

Fill in this information to identify the case:

United States Bankruptcy Court for the:

District of Delaware (State)

Case number (if known): Chapter 11

Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name Fisker Inc.

2. All other names debtor used in the last 8 years Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 82-3100340

4. Debtor's address Principal place of business Mailing address, if different from principal place of business Location of principal assets, if different from principal place of business

5. Debtor's website (URL) https://www.fiskerinc.com



Debtor Fisker Inc.
Name

Case number (if known) _____

6. Type of debtor

- Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- Partnership (excluding LLP)
- Other. Specify: _____

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply:

- Tax-exempt entity (as described in 26 U.S.C. § 501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

3 3 6 1

8. Under which chapter of the Bankruptcy Code is the debtor filing?

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under **Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

Debtor Fisker Inc.
Name

Case number (if known) _____

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

No

Yes. District _____ When Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District _____ When Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

No

Yes. Debtor See Schedule 1 attached Relationship _____

List all cases. If more than 1, attach a separate list.

District _____ When _____

MM / DD / YYYY

Case number, if known _____

11. Why is the case filed in this district?

Check all that apply:

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other _____

Where is the property?

Number Street _____

City State ZIP Code _____

Is the property insured?

No

Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

Debtor Fisker Inc.
Name

Case number (if known) _____

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|---|--|--|
| <input type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input checked="" type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|---|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input checked="" type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input checked="" type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/19/2024
MM / DD / YYYY

X /s/ John C. DiDonato
Signature of authorized representative of debtor

John C. DiDonato
Printed name

Title Chief Restructuring Officer

Debtor Fisker Inc.
Name

Case number (if known) _____

18. Signature of attorney

X /s/ Robert J. Dehney, Sr.
Signature of attorney for debtor

Date 06/19/2024
MM / DD / YYYY

Robert J. Dehney, Sr.
Printed name

Morris, Nichols, Arsht & Tunnell LLP
Firm name

1201 N. Market Street, 16th Floor
Number Street

Wilmington
City

DE 19801
State ZIP Code

(302) 658-9200
Contact phone

rdehney@morrisnichols.com
Email address

3578
Bar number

DE
State

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

In re:

FIKER INC., *et al.*,

Debtors.

Chapter 11

Case No. 24-[•] ([•])

(Joint Administration to be Requested)

SCHEDULE 1 TO PETITION

On the date hereof, each of the entities listed below, including the debtor in this chapter 11 case (collectively, the “**Debtors**”), has filed or will file a petition for relief in the United States Bankruptcy Court for the District of Delaware under chapter 11 of title 11 of the United States Code. The Debtors will move for joint administration of their cases for procedural purposes only under the case number assigned to the chapter 11 case of Fisker Inc.

Fisker Inc.
Fisker Group Inc.
Fisker TN LLC
Blue Current Holding LLC
Platinum IPR LLC
Terra Energy Inc.

Official Form 201A (12/15)

[If debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11 of the Bankruptcy Code, this Exhibit "A" shall be completed and attached to the petition.]

[Caption as in Form 416B]

**Attachment to Voluntary Petition for Non-Individuals Filing for
Bankruptcy under Chapter 11**

1. If any of the debtor's securities are registered under Section 12 of the Securities Exchange Act of 1934, the SEC file number is 001-39160.

2. The following financial data is the latest available information and refers to the debtor's condition on March 31, 2024.

- a. Total assets \$ 604,000,000
- b. Total debts (including debts listed in 2.c., below) \$ 1,200,000,000
- c. Debt securities held by more than 500 holders

Approximate
number of
holders:

secured <input type="checkbox"/>	unsecured <input type="checkbox"/>	subordinated <input type="checkbox"/>	\$ _____	_____
secured <input type="checkbox"/>	unsecured <input type="checkbox"/>	subordinated <input type="checkbox"/>	\$ _____	_____
secured <input type="checkbox"/>	unsecured <input type="checkbox"/>	subordinated <input type="checkbox"/>	\$ _____	_____
secured <input type="checkbox"/>	unsecured <input type="checkbox"/>	subordinated <input type="checkbox"/>	\$ _____	_____
secured <input type="checkbox"/>	unsecured <input type="checkbox"/>	subordinated <input type="checkbox"/>	\$ _____	_____

d. Number of shares of preferred stock _____

e. Number of shares common stock Class A shares: 2,000,000,000 authorized; 1,250,822,032 outstanding
Class B shares: 150,000,000 authorized; 132,354,128 outstanding

Comments, if any: _____

3. Brief description of debtor's business: Fisker designs, develops, markets, and sells electric vehicles.

4. List the names of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:
Henrik Fisker; Dr. Geeta Gupta-Fisker.

Fill in this information to identify the case:
 Debtor name: Fisker Inc., et al.
 United States Bankruptcy Court for the District of Delaware
 Case number (if known):

Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 30 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 30 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 30 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1 US BANK 633 WEST 5TH STREET, 24TH FLOOR LOS ANGELES, CA 90071	PHONE: 213-615-6026 EMAIL: LACHERIE.WILLIAMS@USBANK.COM	CONVERTIBLE NOTES				\$ 874,507,358.90
2 SAP AMERICA INC. 3999 WEST CHESTER PIKE NEWTOWN SQUARE, PA 19073	PHONE: 610-661-1000 EMAIL: FINANCEAR@SAP.COM	IT / SOFTWARE				\$ 2,379,320.72
3 SALESFORCE.COM, INC 415 MISSION STREET, 3RD FLOOR SAN FRANCISCO, CA 94105	PHONE: 415-901-8457 EMAIL: WFERRIS@SALESFORCE.COM	IT / SOFTWARE				\$ 2,138,244.97
4 GOOGLE LLC 1600 AMPHITHEATRE PARKWAY MOUNTAIN VIEW, CA 94043	PHONE: 650-253-0000 EMAIL: COLLECTIONS@GOOGLE.COM	SALES & MARKETING				\$ 1,957,377.42
5 ADOBE 345 PARK AVE SAN JOSE, CA 95510	PHONE: 408-536-2800 EMAIL: VIP-DIRECT-AMER@ADOBE.COM	IT / SOFTWARE				\$ 1,883,865.87
6 MARSH USA, INC. P.O. BOX 846112 DALLAS, TX 75284	PHONE: NOT AVAILABLE EMAIL: FIDUCIARYSERVICEREQUEST.US@MARSH.COM	INSURANCE				\$ 1,411,403.39
7 AVNET INC 2211 S. 47TH STREET PHOENIX, AZ 85034	PHONE: 810-626-8956 EMAIL: JOEL.FISHMAN@AVNET.COM	MANUFACTURING / PARTS				\$ 1,340,303.99
8 MANPOWERGROUP US INC 100 MANPOWER PL MILWAUKEE, WI 53212	PHONE: 414-961-1000 EMAIL: ANDREW.PULASKI@MANPOWER.COM	PROFESSIONAL SERVICES				\$ 1,081,384.05
9 TESSOLVE DTS INC 3910 N. FIRST STREET SAN JOSE, CA 95134	PHONE: 408-865-0873 EMAIL: SALES@TESSOLVE.COM	RESEARCH & DEVELOPMENT				\$ 818,186.45
10 URGENT.LY INC. 8609 WESTWOOD CENTER DRIVE, SUITE 8 VIENNA VATICAN CITY, VA 22182	PHONE: NOT AVAILABLE EMAIL: THUFFMYER@GETURGENTLY.COM	IT / SOFTWARE				\$ 755,116.70
11 PRELUDE SYSTEMS INC 5 CORPORATE PARK, SUITE 140 IRVINE, CA 92606	PHONE: 949-208-7126 EMAIL: PRADEEP_P@PRELUDESYS.COM	IT / SOFTWARE				\$ 660,053.72
12 NBCUNIVERSAL LLC 30 ROCKEFELLER PLAZA NEW YORK, NY 10112	PHONE: NOT AVAILABLE EMAIL: GAVIN.LAU@NBCUNI.COM	SALES & MARKETING				\$ 649,999.97
13 MICROSOFT CORPORATION C/O BANK OF AMERICA 1950 N. STEMMON DALLAS, TX 75207	C/O BANK OF AMERICA PHONE: NOT AVAILABLE EMAIL: MSCREDIT@MICROSOFT.COM	IT / SOFTWARE				\$ 632,055.46
14 STRATUS-X LLC, DBA XD INNOVATION AM 9800 MOUNT PYRAMID COURT, SUITE 400 ENGELWOOD, CO 80112	PHONE: NOT AVAILABLE EMAIL: MCARRABINO@XDINNOVATION.COM	IT / SOFTWARE				\$ 616,000.00
15 T-MOBILE USA, INC. 12920 SE 38TH ST BELLEVUE, WA 98006	PHONE: NOT AVAILABLE EMAIL: PAUL.TISCH@T-MOBILE.COM	TELECOM				\$ 594,565.76
16 I.G. BAUERHIN GMBH WIESENSTR. 29 HESSEN GRUNDAU, 63584 GERMANY	PHONE: 49 6051 826-0 EMAIL: ANDRZEJ.DYMEK@BAUERHIN.COM	MANUFACTURING / PARTS				\$ 593,345.93
17 ALERE PROPERTY GROUP LLC DBA 14422 ASTRONAUTICS APG LLC 100 BAYVIEW CIRCLE STE #310 NEWPORT BEACH, CA 92660	PHONE: NOT AVAILABLE EMAIL: KIRKBRIDE@UNIREGROUP.COM	RENT				\$ 548,592.83

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
18 VECTOR NORTH AMERICA INC. 39500 ORCHARD HILL PLACE SUITE 400 NOVI, MI 48375	PHONE: 248-449-9290 EMAIL: SALES@US.VECTOR.COM	IT / SOFTWARE				\$ 529,288.35
19 TOMTOM NORTH AMERICA, INC. 11 LAFAYETTE STREET LEBANON, NH 03766	PHONE: NOT AVAILABLE EMAIL: ROYALTYDEPT@TOMTOM.COM	MANUFACTURING / PARTS				\$ 520,634.88
20 NYSE LISTINGS 5660 NEW NORTHSIDE DRIVE, 3FLOOR, C ATLANTA, GA 30328	PHONE: NOT AVAILABLE EMAIL: NAVEENGOU.D.GEVAT@ICE.COM	PROFESSIONAL SERVICES				\$ 500,000.00
21 TESSOLVE SEMICONDUCTOR PRIVATE LIMI PLOT#31 (P2), PHASE II, ELECTRONIC BANGALORE, 10 (KARNATAKA) 560100 INDIA	PHONE: NOT AVAILABLE EMAIL: PONNI.CARLIN@TESSOLVE.COM	RESEARCH & DEVELOPMENT				\$ 490,175.00
22 BROADRIDGE ICS BROADRIDGE INVESTOR COMMUNICATION P.O. BOX 416423 BOSTON, MA 02241-6423	PHONE: 800-353-0103 EMAIL: INVOICES@BROADRIDGE.COM	FREIGHT & DELIVERY				\$ 412,922.90
23 MOURI TECH LLC 1183 W JOHN CARPENTER FWY IRVING, TX 75039	PHONE: 972-756-1500 EMAIL: SIVAD@MOURITECH.COM	IT / SOFTWARE				\$ 400,561.10
24 WESTFALIA AUTOMOTIVE GMBH AM SANDBERG 45 RHEDA-WIEDENBRUCK, 33378 GERMANY	PHONE: 49-162-431-8380 EMAIL: MSTRYCH@HORIZONGLOBAL.COM	MANUFACTURING / PARTS				\$ 383,219.84
25 FEDEX P.O. BOX 7221 PASADENA, CA 91109-7321	PHONE: 310-743-3501 EMAIL: VENDOR.EMAIL@FISKERINC.COM	FREIGHT & DELIVERY				\$ 368,328.37
26 CONTINENTAL DEVELOPMENT CORPORATION DBA CONTINENTAL ROSECRAN 2041 ROSECRANS AVENUE, SUITE 200 EL SEGUNDO, CA 90245	PHONE: NOT AVAILABLE EMAIL: ACCOUNTSRECEIVABLE@CONTINENTALDEVELOPMENT.COM	RENT				\$ 360,642.97
27 AUTOMOTIVE MARKETING CONSULTANTS, I 1515 WEST 190TH STREET, SUITE 440 GARDENA, CA 90248	PHONE: NOT AVAILABLE EMAIL: KKILLIP@AMCIGLOBAL.COM	SALES & MARKETING				\$ 348,238.78
28 MAGNA STEYR FAHRZEUGTECHNIK GMBH & LIEBENAUER HAUPTSTRASSE 317 GRAZ, 8041 AUSTRIA	PHONE: NOT AVAILABLE EMAIL: RENE.HIRCZI@MAGNA.COM	MANUFACTURING / PARTS				\$ 332,969.92
29 FERRANTE KOBERLING CONSTRUCTION, IN 2360 EASTMAN AVE. #112 OXNARD, CA 93030	PHONE: 323-804-6842 EMAIL: JOROPALLO@FERRANTEKOBERLING.COM	CAPEX & MAINTENANCE				\$ 326,861.04
30 DELL USA L.P. ONE DELL WAY ROUND ROCK, TX 78682	PHONE: NOT AVAILABLE EMAIL: JESSICA.GRAY@DELL.COM	IT / SOFTWARE				\$ 316,757.86

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

In re:

FISKER INC., *et al.*,

Debtors.

Chapter 11

Case No. 24-[•] ([•])

(Joint Administration to be Requested)

**CONSOLIDATED CORPORATE OWNERSHIP
STATEMENT AND LIST OF EQUITY INTEREST HOLDERS**

Pursuant to rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and to enable the Judges to evaluate possible disqualification or recusal, attached hereto as **Exhibit A** is a corporate structure chart (the “**Corporate Structure Chart**”) reflecting the ownership interests of Fisker Inc. and certain of its affiliates (collectively, the “**Debtors**”), each of which is a debtor and debtor in possession in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”). The Debtors respectfully represent, as of the date hereof, the following:

1. Each of the Debtors¹ identified on the Corporate Structure Chart, other than Fisker Inc., is owned in its entirety by its direct parent.
2. Fisker Inc. is the ultimate parent of each of the Debtors, and its equity securities are publicly held as follows (as of April 8, 2024):

Class of Common Stock	Amount Authorized	Amount Outstanding
A	2,000,000,000	1,250,822,032
B	150,000,000	132,354,128

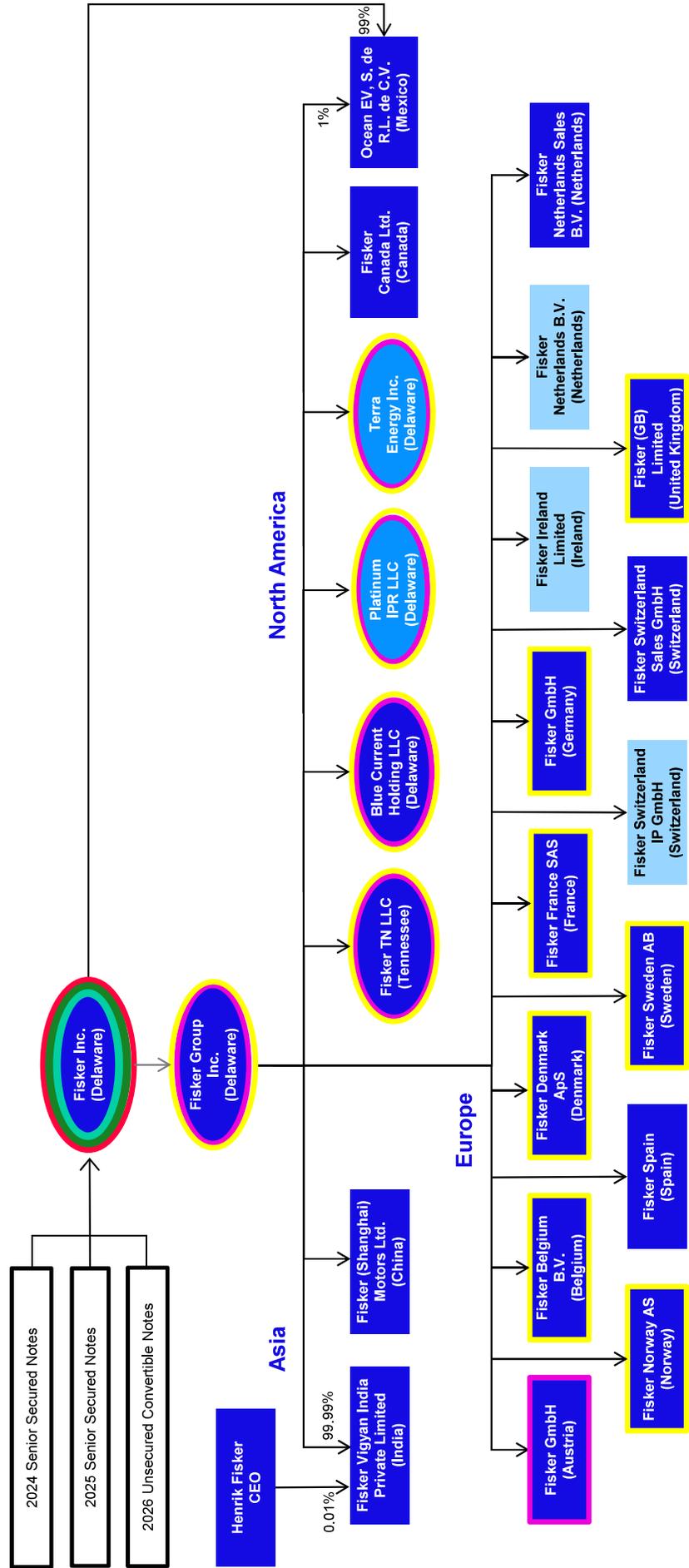
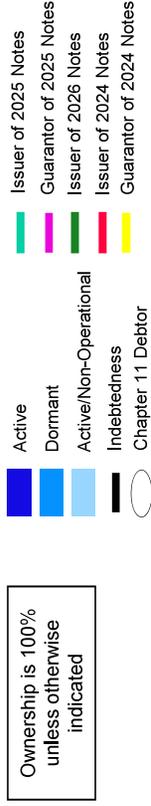
3. There are no entities that own 10% or more of the issued and outstanding common stock of Fisker Inc.

¹ The address of the Debtors’ corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.

Exhibit A

Corporate Structure Chart

Fisker – Organizational Chart



**UNANIMOUS WRITTEN CONSENT OF
THE TRANSACTION COMMITTEE OF THE BOARD OF DIRECTORS**

**FISKER INC.
(a Delaware corporation)**

June 18, 2024

The undersigned, being all of the members of the transaction committee (the “**Transaction Committee**”) of the Board of Directors of Fisker Inc. (the “**Company**”) formed by resolutions of the Board of Directors of the Company (the “**Board**”) as of April 21, 2024 (the “**Transaction Committee Resolutions**”), in lieu of holding a meeting of the Transaction Committee, hereby takes the following actions and adopts the following resolutions by written consent as of the date first written above pursuant to the delegations and authority set forth in the Transaction Committee Resolutions:

WHEREAS, pursuant to the Transaction Committee Resolutions, the Board delegated to the Transaction Committee the power and authority to, among other things, review, evaluate, and approve a strategic transaction or series of transactions for the Company and its subsidiaries regarding the sale of the business and/or assets of the Company and its subsidiaries, including (a) a potential petition by the Company commencing a voluntary bankruptcy case under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”) or any other federal, state, or foreign bankruptcy, insolvency, receivership, or similar proceeding and (b) any financing or use of cash collateral in connection with such commenced proceeding (collectively, a “**Transaction**”);

WHEREAS, the Transaction Committee has reviewed and had the opportunity to ask questions about the materials presented by the management and the legal and financial advisors of the Company regarding the liabilities and liquidity of the Company, the strategic alternatives available, and the impact of the foregoing on the Company’s business;

WHEREAS, the Transaction Committee has had the opportunity to consult with the management and the legal and financial advisors of the Company to fully consider each of the strategic alternatives available to the Company;

WHEREAS, the Transaction Committee has received, reviewed, and considered the recommendations of, and the materials presented by, the management and the legal and financial advisors of the Company regarding the relative risks and benefits of pursuing cases under the provisions of chapter 11 of Bankruptcy Code;

WHEREAS, in accordance with that certain forbearance agreement entered into by and among the Company, affiliates of the Company, and CVI Investments, Inc., dated April 21, 2024, the Company employed and appointed John C. DiDonato as Chief Restructuring Officer of the Company;

WHEREAS, the Transaction Committee has reviewed with the management and the legal and financial advisors of the Company the resolutions set forth below; and

WHEREAS, the Transaction Committee (a) has determined that taking the actions set forth below and the transactions contemplated hereby are advisable and fair to, and in the best interests of, the Company and its stakeholders and, therefore, has (b) adopted the resolutions set forth below and authorized and approved the transactions, agreements, and actions contemplated hereby:

I. Commencement of Chapter 11 Case

NOW, THEREFORE, BE IT RESOLVED, that the Transaction Committee has determined, after due consultation with the management and the legal and financial advisors of the Company, that it is desirable and in the best interests of the Company and its stakeholders that the Company shall be, and hereby is, authorized to file, or cause to be filed, a petition seeking relief (a “**Chapter 11 Case**”) under the provisions of chapter 11 of the Bankruptcy Code, and any other petition for relief or recognition or other order that may be desirable under applicable law in the United States;

RESOLVED, FURTHER, that each officer, including the Chief Restructuring Officer, director, and each member of the Transaction Committee (each, an “**Authorized Person**”), is authorized, empowered, and directed to (a) execute and file in the name and on behalf of the Company, and under its corporate seal or otherwise, all plans, petitions, schedules, statements, motions, lists, applications, pleadings, orders, and other documents in the United States Bankruptcy Court for Delaware (the “**Bankruptcy Court**”), (b) employ and retain all assistance by legal counsel, accountants, financial advisors, investment bankers, and other professionals, and (c) take and perform any and all further acts and deeds that such Authorized Person, who may act without the joinder of any other Authorized Person, deems necessary, proper, or desirable in connection with the Chapter 11 Case, including (i) negotiating, executing, delivering, and performing under any and all documents, agreements, certificates, and instruments in connection with the transactions and professional retentions set forth in this resolution, (ii) appearing as necessary at all bankruptcy proceedings in the Bankruptcy Court on behalf of the Company, and (iii) paying all such expenses where necessary or appropriate in order to carry out fully the intent and accomplish the purposes of the resolutions adopted herein; and

RESOLVED, FURTHER, that the Company is authorized, and each Authorized Person shall be, and hereby is, authorized, empowered, and directed on behalf of and in the name of the Company to seek to have its Chapter 11 Case administered by the Bankruptcy Court under chapter 11 of the Bankruptcy Code.

II. General Authorization and Ratification

RESOLVED, that each Authorized Person shall be, and hereby is authorized, empowered, and directed, on behalf of and in the name of the Company, to (a) do and perform all such acts and things and enter into, execute, acknowledge, deliver, and file all such certificates, agreements, acknowledgments, instruments, contracts, statements, and other documents and to take such further actions as such Authorized Person may deem necessary or appropriate to effect the intent and accomplish the purposes of the foregoing resolutions, the taking of such action or the execution and delivery thereof to be conclusive evidence of the approval thereof, (b) perform the obligations of the Company under the Bankruptcy Code and exercise all rights of the Company under the Bankruptcy Code (including all rights with respect to contracts, agreements, and leases under

sections 365 of the Bankruptcy Code), with all such actions to be performed in such manner, and all such certificates, instruments, guaranties, notices, and documents to be executed and delivered in such form, as the Authorized Person performing or executing the same shall approve, the performance or execution thereof to be conclusive evidence of the approval thereof by such Authorized Person, the Transaction Committee, and the Company, and (c) pay fees and expenses in connection with the transactions contemplated by the foregoing resolutions;

RESOLVED, FURTHER, that the omission from this written consent of any (a) agreement, document, or other arrangement contemplated by any of the agreements, documents, or instruments described in the foregoing resolutions or (b) action to be taken in accordance with any requirement of any of the agreements or instruments described in the foregoing resolutions shall in no manner derogate from the authority of the Authorized Persons to take all actions necessary, desirable, advisable, or appropriate to consummate, effectuate, carry out, or further the transactions contemplated by, and the intent and purposes of, the foregoing resolutions;

RESOLVED, FURTHER, that the Transaction Committee has received sufficient notice of the actions and transactions relating to the matters contemplated by the foregoing resolutions, as may be required by the organizational documents of the Company, or hereby waives any right to have received such notice;

RESOLVED, FURTHER, that any and all actions taken by any officer or director of or advisor to the Company prior to the date of adoption of the foregoing resolutions, which would have been authorized by the foregoing resolutions but for the fact that such actions were taken prior to such date, be, and each hereby is, ratified, approved, confirmed, and adopted as a duly authorized act of the Company in all respects and for all purposes; and

RESOLVED, FURTHER, that this consent may be executed in one or more counterparts, and delivered by electronic means, each of which, when so executed, shall be treated in all manner and respects and for all purposes as one and the same original, written consent, and shall be considered to have the same binding legal effect as if it were an original manually signed counterpart hereof delivered in person.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned, has caused this written consent to be executed as of the date first set forth above.



Name: John Dubel
Title: Director and Transaction Committee Chair



Wendy Greuel (Jun 18, 2024 20:07 PDT)

Name: Wendy J. Greuel
Title: Director



Nadine Watt (Jun 18, 2024 20:06 PDT)

Name: Nadine I. Watt
Title: Director

Fill in this information to identify the case and this filing:

Debtor Name Fisker Inc.
 United States Bankruptcy Court for the: _____ District of Delaware
(State)
 Case number (if known): _____

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- Amended Schedule _____
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration Consolidated Corporate Ownership Statement

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/19/2024
MM / DD / YYYY

X /s/ John C. DiDonato

Signature of individual signing on behalf of debtor

John C. DiDonato

Printed name

Chief Restructuring Officer

Position or relationship to debtor