

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

FISKER, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

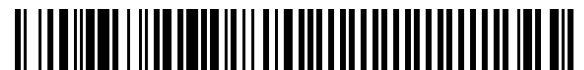
Re: Docket No. 930

**CERTIFICATION OF COUNSEL REGARDING ORDER  
GRANTING LIQUIDATING TRUSTEE'S FIFTH OMNIBUS OBJECTION  
(NON-SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007  
AND LOCAL RULE 3007-1 TO CERTAIN (I) SAME-DEBTOR DUPLICATE CLAIMS;  
AND (II) AMENDED AND SUPERSEDED CLAIMS**

The undersigned counsel to Matthew Dundon, solely in his capacity as the Liquidating Trustee (the “**Liquidating Trustee**”) of the Fisker Liquidating Trust (the “**Liquidating Trust**”), hereby certifies as follows:

1. On March 17, 2025, the Liquidating Trustee filed the *Liquidating Trustee's Fifth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain (I) Same-Debtor Duplicate Claims; and (II) Amended and Superseded Claims* [Docket No. 930] (the “**Objection**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”). Attached thereto as Exhibit A was a proposed form of order granting the relief requested in the Objection (the “**Proposed Order**”). Attached as Schedule 1 and Schedule 2 to the Proposed Order were schedules identifying the same-debtor duplicate claims and amended and superseded claims, respectively, that are subject to the Objection.

<sup>1</sup> 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. On April 16, 2025, the Court held a hearing to consider the relief requested in the Objection (the “**Hearing**”). Based on comments from the Court at the Hearing, the Liquidating Trustee has removed the amended and superseded proof of claim filed by Michael Rosenthal (Claim No. 3305) (the “**Rosenthal Claim**”) from Schedule 2.

3. Accordingly, attached hereto as **Exhibit 1** is a revised proposed form of order (the “**Revised Proposed Order**”) that omits the Rosenthal Claim from Schedule 2.

4. A redline comparing the Proposed Order against the Revised Proposed Order is attached hereto as **Exhibit 2**.

5. The Liquidating Trustee respectfully requests that the Court enter the Revised Proposed Order at its earliest convenience.

*[Remainder of Page Intentionally Left Blank]*

Dated: April 16, 2025  
Wilmington, Delaware

**COLE SCHOTZ P.C.**

/s/ Justin R. Alberto

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*Co-Counsel to the Liquidating Trustee*

**Exhibit 1**

**Proposed Order**

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

In re:

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Debtors.

Chapter 11

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**Re: D.I. 930**

**ORDER GRANTING LIQUIDATING TRUSTEE'S FIFTH OMNIBUS OBJECTION  
(NON-SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007  
AND LOCAL RULE 3007-1 TO CERTAIN (I) SAME-DEBTOR DUPLICATE CLAIMS;  
AND (II) AMENDED AND SUPERSEDED CLAIMS**

Upon the *Liquidating Trustee's Fifth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain (I) Same-Debtor Duplicate Claims; and (II) Amended and Superseded Claims* (the "**Objection**"),<sup>2</sup> 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

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

**Schedule 1** and **Schedule 2** 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 Claim listed on **Schedule 1** and **Schedule 2** 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 Same-Debtor Duplicate Claim.
- E. Each of the Claims on **Schedule 2** hereto asserts an Amended/Superseded 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 Same-Debtor Duplicate Claim on **Schedule 1** hereto is hereby disallowed in full and expunged.
- 4. The Liquidating Trustee's rights to object to any of the Remaining Claims listed on **Schedule 1** hereto, at any time and for any reason, are fully preserved.
- 5. Each of the Claims listed as an Amended/Superseded Claim on **Schedule 2** hereto is hereby disallowed in full and expunged.

6. The Liquidating Trustee's rights to object to any of the Surviving Claims listed on **Schedule 2** hereto, at any time and for any reason, are fully preserved.

7. The official Claims Register in these Chapter 11 Cases shall be modified in accordance with this Order.

8. 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.

9. 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).

10. 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 - Same-Debtor Duplicate Claims

Claimant Name	Remaining Claim #	Duplicate Claim # to be Disallowed	Claim Amount	Priority	Remaining Claim Debtor	Reason for Disallowance
Mogasala, Murali	3262	3215	\$10,000.00	General Unsecured Nonpriority	Fisker, Inc.	The Duplicate Claim is duplicative of the Remaining Claim

## Schedule 2 - Amended and Superseded Claims

Claimant Name	Surviving Claim #	Amended and Superseded Claim # to be Disallowed	Asserted Priority	Amended and Superseded Claim Amount	Surviving Claim Amount	Reason for Disallowance
Konstandt, David	2342	210	Secured	\$65,000.00	Unliquidated	The Surviving Claim amended and superseded the Amended/Superseded Claim
Petrescu, Catalin	1958	251	General Unsecured Priority (507(a)(7))	\$1,000.00	\$1,000.00	The Surviving Claim amended and superseded the Amended/Superseded Claim
Tanguay, Dan	4031	3607	General Unsecured Priority (507(a)(4))	\$85,000.00	\$85,000.00	The Surviving Claim amended and superseded the Amended/Superseded Claim

**Exhibit 2**

**Redline**

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

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Re: D.I. ~~930~~ 930

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

Objection, the Claims listed on **Schedule 1** and **Schedule 2** 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 Claim listed on **Schedule 1** and **Schedule 2** 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 Same-Debtor Duplicate Claim.

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IT IS HEREBY ORDERED ADJUDGED AND DECREED that:

1. The Objection is GRANTED as set forth herein.

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9. 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).

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Petrescu, Catalin	1958	251	General Unsecured Priority (507(a)(7))	\$1,000.00	\$1,000.00	The Surviving Claim amended and superseded the Amended/Superseded Claim
<del>Rosenthal, Michael</del>	<del>3336</del>	<del>3305</del>	<del>Secured/General Unsecured Nonpriority</del>	<del>\$68,344.39 comprising (i) \$33,303.79 (Secured) and (ii) \$35,040.60 (General Unsecured Nonpriority)</del>	<del>\$68,344.39 comprising (i) \$33,303.79 (Secured) and (ii) \$35,040.60 (General Unsecured Nonpriority)</del>	<del>The Surviving Claim amended and superseded the Amended/Superseded Claim</del>
Tanguay, Dan	4031	3607	General Unsecured Priority (507(a)(4))	\$85,000.00	\$85,000.00	The Surviving Claim amended and superseded the Amended/Superseded Claim