

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: May 29, 2025 at 10:00 a.m. (ET)

Objection Deadline: May 5, 2025 at 4:00 p.m. (ET)

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

TO THE HOLDERS OF CLAIMS ON SCHEDULE 1 TO THE PROPOSED ORDER
ANNEXED HERETO AS EXHIBIT A:

- YOUR SUBSTANTIVE RIGHTS MAY BE AFFECTED BY THIS OBJECTION AND BY ANY FURTHER OBJECTION THAT MAY BE FILED BY THE LIQUIDATING TRUSTEE
- YOU ARE DIRECTED TO LOCATE YOUR CLAIM ON SCHEDULE 1 ATTACHED TO THE PROPOSED ORDER
- THE RELIEF SOUGHT HEREIN IS WITHOUT PREJUDICE TO THE LIQUIDATING TRUSTEE'S RIGHTS, OR THE RIGHTS OF OTHER PARTIES-IN-INTEREST, TO PURSUE FURTHER SUBSTANTIVE OR NON-SUBSTANTIVE OBJECTIONS AGAINST THE CLAIMS ADDRESSED HEREIN

Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "Liquidating Trustee") of the Fisker Liquidating Trust (the "Liquidating Trust"), hereby submits this sixth omnibus objection (substantive) (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

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.



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**”) reclassifying the priority status of the disputed claims listed on **Schedule 1** to the Proposed Order because the Debtors’ books and records show that such Disputed Claims are not entitled to the asserted priority (the “**Misclassified 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:

JURISDICTION AND VENUE

1. The United States District Court for the District of Delaware has jurisdiction over this Objection 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.

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.

BACKGROUND

A. The Chapter 11 Cases

4. On June 17 and 19, 2024, as applicable (the “**Petition Date**”), Fisker, Inc. and its debtor affiliates (collectively, 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* (as amended, the “**Plan**”)³ [D.I. 713].

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] confirming the Plan.

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.

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

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 (the “**Schedules**”) 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 Claims 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 Bankruptcy Code section 503(b)(9), is April 18, 2025, subject to the Liquidating Trustee’s right to seek additional extensions.

16. On April 10, 2025, the Liquidating Trustee filed the *Motion for Entry of an Order Further Extending the Time Period to File and Serve Objections to Administrative Claims* [D.I. 950], seeking to further extend the time to file and serve objections to Administrative Claims for 122 days, from April 18, 2025, through and including August 18, 2025, without prejudice to the Liquidating Trustee’s right to seek further extensions thereof.

17. 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 other than Administrative Claims is July 14, 2025, subject to the Liquidating Trustee’s right to seek additional extensions.

D. The Claims Resolution Process

18. 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 thorough review of the Proofs of Claim filed in these Chapter 11 Cases, including any supporting documentation and a comparison of these documents with the 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.

19. 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 claim 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.

20. While the Reviewing Parties’ analysis and Claims reconciliation remains ongoing, the Liquidating Trustee has determined that the Misclassified Claims are objectionable on substantive grounds and should be reclassified to the appropriate unsecured status because the Books and Records show that such Claims are not entitled to the priority asserted in the applicable Proof of Claim (*See*, column titled “Asserted Claim Priority” on **Schedule 1**).

21. At this time, the Liquidating Trustee is not seeking to allow or disallow and/or reduce the Disputed Claims listed in the “Reclassified Claim Priority” column on **Schedule 1**. However, the Liquidating Trustee expressly reserves the right to seek such relief in the future.

22. Therefore, in an effort to maintain an accurate claims register, the Liquidating Trustee objects to the allowance of each of the Misclassified Claims and requests that each such Misclassified Claim be reclassified as set forth on Schedule 1.⁴

RELIEF REQUESTED

23. 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.” *See 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” *See id.* § 502(b)(1).

24. 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 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.

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.

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).

25. Bankruptcy Rule 3007 provides certain grounds upon which “objections to more than one claim may be joined in a single objection.” *See* 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.” *See* Del. Bankr. L.R. 3007-1(a).

26. Pursuant to Local Rule 3007-1(c) and the Claims Objection Procedures, the Liquidating Trustee may file omnibus objections on a substantive basis to Claims that are incorrectly or improperly classified.

27. For the reasons set forth herein, there is ample evidence to rebut the *prima facie* validity of each of the Disputed Claims. The Misclassified Claims are unenforceable against the Debtors and their estates in the priority asserted for the reasons set forth herein and in the Wright Declaration.

28. Each Misclassified Claim was filed against a Debtor for certain amounts allegedly owed by that Debtor. The Misclassified Claims must be reclassified because a review of the Books and Records, as well as the documentation (or lack thereof) submitted in support of the Misclassified Claims, establish that the Misclassified Claims were asserted with the incorrect priority status.

29. If the Misclassified Claims are not reclassified, the potential exists for the applicable claimants to receive recoveries to which they are not entitled, to the detriment of the Debtors’ other stakeholders. Therefore, pursuant to section 502(b)(1) of the Bankruptcy Code,

Bankruptcy Rule 3007, and Local Rule 3007-1, the Liquidating Trustee respectfully requests that the Court enter the Proposed Order granting the relief requested herein.

RESPONSES TO OMNIBUS OBJECTIONS

30. To contest this Objection, a claimant must file and serve a written response (a “**Response**”) so that it is received no later than ____, 2025 at 4:00 p.m. (Eastern Time) (the “**Response Deadline**”). Every Response must be filed with the Office of the Clerk of the United States Bankruptcy Court for the District of Delaware: 824 North Market Street, Wilmington, Delaware 19801, and served upon the following entities, so that the Response is received no later than the Response Deadline, at the undersigned addresses for counsel to the Liquidating Trustee.

31. Every Response to this Objection must contain, at a minimum, the following information:

- i. a caption setting forth the name of the Court, the name of the Debtors, the case number, and the title of the objection to which the response is directed;
- ii. the name of the claimant, his/her/its Claim number, and a description of the basis of the claim;
- iii. the specific factual basis and supporting legal argument upon which the party will rely in opposing this Objection;
- iv. any supporting documentation, to the extent it was not included with the Proof of Claim, previously filed with the clerk or claims agent, upon which the party will rely to support the basis for and amounts asserted in the Proof of Claim; and
- v. the name, address, telephone number, email address and fax number of the persons (which may be the claimant or the claimant’s legal representative) with whom counsel for the Liquidating Trustee should communicate with respect to the Claim and/or the Objection and who possesses authority to reconcile, settle, or otherwise resolve the Objection to the Disputed Claim on behalf of the claimant.

32. If a claimant fails to file and serve a timely Response by the Response Deadline, the Liquidating Trustee will present to the Court an appropriate order reclassifying such claimant’s Claim as set forth on **Schedule 1** to the Proposed Order without further notice to the claimant.

REPLIES TO RESPONSES

33. Consistent with Local Rule 9006-1(d), the Liquidating Trustee may, at his option, file and serve a reply to a Response no later than 4:00 p.m. (Prevailing Eastern Time) one (1) day prior to the deadline for filing the agenda for any hearing to consider the Objection.

SEPARATE CONTESTED MATTERS

34. Each of the above objections to the Proofs of Claim 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

35. The Liquidating Trustee expressly reserves the right to amend, modify or supplement this Objection and to file additional objections to the Proofs of Claim 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

36. Notice of this Objection has been provided via first class mail to (i) the Office of the United States Trustee for the District of Delaware; (ii) all of 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

37. The undersigned representative of Cole Schotz P.C. ("**Cole Schotz**") certifies that the firm 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

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

Dated: April 14, 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: May 29, 2025 at 10:00 a.m. (ET)

Objection Deadline: May 5, 2025 at 4:00 p.m. (ET)

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

**TO THE HOLDERS OF CLAIMS ON SCHEDULE 1 TO THE PROPOSED ORDER
ANNEXED TO THE OBJECTION AS EXHIBIT A:**

- **YOUR SUBSTANTIVE RIGHTS MAY BE AFFECTED BY THIS OBJECTION AND BY ANY FURTHER OBJECTION THAT MAY BE FILED BY THE LIQUIDATING TRUSTEE**
- **YOU ARE DIRECTED TO LOCATE YOUR CLAIM ON SCHEDULE 1 ATTACHED TO THE PROPOSED ORDER**
- **THE RELIEF SOUGHT HEREIN IS WITHOUT PREJUDICE TO THE LIQUIDATING TRUSTEE'S RIGHTS, OR THE RIGHTS OF OTHER PARTIES-IN-INTEREST, TO PURSUE FURTHER SUBSTANTIVE OR NON-SUBSTANTIVE OBJECTIONS AGAINST THE CLAIMS ADDRESSED HEREIN**

PLEASE TAKE NOTICE, that on April 14, 2025, Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "**Liquidating Trustee**") of the Fisker Liquidating Trust, filed the *Liquidating Trustee's Sixth Omnibus Objection (Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Misclassified 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 **May 5, 2025 at 4:00 p.m. (ET)** (the "**Response Deadline**"). At the same time, you

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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 #5, Wilmington, Delaware 19801 on **May 29, 2025 at 10:00 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.

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Dated: April 14, 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 SIXTH OMNIBUS OBJECTION
(SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND
LOCAL RULE 3007-1 TO CERTAIN MISCLASSIFIED CLAIMS**

THIS MATTER having come before the Court upon the *Liquidating Trustee's Sixth Omnibus Objection (Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Misclassified 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 reclassifying the priority status of the Disputed Claims listed on **Schedule 1** annexed hereto; 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 Disputed

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.

Claims listed on **Schedule 1** annexed hereto, and any responses thereto; and upon the record herein; 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 Disputed 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 Disputed 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 Disputed Claims on **Schedule 1** hereto asserts an incorrect priority status.

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 Disputed Claims on **Schedule 1** hereto is hereby reclassified to the classification status set forth on **Schedule 1**.
- 4. The Liquidating Trustee's rights to further object at a later date and on any basis to Disputed Claims on **Schedule 1** hereto are fully preserved.
- 5. The official claims register in these Chapter 11 Cases shall be modified in accordance with this Order.

6. The Liquidating Trustee's rights and the rights of other parties in interest 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, 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 other stated grounds or on any other grounds that the Liquidating Trustee or other parties in interest may discover are further preserved.

7. 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).

8. 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 - Misclassified Claims

#	Claimant Name	Claim No.	Asserted Claim Amount	Asserted Claim Priority	Reclassified Claim Amount	Reclassified Claim Priority	Reason for Reclassification
1	Abounasseri, Khosrow	1768	\$69,000.00	Secured	\$69,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
2	Andrawes, Peter	1710	\$70,000.00	Secured	\$70,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
3	Aribisala, Clement	2106	\$45,000.00	Secured	\$45,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
4	Bolton, Andrew	2310	\$76,669.22	Secured	\$76,669.22	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
5	Buyer, David	2124	\$687.09	Priority	\$687.09	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a)(8) has no legal basis. The supporting detail shows this Claim relates to taxes owed by the claimant.
6	Cao, Kelly	2135	Total Claim: \$80,681.00 Secured: \$75,431.00 Priority: \$5,250.00	Secured/Priority	\$80,681.00	General Unsecured	According to the Debtors' Books and Records, the portion of the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support of its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
7	Carley, Pat	1649	Total Claim: \$73,000.00 Secured: \$39,000.00 Priority \$73,00.00	Secured/Priority	\$73,000.00	General Unsecured	According to the Debtors' Books and Records, the portion of the liability asserted as secured has no legal basis. The Claimant holds no lien to secured the claim, and the claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, Claimant fails to attach sufficient documentation to support of its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
8	Carroll, Jessica	1252	\$50,000.00	Priority	\$50,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a)(7) has no legal basis. The supporting detail shows this claim relates to a completed vehicle purchase. Additionally, Claimant fails to attach sufficient documentation to support of its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a)(7).
9	Caveness, Bryant	1615	\$77,941.36	Secured	\$77,941.36	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
10	Chupinin, Vitaliy	1592	Total Claim: \$11,298.00 Priority: \$1,500.00	Priority	Total Claim: \$11,298.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a)(7) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support of its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a)(7).

#	Claimant Name	Claim No.	Asserted Claim Amount	Asserted Claim Priority	Reclassified Claim Amount	Reclassified Claim Priority	Reason for Reclassification
11	Dexter, Deborah	2966	\$40,000.00	Secured	\$40,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
12	Edmonds, Bradley	1140	Total Claim: \$250.00 Secured: \$250.00 Priority \$250.00	Secured/Priority	\$250.00	Priority	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
13	Enriquez, Jesus	2612	\$77,000.00	Secured	\$77,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
14	Fernandez, Cuauhtemoc	3178	Total Claim: \$67,500.00 Secured: \$67,500.00 Priority \$67,500.00	Secured/Priority	\$67,500.00	General Unsecured	According to the Debtors' Books and Records, the portion of the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
15	Firer, Inna	1798	Total Claim: \$35,000.00 Secured: \$35,000.00 Priority: \$15,000.00	Secured/Priority	\$35,000.00	General Unsecured	According to the Debtors' Books and Records, the portion of the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, Claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
16	Frere, Juliane	2354	\$63,276.36	Priority	\$63,276.36	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a)(7) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a)(7).
17	Galus, James	790	\$250.00	Secured	\$250.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The Claimant holds no lien to secured the claim, and the claim is therefore ineligible for secured status.
18	Goldstein, Robert	3086	Total Claim: UNLIQUIDATED Secured: \$47,261.37	Secured	UNLIQUIDATED	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
19	Goldwyn, David	1691	Total Claim: \$50,000.00 Secured: \$20,000.00 Priority \$30,000.00	Secured/Priority	\$50,000.00	General Unsecured	According to the Debtors' Books and Records, the portion of the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
20	Grosse, Javier	3687	\$2,144.57	Priority	\$2,144.57	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a)(7) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a)(7).

#	Claimant Name	Claim No.	Asserted Claim Amount	Asserted Claim Priority	Reclassified Claim Amount	Reclassified Claim Priority	Reason for Reclassification
21	Guedez, Jean-Luc	2788	\$64,152.86	Secured	\$64,152.86	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The Claimant holds no lien to secured the claim, and the claim is therefore ineligible for secured status.
22	Hamilton, Bryan	2709	\$61,560.75	Secured	\$61,560.75	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
23	Haran, Robert	2295	\$54,791.26	Secured	\$54,791.26	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
24	Issac, Jacob	3041	\$62,863.00	Secured	\$62,863.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
25	John, Saji	2754	\$76,815.52	Secured	\$76,815.52	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
26	Kim, Ron	2869	Secured: \$48,000.00 Priority \$16,650.00	Secured/Priority	\$64,650.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
27	Landis, Ned	1732	\$3,800.00	Priority	\$3,800.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a).
28	Lindquist, Mark	2601	Total Claim: \$68,507.61 Secured \$68,507.61 Priority \$20,750.00	Secured/Priority	\$68,507.61	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
29	Lindsley, Philip	2324	\$75,000.00	Secured	\$75,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
30	Maddox, Scott	739	\$2,250.00	Priority	\$2,250.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a).
31	Maske, Doug	2895	\$74,000.00	Priority	\$74,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a).

#	Claimant Name	Claim No.	Asserted Claim Amount	Asserted Claim Priority	Reclassified Claim Amount	Reclassified Claim Priority	Reason for Reclassification
32	Mistry, Himanshu	1865	Total Claim: \$70,000.00 Secured: \$70,000.00 Priority: \$5,250.00	Secured/Priority	\$70,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
33	Momin, Rumesha	2147	\$20,000.00	Secured	\$20,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The Claimant holds no lien to secured the claim, and the claim is therefore ineligible for secured status.
34	Morillo, Jesus	2934	Total Claim: \$85,764.76 Secured: \$80,000.76 Priority: \$8,000.00	Secured/Priority	\$85,764.76	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
35	Mueller, Trudi	3436	\$30,000.00	Secured	\$30,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
36	Paakki, Travis	698	Total Claim: \$750.00 Secured: \$250.00	Secured	\$750.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a).
37	Paquette, Lisa	1185	Total Claim: \$1,000.00 Secured: \$1,000.00 Priority \$1,000.00	Secured/Priority	\$1,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
38	Pendyala, Venkata	1523	\$55,000.00	Secured	\$55,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
39	Phanthapannha, Charles	3253	\$71,136.50	Secured	\$71,136.50	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
40	Prasad, Ramnarayan	2930	\$15,000.00	Secured	\$15,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
41	Reyes, Stephanie	1177	\$5,000.00	Admin/Priority	\$5,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as administrative and/or priority claim pursuant to 11 U.S.C. §§ 503(b)(9) and 507(a) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. §§ 503(b)(9) and/or 507(a).
42	Rossi, George	1547	\$74,249.00	Secured	\$74,249.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.

#	Claimant Name	Claim No.	Asserted Claim Amount	Asserted Claim Priority	Reclassified Claim Amount	Reclassified Claim Priority	Reason for Reclassification
43	Roth, George	2735	\$30,000.00	Secured	\$30,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
44	San, Chris	1249	\$70,000.00	Secured	\$70,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
45	Schrameck, Martha	2360	\$7,500.00	Priority	\$7,500.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a).
46	Siegel, John	2150	Total Claim: \$30,000.00 Secured \$30,000.00 Priority \$5,000.00	Secured/Priority	\$30,000.00	General Unsecured	According to the Debtors' Books and Records, the portion of the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a)(7).
47	Smith, Andrew	3278	\$40,000.00	Secured	\$40,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
48	Snell, Barbara	2743	\$80,000.00	Priority	\$80,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a).
49	Subramanian, Venkatesh	1439	Total Claim: \$94,089.36 Secured: \$65,409.48 Priority \$65,409.48	Secured/Priority/Unsecured	\$94,089.36	General Unsecured	According to the Debtors' Books and Records, the portion of the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the claim is therefore ineligible for secured status. Additionally, according to the Debtors' Books and Records, the portion of the liability asserted as priority has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to secured status or priority status pursuant to 11 U.S.C. § 507(a).
50	Sulik, Kenneth Jr.	1056	\$1,000.00	Secured	\$1,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
51	Thomas, Sheeba	2004	\$76,765.52	Secured	\$76,765.52	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
52	Thomas, Siby	1471	\$33,281.87	Secured	\$33,281.87	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
53	Tuzo, Paul	2083	\$80,464.00	Secured	\$80,464.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
54	Ullman, Steven	1619	\$79,704.00	Secured	\$79,704.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.

#	Claimant Name	Claim No.	Asserted Claim Amount	Asserted Claim Priority	Reclassified Claim Amount	Reclassified Claim Priority	Reason for Reclassification
55	Unterseher, Reginald	2358	\$58,499.00	Secured	\$58,499.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
56	Vemuri, Vijay	1966	\$70,000.00	Secured	\$70,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
57	Vigil, Daniel	3524	\$57,425.96	Secured	\$57,425.96	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
58	Wiggins, Jeffrey	2113	\$60,328.00	Secured	\$60,328.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
59	Williamson, Heather	728	\$1,000.00	Priority	\$1,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as a priority claim pursuant to 11 U.S.C. § 507(a)(7) has no legal basis. Additionally, claimant fails to attach sufficient documentation to support its claim that the liability asserted is entitled to priority status pursuant to 11 U.S.C. § 507(a)(7).
60	Yu, Jonathan	3249	\$30,000.00	Secured	\$30,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.
61	Zim, Craig	1609	\$70,000.00	Secured	\$70,000.00	General Unsecured	According to the Debtors' Books and Records, the liability asserted as secured has no legal basis. The claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status.

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
SIXTH OMNIBUS OBJECTION (SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502,
FED. R. BANKR. P. 3007 AND LOCAL RULE 3007-1 TO CERTAIN MISCLASSIFIED
CLAIMS**

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

1. I submit this declaration (the “**Declaration**”) in support of the *Liquidating Trustee’s Sixth Omnibus Objection (Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Misclassified Claims* (the “**Objection**”),² 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 (collectively, 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

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.

of claims (the “**Claims Register**”) prepared and provided by the Debtors’ notice and claims agent, Kurtzman Carson Consultants dba Verita Global (“**Verita**”), and the Proofs of Claim 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 Disputed Claims that are objectionable on substantive grounds, i.e., the Misclassified 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 Disputed 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 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 Disputed Claims that should be reclassified as set forth therein.

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: April 14, 2025

/s/ Rick Wright

Rick Wright