquidating Trust. Should one or more of the grounds of objection stated in this Objection be dismissed, the Liquidating Trustee reserve his rights to object on other stated grounds or on any other grounds that the Liquidating Trustee discovers during the pendency of these Chapter 11 Cases.

NOTICE

30. Notice of this Motion has been provided via first class mail to (i) the Office of the United States Trustee for the District of Delaware; (ii) all the Claimants on **Schedule 1** to the

Proposed Order; and (iii) any persons who have filed a request for notice in these Chapter 11 Cases pursuant to Bankruptcy Rule 2002.

STATEMENT OF COMPLIANCE WITH LOCAL RULE 3007-1(d)(i)(E)

31. The undersigned representative of Cole Schotz P.C. ("**Cole Schotz**") certifies that he has reviewed the requirements of Local Rule 3007-1 and that the Objection substantially complies with that Local Rule. To the extent that the Objection does not comply in all respects with the requirements of Local Rule 3007-1, Cole Schotz asserts that such deviations are not material and respectfully requests that any such requirement be waived.

CONCLUSION

32. Accordingly, the Liquidating Trustee respectfully requests that this Court (i) enter the Proposed Order attached hereto as **Exhibit A** disallowing in full and expunging the Disputed Claims; and (ii) grant such other and further relief as is just and proper.

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Dated: February 28, 2025
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Justin R. Alberto

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Co-Counsel to the Liquidating Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FISKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Hearing Date: April 16, 2025 at 11:00 a.m. (ET)

Objection Deadline: March 21, 2025 at 4:00 p.m.

NOTICE OF LIQUIDATING TRUSTEE'S FOURTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND LOCAL RULE 3007-1 TO CERTAIN LATE-FILED CLAIMS

*****CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES
AND CLAIMS ON SCHEDULE 1 TO THE PROPOSED ORDER*****

PLEASE TAKE NOTICE, that on February 28, 2025, Matthew Dundon, solely in his capacity as the Liquidating Trustee (the “**Liquidating Trustee**”) of the Fisker Liquidating Trust, filed the *Liquidating Trustee’s Fourth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Late-Filed Claims* (the “**Objection**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”). A copy of the Objection is enclosed herein.

PLEASE TAKE FURTHER NOTICE, that responses, if any, to the Objection must be filed with the Clerk of the Court, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801, on or before **March 14, 2025 at 4:00 p.m. (ET)** (the “**Response Deadline**”). At the same time, you must serve a copy of the response upon the undersigned counsel so as to be received on or before the Response Deadline.

PLEASE TAKE FURTHER NOTICE, that, if a response is timely filed and served, and such objection or response is not otherwise timely resolved, a hearing with respect to the Objection will be held before The Honorable Thomas M. Horan, United States Bankruptcy Judge, at the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 5th Floor, Courtroom #4, Wilmington, Delaware 19801 on **April 16, 2025 at 11:00 a.m. (ET)**.

PLEASE TAKE FURTHER NOTICE THAT IF NO RESPONSE IS RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY ENTER THE RELIEF REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective employer identification numbers or Delaware file numbers, are as follows: Fisker Inc. (0340); Fisker Group Inc. (3342); Fisker TN LLC (6212); Blue Current Holding LLC (6668); Platinum IPR LLC (4839); and Terra Energy Inc. (0739). The address of the Debtors’ corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.

Dated: February 28, 2025
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Justin R. Alberto

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Co-Counsel to the Liquidating Trustee

Exhibit A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FISKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Re: D.I. ____

**ORDER GRANTING LIQUIDATING TRUSTEE’S FOURTH OMNIBUS OBJECTION
(NON-SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND
LOCAL RULE 3007-1 TO CERTAIN LATE-FILED CLAIMS**

Upon the *Liquidating Trustee’s Fourth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Late-Filed Claims* (the “**Objection**”),² filed by Matthew Dundon, solely in his capacity as the Liquidating Trustee (the “**Liquidating Trustee**”) of the Fisker Liquidating Trust, seeking entry of an order pursuant to 11 U.S.C. § 502, Bankruptcy Rule 3007 and Local Rule 3007-1 disallowing in full and expunging the Disputed Claims; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157; and it appearing that venue of this proceeding is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and adequate notice of the Objection and opportunity for response having been given; and it appearing that no other notice need be given; and the Court having considered the Objection, the Claims listed on Schedule 1 annexed hereto, and any responses thereto; and upon the record herein;

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective employer identification numbers or Delaware file numbers, are as follows: Fisker Inc. (0340); Fisker Group Inc. (3342); Fisker TN LLC (6212); Blue Current Holding LLC (6668); Platinum IPR LLC (4839); and Terra Energy Inc. (0739). The address of the debtors’ corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.

² Any capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Objection.

and, after due deliberation and sufficient cause appearing therefore, it is FOUND AND DETERMINED that:

- A. This Objection is a core proceeding under 28 U.S.C. § 157(b)(2).
- B. Each holder of a Claim listed on Schedule 1 attached hereto was properly and timely served with a copy of the Objection, this Order, the accompanying exhibit, and the notice.
- C. Any entity known to have an interest in the Claims subject to the Objection has been afforded reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection.
- D. Each of the Claims on Schedule 1 hereto asserts a late-filed claim.

IT IS HEREBY ORDERED ADJUDGED AND DECREED that:

- 1. The Objection is GRANTED as set forth herein.
- 2. Any response to the Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.
- 3. Each of the Claims listed as a Late-Filed Claim on Schedule 1 is hereby disallowed in full and expunged.
- 4. The official Claims Register in these Chapter 11 Cases shall be modified in accordance with this Order.
- 5. The Liquidating Trustee's rights to amend, modify, or supplement the Objection, and the rights of all parties in interest to file additional objections to the Claims or any other Claims (filed or not) which may be asserted against the Debtors and/or the Liquidating Trust, are preserved. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Liquidating Trustee's rights and the rights of other parties in interest to object on

the other stated grounds or on any other grounds that the Liquidating Trustee or other parties in interest may discover are further preserved.

6. Notwithstanding the possible applicability of Bankruptcy Rules 6004, 7062, 9014 or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry. All time periods set forth in the Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

7. This Court shall retain jurisdiction over the Liquidating Trustee and the Claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the Objection and the implementation of this Order.

Schedule 1 - Late-Filed Claims

Name	Date Claim Filed	Claim No.	Asserted Total Claim Amount	Reason for Disallowance
Acuna, Fernando	09/23/2024	3920	\$45,000.00	Claim filed after General Bar Date of September 11, 2024
Adams, Jeff	09/16/2024	3760	\$30,000.00	Claim filed after General Bar Date of September 11, 2024
Besecker, Ashley	10/01/2024	3990	\$2,869.79	Claim filed after General Bar Date of September 11, 2024
Bhat, Rakesh Kumar	09/18/2024	3827	\$40,100.00	Claim filed after General Bar Date of September 11, 2024
Bhatnagar, Viraj	09/13/2024	3843	\$80,000.00	Claim filed after General Bar Date of September 11, 2024
Bhuiyan, ATM Anisur	09/12/2024	3711	\$60,988.96	Claim filed after General Bar Date of September 11, 2024
Boyd, Paxton	09/17/2024	3826	\$30,000.00	Claim filed after General Bar Date of September 11, 2024
Brock, Barbara	09/16/2024	3751	\$61,411.00	Claim filed after General Bar Date of September 11, 2024
Bryan, Vincent	09/13/2024	3774	\$35,000.00	Claim filed after General Bar Date of September 11, 2024
Canpolat, Serdar	09/18/2024	3863	\$65,000.00	Claim filed after General Bar Date of September 11, 2024
Challa, Mahaveer	09/22/2024	3919	\$15,000.00	Claim filed after General Bar Date of September 11, 2024
Chilton, Darrell	09/16/2024	3854	\$76,000.00	Claim filed after General Bar Date of September 11, 2024
Cunningham, Bob	09/23/2024	3926	\$35,000.00	Claim filed after General Bar Date of September 11, 2024
Epie, Ewang	09/19/2024	3883	\$70,000.00	Claim filed after General Bar Date of September 11, 2024
Fouembitoue, Joseph	09/15/2024	3802	\$500.00	Claim filed after General Bar Date of September 11, 2024
Hack, James	09/18/2024	3842	\$5,250.00	Claim filed after General Bar Date of September 11, 2024
Hanna, Rick	10/04/2024	4017	Unliquidated	Claim filed after General Bar Date of September 11, 2024
Hicks, Richard	09/20/2024	3896	\$70,000.00	Claim filed after General Bar Date of September 11, 2024
Hopkins, Fiske	09/12/2024	3733	\$89,134.80	Claim filed after General Bar Date of September 11, 2024
Hughes, Joel	09/16/2024	3749	\$35,000.00	Claim filed after General Bar Date of September 11, 2024
Hunter, Addis	09/25/2024	3954	\$71,283.52	Claim filed after General Bar Date of September 11, 2024
Jones, Adiah	10/01/2024	3986	\$105,750.00	Claim filed after General Bar Date of September 11, 2024
Krishnamoorthy, Kannan	10/07/2024	4034	\$30,000.00	Claim filed after General Bar Date of September 11, 2024
Lim, Chong	10/04/2024	4008	\$80,722.22	Claim filed after General Bar Date of September 11, 2024
Mateo, David	09/19/2024	3878	\$92,125.64	Claim filed after General Bar Date of September 11, 2024
Mistry, Kalpesh	09/30/2024	3985	\$71,506.64	Claim filed after General Bar Date of September 11, 2024
Mohammad, Razdar Khan	09/18/2024	3830	\$76,331.18	Claim filed after General Bar Date of September 11, 2024
Ortiz, Osnalza	09/16/2024	3870	\$53,406.64	Claim filed after General Bar Date of September 11, 2024
Perkins, Scott	10/04/2024	4024	\$348,000.00	Claim filed after General Bar Date of September 11, 2024
Querido, David	09/17/2024	3821	\$1,000.00	Claim filed after General Bar Date of September 11, 2024
Rafla, Atef	09/21/2024	3960	\$69,000.00	Claim filed after General Bar Date of September 11, 2024
Roberts, Rodney	09/13/2024	3773	\$65,000.00	Claim filed after General Bar Date of September 11, 2024
Silva, Celso Duarte	09/14/2024	3793	\$13,250.00	Claim filed after General Bar Date of September 11, 2024
Simmonds, Katherine	10/02/2024	4020	\$72,000.00	Claim filed after General Bar Date of September 11, 2024
Stegemann, Tom	09/17/2024	3817	\$5,250.00	Claim filed after General Bar Date of September 11, 2024
Stitt-Spohrer, Tammy	09/17/2024	3868	\$29,000.00	Claim filed after General Bar Date of September 11, 2024
White, Brandon	09/27/2024	3973	\$70,000.00	Claim filed after General Bar Date of September 11, 2024

Exhibit B

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FISKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

**DECLARATION OF RICK WRIGHT IN SUPPORT OF LIQUIDATING TRUSTEE'S
FOURTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) PURSUANT TO 11 U.S.C.
§ 502, FED. R. BANKR. P. 3007 AND LOCAL RULE 3007-1 TO CERTAIN
LATE-FILED CLAIMS**

I, Rick Wright, hereby declare under penalty of perjury:

1. I submit this declaration (the “**Declaration**”) in support of the *Liquidating Trustee’s Fourth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Late-Filed Claims* (the “**Objection**”), filed by Matthew Dundon, solely in his capacity as the Liquidating Trustee (the “**Liquidating Trustee**”) of the Fisker Liquidating Trust.

2. I am a Managing Director at Dundon Advisers. In that capacity, I work under the direction of the Liquidating Trustee. I am familiar with the day-to-day operations, businesses, financial affairs, and books and records of Fisker, Inc. and its debtor affiliates (the “**Debtors**”). I make this Declaration on the basis of the review, by myself and those under my direction, of the Debtors’ respective books and records (the “**Books and Records**”), the register of claims (the “**Claims Register**”) prepared and provided by the Debtors’ notice and claims agent, Kurtzman

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective employer identification numbers or Delaware file numbers, are as follows: Fisker Inc. (0340); Fisker Group Inc. (3342); Fisker TN LLC (6212); Blue Current Holding LLC (6668); Platinum IPR LLC (4839); and Terra Energy Inc. (0739). The address of the Debtors’ corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.

Carson Consultants dba Verita Global (“**Verita**”), and the Proofs of Claim² filed in these Chapter 11 Cases.

3. All matters set forth in this Declaration are based on: (a) my personal knowledge; (b) my review of relevant documents; (c) my view, based on my experience and knowledge of the Debtors’ operations and Books and Records; (d) information supplied to me by others at my request; and (e) as to matters involving United States bankruptcy law or rules or other applicable laws, my reliance on the advice of counsel or other advisors to the Liquidating Trustee. If called upon to testify, I could and would testify competently to the facts set forth herein.

4. During the Claims reconciliation process, the Reviewing Parties have conducted, and continue to conduct, a review of the Claims filed in the Chapter 11 Cases. In this regard, I, or another person at my direction, participated in the review of both the Claims Register and the Books and Records with respect to identifying certain Claims that are objectionable on non-substantive grounds, i.e., Late-Filed Claims. I have read the Objection, the Proposed Order, and Schedule 1 attached to the Proposed Order, and I am familiar with the information contained therein.

5. Upon the review of the Proofs of Claim filed in these Chapter 11 Cases, I have identified the Late-Filed Claims. To the best of my knowledge, information, and belief, and insofar as I have been able to ascertain after reasonable inquiry and investigation of the Debtors’ Books and Records, the Proofs of Claim, and all documentation submitted with the Proofs of Claim, each of the Claims listed on Schedule 1 attached to the Proposed Order represent Late-Filed Claims that should each be disallowed in full and expunged.

² Any capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Objection.

6. Accordingly, based upon my review of the Claims Register and the Books and Records, I believe that granting the relief requested in the Objection is in the best interest of the Liquidating Trust, the Debtors' estates and their creditors.

Dated: February 28, 2025

/s/ Rick Wright

Rick Wright